

HARMON LAW OFFICES, P.C.

150 CALIFORNIA STREET
NEWTON, MASSACHUSETTS 02458
TEL: (617) 558-0500
FAX: (617) 244-7304

Business Hours: Monday-Friday 8:00 AM to 5:30 PM

SERVING MASSACHUSETTS, NEW HAMPSHIRE AND RHODE ISLAND



15011480
SPTV14-8
Date
2019/08/02

August 5, 2019

NOTICE OF MORTGAGE FORECLOSURE SALE

RE: Federal National Mortgage Association

Pursuant to New Hampshire Revised Statutes 479:25, as amended, enclosed is a copy of the Mortgagee's Notice of Sale of Real Estate.

This notice is provided to you because an examination of the record title shows that you hold an interest of record.

Federal National Mortgage Association
Present holder of the mortgage
By its Attorney,

Emery Markles
Harmon Law Offices, P. C.
Enclosure



Addressee: Town of Temple, Office of the Tax Collector

2018010031



31-4199
Service
Date
2019/08/02

MORTGAGEE'S NOTICE OF SALE OF REAL PROPERTY

By virtue of a Power of Sale contained in a certain mortgage given by Laura L. Woodbury a/k/a Laura Woodbury, Travis A. Woodbury a/k/a Travis Woodbury ("the Mortgagor(s)") to Chase Manhattan Mortgage Corporation, dated January 10, 2003 and recorded in the Hillsborough County Registry of Deeds in Book 6813, Page 1365, as modified by a certain modification agreement dated May 1, 2014, and recorded with said Hillsborough County Registry of Deeds in Book 8671, Page 1027, (the "Mortgage"), which mortgage is held by Federal National Mortgage Association, the present holder of said Mortgage, pursuant to and in execution of said power and for breach of conditions of said Mortgage and for the purposes of foreclosing the same will sell at:

Public Auction
on
October 2, 2019
at
12:00 PM

Said sale being located on the mortgaged premises and having a present address of 69 Kullgren Road, Temple, Hillsborough County, New Hampshire. The premises are more particularly described in the Mortgage.

For mortgagor's(s)' title see deed recorded with the Hillsborough County Registry of Deeds in Book 6150, Page 1071.

NOTICE

PURSUANT TO NEW HAMPSHIRE RSA 479:25, YOU ARE HEREBY NOTIFIED THAT YOU HAVE A RIGHT TO PETITION THE SUPERIOR COURT FOR THE COUNTY IN WHICH THE MORTGAGED PREMISES ARE SITUATED, WITH SERVICE UPON THE MORTGAGEE, AND UPON SUCH BOND AS THE COURT MAY REQUIRE TO ENJOIN THE SCHEDULED FORECLOSURE SALE.

The address of the mortgagee for service of process is Federal National Mortgage Association (Fannie Mae), Legal Department, Granite Park VII, 5600 Granite Parkway, Plano, TX 75024 and the name of the mortgagee's agent for service of process is Todd Barton.

You can contact the New Hampshire Banking Department by e-mail at nhbd@banking.nh.gov. For information on getting help with housing and foreclosure issues, please call the foreclosure information hotline at 1-800-437-5991. The hotline is a service of the New Hampshire Banking Department. There is no charge for this call.

The Property will be sold subject to all unpaid real estate taxes and all other liens and encumbrances which may be entitled to precedence over the Mortgage. Notwithstanding any title information contained in this notice, the Mortgagee expressly disclaims any representations as to the state of the title to the Property involved as of the date of the notice of the date of sale. The property to be sold at the sale is "AS IS WHERE IS".

TERMS OF SALE



242415
REVISED
Date
2019.10.02

A deposit of Five Thousand (\$5,000.00) Dollars in the form of a certified check or bank treasurer's check or other check satisfactory to Mortgagee's attorney will be required to be delivered at or before the time a bid is offered. The successful bidder(s) will be required to execute a purchase and sale agreement immediately after the close of the bidding. The balance of the purchase price shall be paid within thirty (30) days from the sale date in the form of a certified check, bank treasurer's check or other check satisfactory to Mortgagee's attorney. The Mortgagee reserves the right to bid at the sale, to reject any and all bids, to continue the sale and to amend the terms of the sale by written or oral announcement made before or during the foreclosure sale. The description of the premises contained in said mortgage shall control in the event of an error in this publication.

Dated at Newton, Massachusetts, on August 5, 2019.

Federal National Mortgage Association

By its Attorney,

Emery Markles

Harmon Law Offices, P.C.

PO Box 610389

Newton Highlands, MA 02461

603-669-7963

2018010031

Harmon Law Offices, P.C.
P.O. Box 610389
Newton Highlands, MA 02461

USPS CERTIFIED MAIL



9214 8902 2003 7200 5919 87



31 41475
Service
Date
2019/08/02



Town of Temple, Office of the Tax Collector
PO Box 216
Temple, NH 03084

2018010031 F



2018010031

CERTIFIED MAIL

POSTNET

06/02/2019

FIRST-CLASS MAIL

POSTAGE \$005.60



ZIP 03120
CITY: NASHUA, NH

1st NOTICE 8-6
2nd NOTICE _____
RETURNED _____

0306430216 8001





FW: For Consideration re: TCPC

5 messages

Christine Robidoux <ricochetrobidoux@hotmail.com>

Mon, Aug 5, 2019 at 1:15 PM

To: Selectboard <selectboard@templeh.org>, Board Assistant <boardassistant@templeh.org>
Cc: Jessica Hipp <jess.hipp@gmail.com>

As chair of the Temple Community Planning Committee, I would like to request that the Select Board appoint Jessica Hipp to the committee at the next Select Board meeting.

Thank you,

Christine

Sent from Mail for Windows 10

From: Jessica Hipp <jess.hipp@gmail.com>
Sent: Saturday, August 3, 2019 10:31:51 PM
To: Christine Robidoux <ricochetrobidoux@hotmail.com>
Subject: For Consideration re: TCPC

Dear Christine,

I am writing to submit my name for consideration on the Temple Community Planning Committee. My family moved to Temple four and a half years ago because of the strong sense of community, rural character of the town, and family-friendly community. My son was one at the time. This fall he will start Kindergarten at TES, and our daughter will be there in a few years.

Temple has many attractive qualities for us, and I believe for other young families like us. I am interested in serving on the committee because I have specific thoughts on how the town could attract and retain more young families like ours. I also have extensive professional background in corporate communications and marketing, which may be of use.

My family is vested in this town: my husband serves on the volunteer fire department, and we intend to raise our children here. I would be honored to serve on the committee. Thank you for your consideration. Please feel free to contact me if you have any questions.

All the best,
Jessica Hipp
358 Hadley Hwy
978-430-4342

Bill Ezell <tsb@quackers.net>

Mon, Aug 5, 2019 at 4:45 PM

To: Christine Robidoux <ricochetrobidoux@hotmail.com>, Selectboard <selectboard@templeh.org>, Board Assistant <boardassistant@templeh.org>
Cc: Jessica Hipp <jess.hipp@gmail.com>

Paul, please add to the agenda.

Thanks, Bill

[Quoted text hidden]

--

Bill Ezell
Chairman, Selectboard, Town of Temple, NH

Board Assistant <boardassistant@templeh.org>

Tue, Aug 6, 2019 at 8:15 AM

To: Bill Ezell <tsb@quackers.net>

Cc: Christine Robidoux <ricochetrobidoux@hotmail.com>, Selectboard <selectboard@templeh.org>, Jessica Hipp <jess.hipp@gmail.com>

Hi Bill:

Will add this appointment to the Monday, Aug. 12 agenda for the meeting starting at 5 p.m.

Thanks,

Paul

[Quoted text hidden]

--

Paul Clifton-Waite

Assistant to the Select Board

Town of Temple, NH

603.878.2536

Hours: Mon. 7-9 a.m., Tues. 8-6 p.m., Thurs. 8-6 p.m., 1st and 3rd Sat 8-11 a.m.

Christine Robidoux <ricochetrobidoux@hotmail.com>
To: Board Assistant <boardassistant@templeh.org>

Tue, Aug 6, 2019 at 8:20 AM

The meeting is Monday, 12th, not Tuesday?

Sent from my iPhone

[Quoted text hidden]

Board Assistant <boardassistant@templeh.org>
To: Christine Robidoux <ricochetrobidoux@hotmail.com>

Tue, Aug 6, 2019 at 8:29 AM

Hi Christine:

Yes, they moved it last meeting due to a scheduling conflict for Bill as I recall.

Thanks,

Paul

[Quoted text hidden]

Lot Merger

3 messages

william.drescher@drescherdokmo.com <william.drescher@drescherdokmo.com>
To: "boardassistant@templenh.org" <boardassistant@templenh.org>
Cc: "apickman@comcast.net" <apickman@comcast.net>

Thu, Aug 8, 2019 at 6:37 PM

Hello Allan and Paul

Thank for sending this interesting matter to us. I believe that the tax records identify the source deed for the two lots under consideration as **Volume 5618, Page 1147**. I am continuing to assume that that is, indeed, the correct reference for the properties in question. My understanding is that Attorney Runyon's client wishes to convey the two lots separately, claiming the right to do so as emanating from the recent statute governing the involuntary merger of lots by a municipality. The two lots in question, I understand, are **Tax Map 6, Lots 30 and 32**. Based on my review of the materials provided, my opinion is that those two lots are currently merged by virtue of the action of prior and current owners and, as such, the merger was NOT involuntary nor committed by the Town. My reasoning is set forth below.

Analysis

Allan, in his email to me of 8/5/2019, refers to this deed and says: '*... Tax Lots 6-30 and 6-32 on the same deed as lot 6-47, although described separately ("First Tract" and "Second Tract". ...)*'. A review of the deed at **Volume 5618, Page 1147**, does, indeed, convey two tracts of land. However, the first tract is a 35 acre parcel which is NOT either of the parcels which Attorney Runyon wants to convey separately. This is clear from the deed itself for several reasons:

- At the beginning of the description, a preamble paragraph identifies that parcel as being on the East side of the road and directly across the street from Tract 2: '*... Two certain pieces or parcels of land, with the buildings thereon, ... on the East Road, so-called, the First Tract situated on the Easterly Side of said Road, and the Second Tract situated on the Westerly side thereof directly across from the buildings on the First Tract...*' (emphasis supplied).
- Secondly, a view of applicable excerpt of Tax Map 6, reveals that the shape of **Map 6, Lot 47**, conforms to the description in the deed both in size (35 acres), and configuration.

The Second Tract, by comparison, does not contain a description which neatly conforms to that shown on the tax map, but it does leave us with two clues that would appear to support the notion that the description of this Second Tract constitutes a perimeter description of the combination of what we show as **Map 6, Lot 30 and 32** on the map::

- First, the size call for the Second Tract is '*... two (2) acres, be the same more or less. ...*', which is approximately consistent with the size of the combination of the two lots, one being shown as 0.73 acres and the other being 1.14 acres, particularly if the road way is included in the area.
- Secondly, the deed contains a reference reserving '*... the right of the public or others to use the highway through said premises. ...*'.

The description of the second tract also contains references to boundaries (Course No. 2 – which refers to a stone wall), and it might be possible when viewing the parcel directly to confirm (or not) these markers.

The statute in question prohibits the Town from involuntarily merging adjacent parcels. The ordinance provision requiring the merging of adjacent non-conforming parcels would apply in an instance in which a party wished to develop the property. If Attorney Runyon has better title data than we do or can identify conveyances of these properties as separate deeded parcels (which would mean that our assumption that Tract 2 constitutes the two tax lots in question would be wrong), then I would be happy to review the same. However, the merger of these two lots, in my opinion, occurred when the property was described as a single parcel. I have not followed the title back but the deed into the Lee trust contains a title reference for their source deed (**Volume 2013, Page 113**), in which the description of Tract 2 is identical to the trust deed which means the property (again, assuming tract 2 is describing Lots 6-30 & 32 Accordingly, the merger of these two lots was not done involuntarily by the Town, but by the owners (or their predecessor in title), but was clearly one parcel as early as 1970 (the year of the original deed to the Lees). I went back to attempt to find the source deed by which the description of Tract 2 was created. I was able to find a deed into Maynard which appears to be the origin of the three sided description does not appear in that deed which conveys two parcels, one of 45 acres and the second of 42 acres. However, in the Maynard – Lee deed in 1967, the description as it appears in the current deed materializes for the first time, but the title reference indicates that it was intended to be the '*... northerly tip of the first tract in said deed from Burckee to Maynards dated November 10, 1943 ..*', which refers to a deed at **Volume 1054, Page 391**. Thus, it does not appear that this property was ever deeded as separate lots. The fact that the town tax map preparer gave them separate tax numbers, under NH case law, is not conclusive as to subdivision.

Finally, I was able to locate a plan on the Registry site which depicted this area (the plan was prepared to facilitate the conveyance of a conservation easement by Scott to the Monadnock Conservancy. This plan is recorded as **Plan No. 32902** and clearly shows the description of the tax lots 6-30 and 32, identifying them with the same volume and page as the current deed.

For all of the above reasons it is my opinion that these lots were not deeded in a manner that would entitle them to be 'unmerged' pursuant to the statute.

Hope this helps.

Please let me know if you have any questions or comments.

Bill Drescher

Board Assistant <boardassistant@templeh.org>
To: "william.drescher@drescherdokmo.com" <william.drescher@drescherdokmo.com>
Cc: "apickman@comcast.net" <apickman@comcast.net>, Paul Clifton-Waite <pacwaite@gmail.com>

Fri, Aug 9, 2019 at 7:51 AM

Hi Bill:
I appreciate the thorough research and the concise summary of your findings. I will share with the Select Board and, if you're agreeable, with attorney Runyon in advance of the meeting. It may save all of us some time and move the discussion forward. Just let me know about providing Phil with this information. I will be here until about 9:30 a.m. and monitoring the email via gmail. I will be back in the office on Monday at 7 a.m. Our Board meeting falls on Monday at 5 p.m. this week.

Thank you.

Best,
Paul

[Quoted text hidden]

--

Paul Clifton-Waite

Assistant to the Select Board

Town of Temple, NH

603.878.2536

Hours: Mon. 7-9 a.m., Tues. 8-6 p.m., Thurs. 8-6 p.m., 1st and 3rd Sat 8-11 a.m.

Board Assistant <boardassistant@templeh.org>
To: Selectboard <selectboard@templeh.org>
Cc: ALLAN PICKMAN <apickman@comcast.net>, Paul Clifton-Waite <pacwaite@gmail.com>

Fri, Aug 9, 2019 at 8:19 AM

Hi Gents:

I am circulating a legal opinion from Bill Drescher as to why the town will not be able to "unmerge" lots as requested by Phil Runyon. He had wanted to convey to a buyer Lots 6-30 and 6-32 (separate from Lot 6-33), since as he alleged they were acquired by a deed that kept them separate from Lot 6-33. As you will read, Drescher finds that the deeds shows them tied up by deed to Lot 6-47. I have asked Bill to confirm that I may share this opinion with attorney Runyon ahead of the meeting - perhaps moving the conversation forward and maybe curtailing an unnecessary discussion on Monday evening. Tax map included for reference purposes.

Thanks,
Paul

[Quoted text hidden]

[Quoted text hidden]

 **Tax Map - East Road Conveyance Matter.pdf**
227K

property conveyance question - East Road

8 messages

Board Assistant <boardassistant@templeh.org>
To: prunyon@runyonlawoffice.com
Cc: ALLAN PICKMAN <apickman@comcast.net>

Tue, Jul 30, 2019 at 2:40 PM

Hi Phil:

Good talking to you today about the East Road properties (see attached tax cards). I understand you have a question about approvals were these properties to be conveyed to a contiguous property.

I apologize for not having the information, but am looping in Planning Board Chair Allan Pickman who should be able to help. Hopefully, he can chime in at the earliest convenience.

Thanks for your patience.

Best regards,
Paul


--
Paul Clifton-Waite

Assistant to the Select Board

Town of Temple, NH

603.878.2536

Hours: Mon. 7-9 a.m., Tues. 8-6 p.m., Thurs. 8-6 p.m., 1st and 3rd Sat 8-11 a.m.

 **Tax Cards - Lots 6B 30 & 32 East Road (Lee Revc Trst).pdf**
1520K

L. Phillips Runyon III <prunyon@runyonlawoffice.com>
To: Board Assistant <boardassistant@templeh.org>
Cc: ALLAN PICKMAN <apickman@comcast.net>

Tue, Jul 30, 2019 at 3:35 PM

Paul - Thanks for the quick response to my query!

For the benefit of both you and Allan, the Lees' deed of Lots 6-30 and 6-32 describes them as separate parcels apart from the rest of the Lees' property, and they were acquired by the Lees in a deed that was separate from the one by which they acquired the contiguous Lot 6-33.

So, the question is whether Lots 6-30 and 6-32 could be conveyed separately from Lot 6-33, without Planning Board approval, although, of course, they're not large enough to constitute building lots.

Many thanks again for your help with this issue.

Regards, Phil

L. Phillips Runyon III
Runyon Law Office, PLLC
P.O. Box 674
45 Main Street - Suite 204
Peterborough, NH 03458-0674
Phone: 603-924-3050, ext. 1
Fax: 603-924-9764
E-mail: prunyon@runyonlawoffice.com
Website: www.runyonlawoffice.com

Contact us to receive our e-mail newsletter.



responsibility for any authorized reliance on this message. If you have received this message in error, please notify the sender immediately and purge the message you received.

[Quoted text hidden]

ALLAN PICKMAN <apickman@comcast.net>
Reply-To: ALLAN PICKMAN <apickman@comcast.net>
To: "L. Phillips Runyon III" <prunyon@runyonlawoffice.com>, Board Assistant <boardassistant@templeh.org>

Tue, Jul 30, 2019 at 4:27 PM

Phil

Interesting problem.

I am not familiar with the lots in question, but I have glanced at the tax map in question. Below I have attached the relevant section of the Temple Zoning Ordinance.

Per the ordinance, lots 6-32 and 6-33 are contiguous, and are presumably under the same ownership, so should not be conveyed separately. If lots 6-30 and 6-32 are on one deed, they presumably should remain that way, so that 6-30, 6-32 and 6-33 should be considered one lot, and conveyed that way if sold.

Please note that I am not a lawyer, and the above is purely my opinion, based on 30 odd years of planning board experience.

The Zoning Ordinance and Tax maps are available on the town website, templeh.org

Please reply if you have more questions.

Allan Pickman, Chairman
Temple Planning Board.

-

Article VII

Section 3: Non-Conforming Lots of Record

In any district, a vacant lot which was a lawful lot of record as of the effective date of this ordinance may be developed for the uses permitted in that district, even though the lot does not conform to the area or frontage requirements of this ordinance. The applicable district requirements for yard setbacks and state septic system requirements shall still apply. Contiguous lots under one ownership, any one of which has less than the required frontage and/or minimum area for the district, must be combined to conform to the zoning requirements before any building permit is granted, unless said lots have been previously approved by the Planning Board.

[Quoted text hidden]

L. Phillips Runyon III <prunyon@runyonlawoffice.com>
To: ALLAN PICKMAN <apickman@comcast.net>
Cc: Board Assistant <boardassistant@templeh.org>

Tue, Jul 30, 2019 at 4:55 PM

Mr. Pickman - Please see NH RSA 674: 39-a and 39-aa. I have always understood that those statutes would prevent a town from merging pre-existing lots that were separately acquired, such that subdivision approval would not be required to convey them separately to a new owner.

Is it not your understanding that these statutes would prevent Lots 6-30 and 6-32 from being merged with Lot 6-33, if they were acquired separately?

Again, I thank you for your opinion - and your advice about how to proceed in order to convey Lots 6-30 and 6-32.

Respectfully, Phil

L. Phillips Runyon III
Runyon Law Office, PLLC
P.O. Box 674
45 Main Street - Suite 204
Peterborough, NH 03458-0674
Phone: 603-924-3050, ext. 1
Fax: 603-924-9764
E-mail: prunyon@runyonlawoffice.com
Website: www.runyonlawoffice.com

Contact us to receive our e-mail newsletter.



PRIVILEGED AND CONFIDENTIAL: The information contained in this electronic message and any attachments are confidential property and intended only for the use of the addressee. Any interception, copying, accessing, or disclosure or distribution of this message is prohibited, and sender takes no responsibility for any authorized reliance on this message. If you have received this message in error, please notify the sender immediately and purge the message you received.

[Quoted text hidden]

Board Assistant <boardassistant@templeh.org>
To: ALLAN PICKMAN <apickman@comcast.net>

Tue, Jul 30, 2019 at 5:21 PM

Thanks, Allan, for weighing in. Really appreciate it.
Best,
Paul

On Tue, Jul 30, 2019 at 4:27 PM ALLAN PICKMAN <apickman@comcast.net> wrote:

[Quoted text hidden]

[Quoted text hidden]

ALLAN PICKMAN <apickman@comcast.net>
Reply-To: ALLAN PICKMAN <apickman@comcast.net>
To: "L. Phillips Runyon III" <prunyon@runyonlawoffice.com>
Cc: boardassistant@templeh.org

Wed, Jul 31, 2019 at 4:47 PM

Phil

Sorry to take so long. I did a little digging, and apparently the Zoning is valid, according to my law book 'New Hampshire Planning and Land Use Regulation 2018-2019 Edition':

NOTES TO DECISIONS

Construction

Plain language of RSA 674:39-a, which governs voluntary mergers by owners of two or more parcels of land, gives property owners the right to merge contiguous lots, but nothing in its language precludes a town from automatically merging such lots pursuant to its zoning ordinance. Thus, nothing in RSA 674:39-a precludes a town from requiring the merger of contiguous, nonconforming lots in common ownership. *Sutton v. Town of Gilford*, 160 N.H. 43, 992 A.2d 709, 2010 N.H. LEXIS 24 (N.H. 2010).

I don't know if this provision of the Temple Zoning Ordinance has been enforced in the past, and of course it is the Board of Selectmen that would be responsible for enforcement. Perhaps we should take it up with them, and get the advice of Town Counsel (Bill Drescher).

The Select Board meets next on Tuesday, Aug 13.

Thanks for your patience

Allan Pickman, Chairman

Temple Planning Board

[Quoted text hidden]

ALLAN PICKMAN <apickman@comcast.net>
Reply-To: ALLAN PICKMAN <apickman@comcast.net>
To: william drescher <william.drescher@drescherdokmo.com>
Cc: Selectboard <selectboard@templeh.org>, Bill Ezell <tsb@quackers.net>, George Willard <sophiemoog@comcast.net>, Board Assistant <boardassistant@templeh.org>

Mon, Aug 5, 2019 at 2:58 PM

Bill

Mr. Runyon is proposing to convey two small nonconforming "lots" to a buyer (see attached detail of tax map).

Tax lots 6-30 and 6-32 are the lots that they want to convey.

The lots belong to Raymond F. Lee and Patricia C. Lee Revocable Trust. Mr Lee passed away last month.

East Road and Tobey Lane are town roads (although the town probably does not have title to them) that separate the adjacent parcels.

Tax lots 6-30 and 6-32 on the same deed as lot 6-47, although described separately ("First Tract" and "Second Tract", see deed 5618/1147, attached).

The three lots are all within the same deed description in a mortgage recorded in 1943 (see 1057-0082, attached).

The Lee trust also owns lot 6-33, which was acquired through a separate deed predating the adoption of Zoning, but which appears to meet the minimum dimensional requirements for a residential lot in that district.

I have seen no evidence that the parcels 6-30 and 6-32 were ever deeded separately 6-47. The house on 6-47 dates from the time of the Revolution, when roads through ones dooryard were common.

So the question is, is Mr. Runyon making a legitimate request to allow the two parcels to be deeded separately, or is this a less than legitimate attempt to bypass the normal Subdivision process?

Note that towards the end of the email thread below Mr. Runyon states that the intent is to convey the lots to the Scott family, who are the abutters to the West, and to whom the two smaller parcels could be conveyed by a simple lot line adjustment, if everyone had a little patience.

Please give us your thoughts on how you think the town should proceed on this matter. The next Select Board Meeting is on Tuesday the 13th, so a response by the end of this week would be appreciated.

Thanks

Allan Pickman, Chairman

Temple Planning Board.

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

From: "L. Phillips Runyon III" <prunyon@runyonlawoffice.com>
To: ALLAN PICKMAN <apickman@comcast.net>
Date: August 2, 2019 at 9:39 AM
Subject: Re: property conveyance question - East Road

We've certainly thought about that approach, but we're hoping to avoid eliminating the boundary lines of the parcels being conveyed - and the process of having to wait for a meeting, probably in September, to complete the transaction.

L. Phillips Runyon III
Runyon Law Office, PLLC
P.O. Box 674
45 Main Street - Suite 204
Peterborough, NH 03458-0674
Phone: 603-924-3050, ext. 1
Fax: 603-924-9764
E-mail: prunyon@runyonlawoffice.com
Website: www.runyonlawoffice.com



PRIVILEGED AND CONFIDENTIAL: The information contained in this electronic message and any attachments are confidential property and intended only for the use of the addressee. Any interception, copying, accessing, or disclosure or distribution of this message is prohibited, and sender takes no responsibility for any authorized reliance on this message. If you have received this message in error, please notify the sender immediately and purge the message you received.

On Fri, Aug 2, 2019 at 9:24 AM ALLAN PICKMAN <apickman@comcast.net> wrote:

If the intent is to convey 6-30 and 6-32 to the Scotts, then the easiest solution is a lot line adjustment. This would eliminate any question about whether the parcels were buildable lots, or could be legally conveyed as separate parcels. Lot 6-30 could be merged with 6-29, and 6-32 merged with 6-31.

The only new lot lines created would be town roads, I'm not sure that a surveyor would be required. The planning board could approve the lot line adjustment based on the tax maps, and then the land deeded and recorded. If you like that idea we can run it by Drescher, and the Selectmen are not involved.

On August 2, 2019 at 8:43 AM "L. Phillips Runyon III" <prunyon@runyonlawoffice.com> wrote:

Allan - Thanks for doing so much research on this question.

Your information about the Lees' sources of title is accurate based on our records, as well.

All we're hoping to do is have Lots 6-30 and 6-32 conveyed to the Scott family that owns all the contiguous properties on Tobey Lane. We just need to know whether we can do so without Planning Board approval - because the lots in question were acquired separately by the Lees and have been treated by the town as separate lots for quite a long time.

Thanks again, and we'll wait to hear from you or Bill Drescher.

Regards, Phil

L. Phillips Runyon III
Runyon Law Office, PLLC
P.O. Box 674
45 Main Street - Suite 204
Peterborough, NH 03458-0674
Phone: 603-924-3050, ext. 1
Fax: 603-924-9764
E-mail: prunyon@runyonlawoffice.com
Website: www.runyonlawoffice.com

Contact us to receive our e-mail newsletter.



PRIVILEGED AND CONFIDENTIAL: The information contained in this electronic message and any attachments are confidential property and intended only for the use of the addressee. Any interception, copying, accessing, or disclosure or distribution of this message is prohibited, and sender takes no responsibility for any authorized reliance on this message. If you have received this message in error, please notify the sender immediately and purge the message you received.

On Thu, Aug 1, 2019 at 7:14 PM ALLAN PICKMAN <apickman@comcast.net> wrote:

Phil

I did a little digging in the property tax files at the town office this afternoon, and dredged through the deeds for the various parcels.

My reading, based on reading the descriptions of metes and bounds in the deeds, is that tax lots 6-30, 6-32 and 6-47 were conveyed to the Lees by the Peter and Janice Goodwin in the deed recorded as Book 2063 Page 113 in the HCRD.

The separately deeded parcel purchased from Stanley and Lillian Maynard, recorded in Book 2274 page 256, is the parcel shown as Lot 6-33 on the tax maps. Based on the property description this parcel appears to have 480 feet of frontage, and an area of 3.4 acres, so would meet the requirements of the Zoning Ordinance (neglecting details about whether it is suitable for construction of a septic system etc.), and could be conveyed as a separate parcel without problem.

Please clarify your (and Mrs. Lee's) intent as to which parcel(s) you wish to convey separately, before I send off a bunch of misleading information to Mr Drescher and the Select Board.

I have attached a PDF of Tax Map 6B for your reference.

Allan Pickman, Chairman

Temple Planning Board

On July 31, 2019 at 5:52 PM "L. Phillips Runyon III" <prunyon@runyonlawoffice.com> wrote:

Thanks so much, Allan!

Phil

L. Phillips Runyon III
Runyon Law Office, PLLC
P.O. Box 674
45 Main Street - Suite 204
Peterborough, NH 03458-0674
Phone: 603-924-3050, ext. 1
Fax: 603-924-9764
E-mail: prunyon@runyonlawoffice.com
Website: www.runyonlawoffice.com

Contact us to receive our e-mail newsletter.



PRIVILEGED AND CONFIDENTIAL: The information contained in this electronic message and any attachments are confidential property and intended only for the use of the addressee. Any interception, copying, accessing, or disclosure or distribution of this message is prohibited, and sender takes no responsibility for any authorized reliance on this message. If you have received this message in error, please notify the sender immediately and purge the message you received.

On Wed, Jul 31, 2019 at 5:44 PM ALLAN PICKMAN <apickman@comcast.net> wrote:

I will ask town counsel for his take on it, and then we can discuss with Select Board on the 13th, and resolve things.

On July 31, 2019 at 5:11 PM "L. Phillips Runyon III" <prunyon@runyonlawoffice.com> wrote:


Allan - Thanks for getting back to me about this. How do you propose we proceed? Should we plan to meet with the Select Board on the 13th, or will you ask the board for a ruling from town counsel about this issue? I just don't want to delay the process of resolving the situation in the most expeditious way.


Again, I appreciate your help.

[Quoted text hidden]

[Quoted text hidden]

3 attachments

 **6B-det.pdf**
228K

 **1057-0082.pdf**
1411K

 **5618-1147.pdf**
1720K

Board Assistant <boardassistant@templeh.org>

Tue, Aug 6, 2019 at 8:13 AM

To: ALLAN PICKMAN <apickman@comcast.net>

Cc: william drescher <william.drescher@drescherdokmo.com>, Selectboard <selectboard@templeh.org>, Bill Ezell <tsb@quackers.net>, George Willard <sophiemoog@comcast.net>

Hi Allan:

I can place on the agenda. Please note the next SB meeting has been moved to Monday, Aug. 12 at 5 p.m.

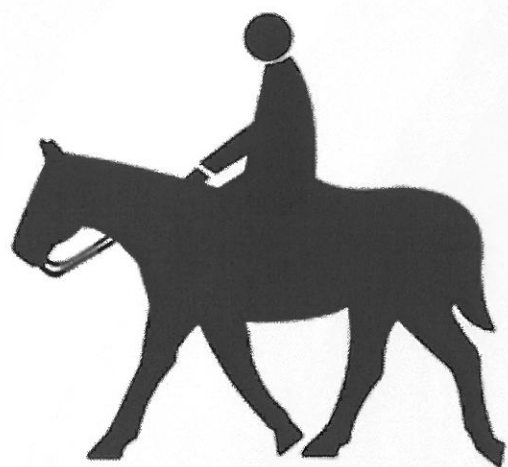
Thanks,

Paul

[Quoted text hidden]

**SPEED
LIMIT**

25



**WHEN HORSE RIDER IS
PRESENT**



Street Sign proposal

2 messages

Rose Lowry <rose@beechleafdesign.com>
To: Board Assistant <boardassistant@templenh.org>

Thu, Jul 11, 2019 at 9:15 AM

Hello Paul!

I hope you are having a lovely summer and are enjoying your position.

I would like to get on the agenda of a future select board meeting. I want to propose adding street signs to West Road, "Speed Limit 25 When Horses Present" (Example attached).

State RSA on the matter:

265:104 Approaching Horses. – Every person having control or charge of a vehicle shall, whenever upon any way and approaching any horse, drive, manage, and control such vehicle in such a manner as to exercise every reasonable precaution to prevent the frightening of such horse, and to insure the safety and protection of any person riding or driving the same.

The law is obviously skewed in protection of the rider, but in reality, only a tiny percentage of people actually slow down below 40mph when they are passing the riders. Sure, 40mph is slower than the 50mph they were going, but it's not safe. People honestly do not know what "safe" or "slow" actually means, so I think telling them specifically that it should be 25mph would help. (Although it really should be more like 15 or 20mph)

It looks like the RSAs are fairly complicated for creating speed zones (except for school zones). We may need a speed study. I think it would be worth it, because it's only a matter of time before a rider gets killed on our roads.

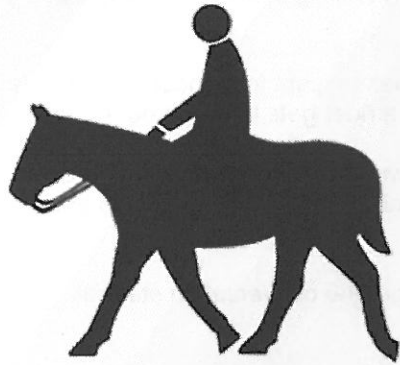
I am happy to spearhead this effort, and I think it will help other towns in NH that have active horse riding populations, and raise awareness across the state about what "safe" around horses actually means. It may end up at the State level, but I wanted to start here.

Let me know the dates of upcoming select meetings, and we can get the conversation started!

Thank you,

Rose Lowry
(603) 878-3955
<http://www.beechleafdesign.com>

**SPEED
LIMIT
25**



**WHEN HORSE RIDER IS
PRESENT**

Board Assistant <boardassistant@templenh.org>
To: Rose Lowry <rose@beechleafdesign.com>

Thu, Jul 11, 2019 at 9:59 AM

Hi Rose:

Summer is good! Hope you're enjoying it, too. I'll put you on the agenda for the 23rd if that works for you. Just confirm. Have you talked with Road Agent Kent Perry as to process? I'm not sure what's involved, but would imagine he would have a good idea. I can contact him, but figured I would ask you.

This is a good idea, but of course my opinion doesn't matter. I'm just the assistant.

I think we could publicize the law on the town website and Facebook group in the meantime. Let me know what you think.

Thanks,
Paul

[Quoted text hidden]

--



CHRISTOPHER T. SUNUNU
GOVERNOR

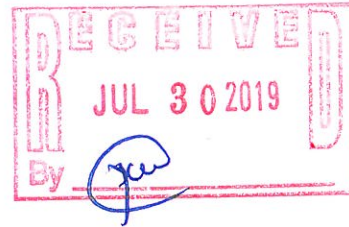
**STATE OF NEW HAMPSHIRE
OFFICE OF STRATEGIC INITIATIVES**

107 Pleasant Street, Johnson Hall
Concord, NH 03301-3834
Telephone: (603) 271-2155
Fax: (603) 271-2615

**DIVISION OF PLANNING
DIVISION OF ENERGY**
www.nh.gov/osi

July 25, 2019

Town of Temple Board of Selectmen
PO Box 191
Temple, New Hampshire 03084-0191



Dear Board of Selectmen:

I am writing to share information with you about joining the National Flood Insurance Program (NFIP) since your community does not participate. Currently 219 communities in our state (93%) participate in the program. One of the most important benefits of participation is that all residents in your community, regardless of whether or not they live in a high risk flood zone, would be eligible to purchase flood insurance through the NFIP.

I have enclosed two fact sheets that address both the benefits of participating and the consequences of not participating in the NFIP, which remains a voluntary program.

There is no fee for a community to join or participate in the NFIP. To join, a community must do the following.

- Complete a one-page application form to provide information about the community, including estimates of land area, population, and number of structures in and outside the floodplain.
- Adopt a resolution of intent which affirms an interest in participating in the NFIP, and a commitment to recognizing flood hazards and carrying out the objectives of the program.
- Adopt and enforce floodplain management regulations that meet or exceed minimum NFIP requirements. An example of a required minimum standard is that new construction and Substantial Improvements of existing structures located in a FEMA high risk flood zone must be elevated to or above the flood elevation for the area.

While the NFIP is a Federal Emergency Management Agency (FEMA) program, the New Hampshire Office of Strategic Initiatives (NHOSI) coordinates the program within the State of New Hampshire. Our office would be happy to provide assistance to help you through the application process should your community be interested in joining.

Is the National Flood Insurance Program the Right Fit for Your Community?

What is the National Flood Insurance Program?

The National Flood Insurance Program (NFIP) is a partnership between a community and the Federal government. Communities participate by agreeing to adopt and enforce floodplain management regulations designed to reduce future flood risks. In return, all residents in a community can purchase flood insurance. The Office of Strategic Initiatives administers the NFIP in New Hampshire. Over 20,000 communities participate in the program nationwide, including 219 (93% of) communities in our state.

What are the Benefits of Joining the NFIP?

Through the NFIP, residents in participating communities are able to insure against flood losses. Through the enforcement of floodplain management regulations that meet NFIP standards, a participating community can protect its citizens against much of the devastating losses that can result from flood disasters.

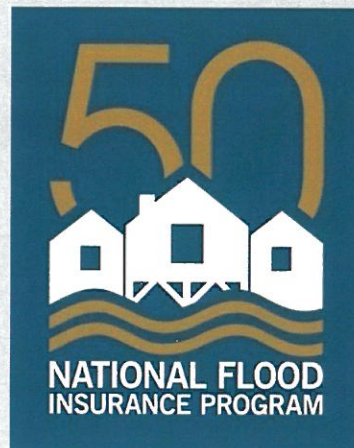
What is the Community's Role in the NFIP?

When a community chooses to join the NFIP, it must adopt and enforce floodplain management regulations that meet NFIP standards. These regulations will apply in flood zone areas shown on maps produced by the Federal Emergency Management Agency (FEMA). The requirements within flood zones do not necessarily prohibit development but are designed to prevent new development from increasing the flood threat and to protect new and existing buildings from future floods.

NFIP communities must require permits for all development in flood zones and ensure that construction materials and methods used will minimize future flood damage. Permit files must contain documentation to verify that buildings were constructed in compliance with the community's floodplain regulations. Community regulations must be updated when revised FEMA flood maps are developed.

Did You Know?

- ◆ *Flooding is the most common and costly type of disaster in New Hampshire.*
- ◆ *Climate change is making weather patterns less predictable and can make flooding problems worse. New development in floodprone areas can also exacerbate flooding problems.*
- ◆ *Most homeowners insurance policies do not cover flood damage.*
- ◆ *Flood insurance may be available from private insurers but in higher risk areas it will probably be expensive. Plus, private insurers can choose not to insure a building against flood damage if they believe the risk is too high.*
- ◆ *Just 1 inch of water can cause as much as \$25,000 in damage to a home.*



How Does a Community Join the NFIP?

There is no fee for a community to join or participate in the NFIP. To join, a community must do the following:

- Complete a one-page application form to provide information about the community, including estimates of land area, population, and number of structures in and outside the floodplain.
- Adopt a resolution of intent which affirms an interest in participating in the NFIP, and a commitment to recognizing flood hazards and carrying out the objectives of the program.
- Adopt and enforce floodplain management regulations that meet or exceed minimum NFIP requirements. An example of a required minimum standard is that new construction and Substantial Improvements of existing structures located in a FEMA flood zone must be elevated to or above the flood elevation for the area.

Download an application package and get sample documents on OSI's *Joining the NFIP* webpage at www.nh.gov/osi/planning/programs/fmp/join-nfip.htm.

What Happens if a Community Does Not Join or Is Suspended from the NFIP?

The following sanctions apply to communities that are identified as floodprone by FEMA* and do not participate in the NFIP:

- Property owners will not be able to purchase NFIP flood insurance policies and existing policies will not be renewed.
- Federal grants or loans for development will not be available in identified flood zones under programs administered by Federal agencies such as the Department of Housing and Urban Development, Environmental Protection Agency, and Small Business Administration.
- Federal disaster assistance for flood damage will not be provided to repair insurable buildings located in identified flood zones.
- Federal mortgage insurance or loan guarantees, such as those written by the Federal Housing Administration and the Department of Veteran Affairs, will not be provided in identified flood zones.
- Federally insured or regulated lending institutions, such as banks and credit unions, are allowed to make conventional loans for insurable buildings in flood zones in non-participating communities. However, the lender must notify applicants that the property is in a flood hazard area and that the property is not eligible for Federal disaster assistance. Some lenders may voluntarily choose not to make these loans.

** To find out if your community has been identified as floodprone by FEMA (or will be in the near future), please contact the NH Office of Strategic Initiatives using the contact information below.*

To learn more about the NFIP, visit the NH Floodplain Management Program's website at www.nh.gov/osi/planning/programs/fmp or contact the NH Office of Strategic Initiatives (the State Coordinating Agency for the NFIP) at 603-271-1755.





Federal Insurance and Mitigation Administration

FEMA Disaster Assistance When a Community is Not Participating in the NFIP

A community's participation in the National Flood Insurance Program (NFIP) is voluntary. However, when a community has been identified by the Federal Emergency Management Agency (FEMA) as an area with special flood hazards, and the community is not participating in the NFIP, the community may be sanctioned and financial assistance for acquisition or construction purposes, including, in some cases, Federal disaster assistance, may not be available in those areas.

This fact sheet provides information to individuals and communities on the receipt of FEMA disaster assistance when a community is not participating in the NFIP.

Community Participation in the NFIP

The NFIP can provide flood insurance coverage only in those states and communities that adopt and enforce floodplain management measures that meet the minimum NFIP requirements set by regulation.¹ Participation in the NFIP is voluntary, and communities must apply to participate. FEMA identifies Special Flood Hazard Areas (SFHAs) - the land area in the floodplain subject to a 1 percent or greater chance of flooding in any given year - on Flood Insurance Rate Maps (FIRMs).

Newly identified communities that do not have a map will have one year after they are identified as floodprone (the FIRM effective date) to participate in the NFIP, or sanctions apply.² Sanctions also apply to communities participating in the NFIP that are suspended or withdraw from the program.³ When a community is sanctioned, Federal officers and agencies are prohibited from approving any financial assistance for acquisition or construction purposes in an area of special flood hazard in the community.⁴

Financial assistance for acquisition or construction purposes includes:

- Financial assistance for the acquisition, construction, reconstruction, repair, or improvement of any publicly or privately owned building or mobile home,

and for any machinery, equipment, fixtures, and furnishings contained or to be contained therein.

- The purchase or subsidization of mortgages or mortgage loans.
- Federal disaster assistance in connection with a flood under the Stafford Act.

To determine if a community participates in the NFIP, consult FEMA's Community Status Book at <https://www.fema.gov/national-flood-insurance-program-community-status-book>.

Federal Disaster Assistance Limitations

As stated, previously, when a community is sanctioned, Federal officers and agencies are prohibited from approving any financial assistance for acquisition or construction purposes in an area of special flood hazard in the community. This restriction does not apply to Federal disaster assistance under the Stafford Act, unless the assistance is in connection with a flood.⁵

Table 1 below lists the specific restrictions that apply to disaster assistance in SFHAs in non-participating communities, and it is followed by more detailed information about the restrictions.

	Always Eligible	Eligible in Disasters Other Than Flood
Public Assistance—Emergency Work	✓	
Public Assistance—Permanent Work		✓
Individual Assistance—Rental Assistance	✓	
Individual Assistance—Other Needs Assistance	✓	
Individual Assistance—Real and Personal Property		✓ (unless items are uninsurable)
Hazard Mitigation		✓

¹ 42 U.S.C. § 4012(c); 44 C.F.R. Part 60.

² *Id.* § 4105.

³ 44 C.F.R. § 59.24.

⁴ 42 U.S.C. § 4106.

⁵ 42 U.S.C. § 4003.

Public Assistance (PA) Program

- **Eligible:** Emergency Work

No restrictions apply. Eligible debris removal efforts and emergency protective measures under Sections 403, 407, and 502 of the Stafford Act (42 U.S.C. §§ 5170b, 5173, and 5192) are still eligible in communities that do not participate in the NFIP.

- **Not Eligible:** Permanent Work

The permanent repair, restoration, or replacement of otherwise eligible facilities under Section 406 of the Stafford Act (42 U.S.C. §5172) are not eligible under PA for those facilities located in an identified SFHA, when that community is not participating in the NFIP and the damages were incurred by flood.

(Consideration may be given for approved alternate projects when such projects are located outside of the SFHA.) PA will provide assistance for uninsurable facilities, i.e. bridges, roads, walkways, etc.

Individual Assistance (IA) Program

Housing Assistance

- **Eligible:** Rental assistance or lodging expenses, such as the reimbursement of hotel or motel expenses, or when rental properties are not available direct housing assistance may be provided.
- **Not-eligible:** Grants to permanently repair or replace insurable real and/or personal property, damaged by a flood.

Other Needs Assistance

- **Eligible:** Assistance for medical, dental, funeral costs, transportation and other expenses authorized under Section 408(e) of the Stafford Act (42 U.S.C. § 5174(e)). FEMA will consider referrals from the Small Business Administration (SBA) to meet these needs, when SBA denies a loan for such expenses and refers the application to FEMA.
- **Not-eligible:** Personal property losses that could have been insured by NFIP (such as appliances, clothing, and furniture).

In accordance with 44 C.F.R. § 206.110(k)(2), if a sanctioned community applies and joins the NFIP within six months of the federal disaster declaration, these limitations on federal disaster assistance will be lifted under the IA program.

Hazard Mitigation Grant Program (HMGP)

HMGP is one of three Hazard Mitigation Assistance (HMA) program grants that FEMA offers. HMGP mitigation sub-applications for projects sited within an SFHA are eligible only if the jurisdiction in which the project is located is participating in the NFIP. HMA grants cannot be given for acquisition or construction purposes if the site is located in a designated SFHA in a community that does not participate in the NFIP. Non-participating communities may submit projects to the HMGP only if the projects are located in an unmapped area or areas outside the SFHA. Refer to the current HMA Guidance for more information at <http://www.fema.gov/hazard-mitigation-assistance>.

For More Information

For further information on Federal disaster assistance from the SBA, the U.S. Department of Agriculture (USDA), and the Housing and Urban Development (HUD), visit the following:

- <https://www.sba.gov/content/disaster-loan-program>
- <https://www.fsa.usda.gov/programs-and-services/disaster-assistance-program/index>
- <http://portal.hud.gov/hudportal/HUD?src=/info/disasterresources>

If a community decides to participate in the NFIP, they may visit <http://www.fema.gov/media-library/assets/documents/13610> to learn more about how to participate in the program, and the benefits of enrolling.

DEPARTMENT OF HOMELAND SECURITY
Federal Emergency Management Agency
**APPLICATION FOR PARTICIPATION IN THE NATIONAL FLOOD INSURANCE
PROGRAM**

O.M.B. NO. 1660-0004
Expires: 09/30/2017

PAPERWORK BURDEN DISCLOSURE NOTICE

Public reporting burden for this form is estimated to average 4 hours per response. The burden estimate includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing, and submitting the form. This collection of information is required to obtain or retain benefits. You are not required to submit to this collection of information unless it displays a valid OMB control number. Send comments regarding the accuracy of the burden estimate and any suggestions for reducing the burden to: Information Collections Management, Department of Homeland Security, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, and Paperwork Reduction Project (1660-0004). **NOTE: Do not send your completed form to this address.**

APPLICANT COMMUNITY NAME (City, town, etc.) Temple	DATE 8/ /2019
--	-------------------------

COUNTY, STATE
Hillsborough County, New Hampshire

COMMUNITY OFFICIAL - CHIEF EXECUTIVE OFFICER (CEO) William Ezell, Chair Select Board	E-MAIL ADDRESS tsb@quackers.net	TELEPHONE # (Include area code) (603) 320-9293
--	---	--

ADDRESS (Street or box no. city, state, zip code)
**P.O. Box 191
423 NH Route 45, Temple, NH 03084**

PROGRAM COORDINATOR (Official, if different from above, with overall responsibility for implementing program) John Kieley, Emergency Manager	E-MAIL ADDRESS johnkieley574@gmail.com	TELEPHONE # (Include area code) (603) 878-1220
--	--	--

ADDRESS (Street or box #., city, state, zip code)
c/o Town of Temple Municipal Bld, P.O. Box 191, 423 NH Route 45, Temple, NH 03084

LOCATION OF COMMUNITY REPOSITORY FOR PUBLIC INSPECTION OF NFIP MAPS
Municipal Building

ADDRESS
423 NH Route 45, Temple, NH 03084

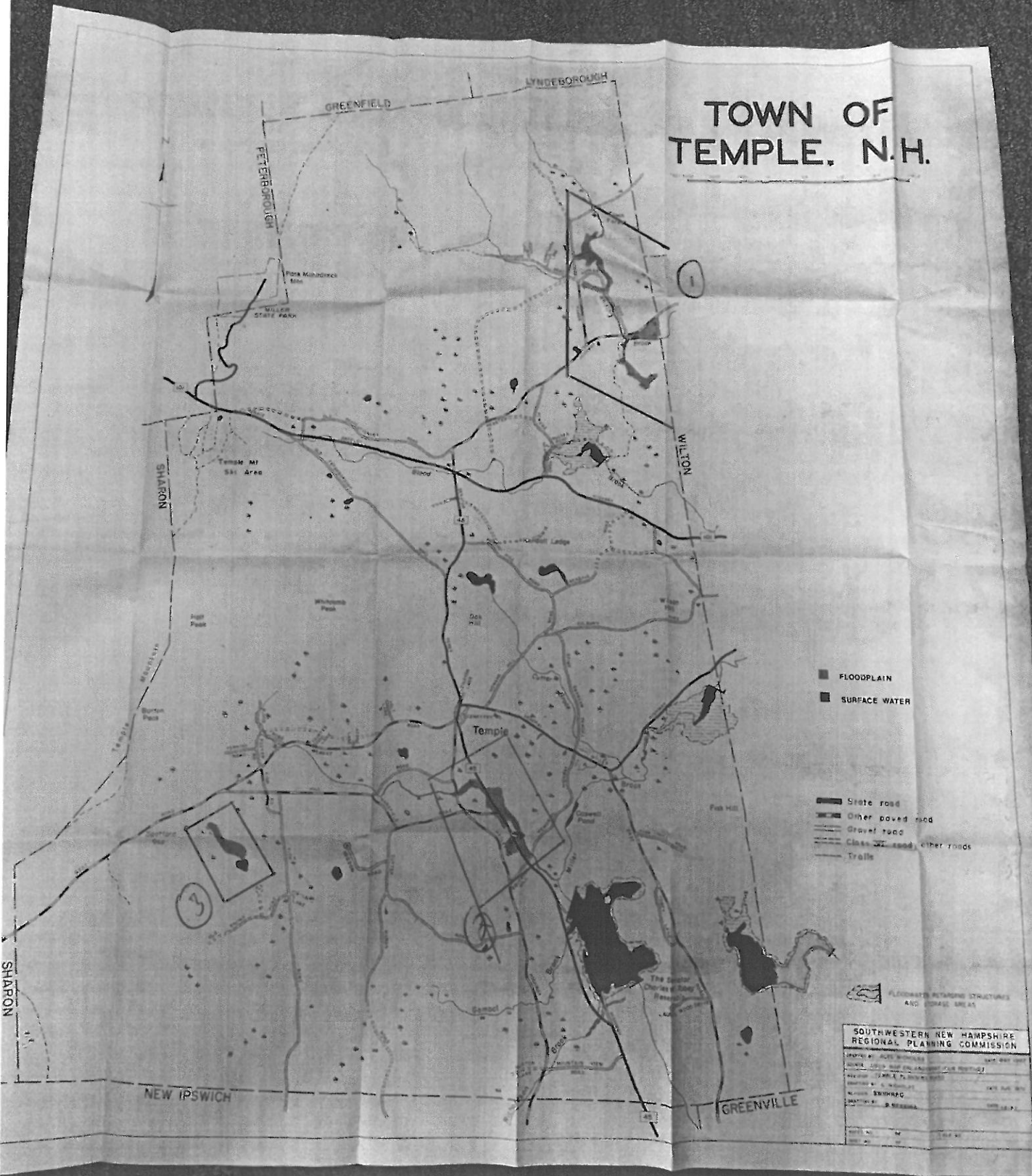
ESTIMATES FOR THOSE AREAS PRONE TO FLOOD AND/OR MUDSLIDE AS OF THE DATE OF THIS APPLICATION			
AREA IN ACRES	POPULATION	NUMBER OF 1-4 FAMILY STRUCTURES	NUMBER OF ALL OTHER STRUCTURES
ESTIMATES OF TOTALS IN ENTIRE COMMUNITY			
	POPULATION 1,366 (2010 Census)	NUMBER OF 1-4 FAMILY STRUCTURES 509	NUMBER OF ALL OTHER STRUCTURES 521

FOR FEMA REGIONAL USE ONLY			
FEMA REGIONAL OFFICE	NAME OF CONTACT	TELEPHONE NUMBER	

LEVEL OF 44 CFR 60.3 REGULATION ADOPTED (Check one) <input type="checkbox"/> 60.3 <input type="checkbox"/> 60.3(b) <input type="checkbox"/> 60.3(c) <input type="checkbox"/> 60.3(d) <input type="checkbox"/> 60.3(e)	CHECK APPROPRIATE BOX: <input type="checkbox"/> EMERGENCY PHASE <input type="checkbox"/> REGULAR PHASE
--	---

IF REGULAR PROGRAM, SPECIFY FIRM INDEX DATE. IF USING ANOTHER COMMUNITY'S FIRM, GIVE COMMUNITY NAME, CID, FIRM INDEX DATE AND MAP PANEL NUMBER DEPICTING COMMUNITY

TOWN OF TEMPLE, N.H.



- FLOODPLAIN
- SURFACE WATER
- State road
- Other paved road
- Gravel road
- Class VI road, other roads
- Trails

FLOODWATER RETAINING STRUCTURES AND STORAGE AREAS

SOUTHWESTERN NEW HAMPSHIRE REGIONAL PLANNING COMMISSION

Prepared by: JAMES B. BROWN DATE: MAY 1977

Checked: JAMES B. BROWN DATE: MAY 1977

Approved: JAMES B. BROWN DATE: MAY 1977

Project: SWNHSPC DATE: MAY 1977

Author: J. B. BROWN DATE: MAY 1977

Editor: J. B. BROWN DATE: MAY 1977

Scale: 1" = 1 MILE

**SAMPLE RESOLUTION FOR
JOINING THE NATIONAL FLOOD INSURANCE PROGRAM**

WHEREAS, certain areas of Temple, NH are subject to periodic flooding from lakes, streams and rivers, causing serious damages to properties within these areas; and

WHEREAS, relief is available in the form of federally subsidized flood insurance as authorized by the National Flood Insurance Act of 1968; and

WHEREAS, it is the intent of this board to work with the community's Planning Board to develop legislation involving the recognition and evaluation of flood hazards in all official actions relating to land use in the special flood hazard areas; and

WHEREAS, this body and the Planning Board have the legal authority to present such legislation to the town's legislative body for consideration and approval at a regular or special town meeting; and

WHEREAS, the Town Meeting has the legal authority to adopt and amend land use control measures to reduce future flood losses pursuant to New Hampshire's RSA, Chapters 672 through 677.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Selectmen of Temple, NH hereby:

1. Assures the Federal Insurance Administration that it will recommend enactment for those areas having flood hazards, as delineated by the Flood Insurance Rate Map issued by the NFIP dated_____, and any published revision to this map, adequate land use and control measures with effective enforcement provisions consistent with the criteria set forth in Section 60 of the NFIP regulations; and
2. Vests (the Chairman or other duly authorized municipal officer) with the responsibility, authority and means to:
 - (A) Assist the Administrator, at his request, in his delineation of the limits of the area having special flood hazards.
 - (B) Provide such information as the administrator may request concerning present uses and occupancy of the floodplain areas.
 - (C) Cooperate with federal, state and local agencies and private firms which undertake to study, survey, map, and identify floodplain areas and cooperate with neighboring municipalities with respect to management of adjoining floodplain areas in order to prevent aggravation of existing hazards.

(D) Submit a report to the Federal Insurance Administrator concerning the development and implementation of floodplain management regulations. This report should be submitted annually or biennially as determined by the administrator.

(E) Notify the Federal Insurance Administrator in writing whenever the boundaries of the community have been modified or the community has otherwise assumed or no longer has the authority to adopt and enforce floodplain management regulations for a particular area. Include with such notification a copy of a map of the community suitable for reproduction, clearly delineating the new corporate limits or area which the community has assumed or relinquished authority.

3. Appoints the Building Permit Officer (Board of Selectmen or Building Inspector) to maintain for public inspection and to furnish upon request, for the determination of applicable flood insurance risk premium rates within all special flood hazard areas identified on a Flood Hazard Boundary Map or Flood Insurance Rate Map, any certification of floodproofing, and information on the elevation of the lowest habitable floor (including basement if habitable) of all new or substantially improved structures, and include whether or not such structures contain a basement, and if the structure has been floodproofed, the elevation to which it was floodproofed.

4. Agrees to take such other official action as may be reasonably necessary and legally appropriate to carry out the objectives of the program.

William Ezell, Chair

Ken Caisse, Selectman

George Willard, Selectman

Town of Temple, New Hampshire

Date Passed: August ____, 2019

Certification:



**New Hampshire
Office of Strategic Initiatives
Floodplain Management Program**

Model Floodplain Management Ordinance

For

**New Hampshire Communities with
No Mapped Special Flood Hazard Areas**

August 2019

Instructions for Using the New Hampshire Model Floodplain Management Ordinance

This Model Floodplain Management Ordinance is provided to assist communities in New Hampshire in developing an ordinance that incorporates the minimum federal regulations governing community participation in the National Flood Insurance Program (NFIP) and state floodplain regulations regarding development in flood-prone areas.

A “Model Floodplain Management Ordinance Notes” document was created to accompany this model ordinance. The purpose of that document is to explain the sections of the ordinance, provide resources, and identify the applicable references to the Code of Federal Regulations, State statutes, and the State building code.

Prior to adoption, it is strongly recommended that any proposed amendments be reviewed by the municipality’s attorney. In addition, communities should submit a draft of their proposed floodplain ordinance amendments to the Floodplain Management Program staff at the New Hampshire Office of Strategic Initiatives (see contact information below) for review and comment prior to adoption.

For assistance or further information, please contact the State’s NFIP Coordinating Agency:

Jennifer Gilbert, CFM
State Floodplain Program Coordinator
603-271-1762
Jennifer.gilbert@osi.nh.gov

Samara Ebinger, CFM
Assistant State Floodplain Coordinator
603-271-1755
Samara.ebinger@osi.nh.gov

New Hampshire Office of Strategic Initiatives, Floodplain Management Program
107 Pleasant Street, Johnson Hall, Concord, NH 03301

Town of Temple Floodplain Management Ordinance

Section 1 – Statutory Authority and Purpose

Section 2 – Findings of Fact and Applicability

Section 3 – Administrative Provisions

Section 4 – Floodplain Administrator Duties and Responsibilities

Section 5 – Floodplain Permitting Requirements

Section 6 – Floodplain Development Requirements

Section 7 – Water Supply and Sewage Disposal Systems

Section 8 – Variances and Appeals

Section 9 – Definitions

Town of Temple Floodplain Management Ordinance

SECTION 1 - STATUTORY AUTHORITY AND PURPOSE

- A. This ordinance, adopted pursuant to the authority of RSA 674:16, RSA 674:17, and 674:56, shall be known as the Town of Temple Floodplain Management Ordinance ("Ordinance"). The regulations in this Ordinance shall overlay and supplement the regulations in the Town of Temple Zoning Ordinance, and shall be considered part of the Zoning Ordinance for purposes of administration and appeals under state law.
- B. The purpose of this Ordinance is to promote the public health, safety, and general welfare; minimize hazards to persons and property from flooding; to protect watercourses from encroachment; and to maintain the capability of floodplains to retain and carry off floodwaters.

SECTION 2 - FINDINGS OF FACT AND APPLICABILITY

- A. Certain areas of the Town of Temple are subject to periodic flooding, causing serious damages to properties within these areas. Relief is available in the form of flood insurance as authorized by the National Flood Insurance Act of 1968. Therefore, the Town of Temple has chosen to become a participating community in the National Flood Insurance Program (NFIP), and agrees to comply with the requirements of the National Flood Insurance Act of 1968 (P.L. 90-488, as amended) as detailed in this Ordinance.
- B. The following regulations in this Ordinance shall apply to all flood-prone areas.
- C. This Ordinance establishes a permit system and review procedure for development in flood-prone areas of the Town of Temple.

SECTION 3 - ADMINISTRATIVE PROVISIONS

- A. If any provision of this Ordinance differs or appears in conflict with any other ordinance or regulation, the provision imposing the greater restriction or more stringent standard shall be controlling.
- A. Should any section or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof other than the part so declared to be unconstitutional or invalid.
- B. In accordance with RSA 676, the Floodplain Administrator, as defined below, shall enforce and administer the provisions of this Ordinance.
- C. The degree of flood protection required by this Ordinance is considered reasonable for regulatory purposes. Larger floods can and will occur, and flood heights may be

increased by man-made or natural causes. This Ordinance does not imply that land outside of areas determined to be flood-prone or uses that are permitted within such areas will be free from flooding or flood damage.

SECTION 4 – FLOODPLAIN ADMINISTRATOR DUTIES AND RESPONSIBILITIES

- A. The [Insert Designated Municipal Position Title] is hereby appointed to administer and implement these regulations and is referred to herein as the “Floodplain Administrator.”
- D. The duties and responsibilities of the Floodplain Administrator shall include, but are not limited to:
1. Ensure that permits are obtained for all proposed development to determine whether the development is proposed in a flood-prone area.
 2. Review all development permit applications to assure that sites are reasonably safe from flooding and all pertinent development standards described in this Ordinance have been or will be met.
 3. Review applications, and other supporting documentation, for completeness and accuracy, and coordinate with applicant for corrections as needed.
 4. Review application for proposed development to assure that all necessary permits have been obtained from those federal, state, or local government agencies from which prior approval is required.
 5. Issue or deny a permit based on review of the permit application and any required accompanying documentation.
 6. Notify the applicant in writing of either compliance or non-compliance with the provisions of this Ordinance.
 7. Ensure the administrative and enforcement procedures detailed in RSA 676 are followed for any violations of this Ordinance.
 8. Maintain and permanently keep and make available for public inspection all records that are necessary for the administration of these regulations, including: local permit documents.
 9. Delegate duties and responsibilities set forth in these regulations to qualified technical personnel, inspectors, or other community officials as needed.

SECTION 5 – FLOODPLAIN PERMITTING REQUIREMENTS

- A. All proposed development, including placement of manufactured homes, new construction, and substantial improvements, shall require a permit to determine whether such construction or development is proposed within a flood-prone area. Development includes any man-made change to improved or unimproved real estate, including but not limited to, structures, the placement of manufactured homes, mining, dredging, filling, grading, paving, excavating or drilling operation or storage of equipment or materials.
- B. To obtain a permit, the applicant shall first file an application in writing on a form furnished by the community for that purpose.

- C. Review proposed development to assure that all necessary permits have been obtained from those federal, state, or local government agencies from which prior approval is required.

SECTION 6 –FLOODPLAIN DEVELOPMENT REQUIREMENTS

- A. All development in a flood-prone area shall be:
 - 1. Reasonably safe from flooding;
 - 2. Designed and constructed with methods and practices that minimize flood damage;
 - 3. Designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement (including structures and above ground gas or liquid storage tanks);
 - 4. Constructed with flood damage-resistant materials;
 - 5. Constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment, and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
 - 6. Adequately drained to reduce exposure to flood hazards;

SECTION 7 - WATER SUPPLY AND SEWAGE DISPOSAL SYSTEMS

- A. The following standards shall apply to all water supply, sanitary sewage, and on-site waste disposal systems located in a flood-prone area:
 - 1. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the systems;
 - 2. New and replacement sanitary sewage systems shall be designed and located to minimize or eliminate infiltration of flood waters into the systems and discharges from the system into flood waters; and
 - 3. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.

SECTION 8 - VARIANCES AND APPEALS

- A. Any order, requirement, decision or determination of the Floodplain Administrator made under this Ordinance may be appealed to the Zoning Board of Adjustment as set forth in RSA 676:5.
- B. If the applicant, upon appeal, requests a variance as authorized by RSA 674:33, I (b), the applicant shall have the burden of showing in addition to the variance standards under state law that:
 - 1. The variance will not result in increased flood heights of any magnitude, additional threats to public safety, fraud on or victimization of the public; or extraordinary public expense;

2. The issuance of the variance will not conflict with other State, Federal or local laws or Ordinances; and
3. The variance is the minimum necessary, considering the flood hazard, to afford relief.

C. The Zoning Board of Adjustment shall notify the applicant in writing that:

1. The issuance of a variance to construct below the base flood elevation will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage; and
2. Such construction below the base flood elevation increases risks to life and property.

Such notification shall be maintained with a record of all variance actions.

D. The community shall:

1. Maintain a record of all variance actions, including their justification for their issuance; and
2. Report such variances issued in its annual or biennial report submitted to FEMA's Federal Insurance Administrator.

SECTION 9 - DEFINITIONS

The following definitions shall apply only to this Floodplain Management Ordinance, and shall not be affected by the provisions of any other Ordinance.

Base Flood Elevation (BFE) means the elevation of the base (one-percent annual chance) flood referenced to a specified vertical datum (National Geodetic Vertical Datum of 1929 or North American Vertical Datum of 1988).

Development means any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavating or drilling operation or storage of equipment or materials.

FEMA means the Federal Emergency Management Agency.

Flood or Flooding means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- a. the overflow of inland or tidal waters, or
- b. the unusual and rapid accumulation or runoff of surface waters from any source.

Floodplain or Floodprone Area means any land area susceptible to being inundated by water from any source (see definition of "Flooding").

Floodplain Administrator means a person responsible for administering and implementing the community's local floodplain ordinance and ensuring that the

community is complying with minimum NFIP standards and enforcing any locally imposed higher standards.

Flood Damage-Resistant Materials means any building product (material, component or system) capable of withstanding direct and prolonged contact with floodwaters without sustaining significant damage. See FEMA Technical Bulletin 2, *Flood Damage-Resistant Materials Requirements*.

Manufactured Home means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes the term "manufactured home" includes park trailers, travel trailers, and other similar vehicles placed on site for greater than 180 consecutive days. This includes manufactured homes located in a manufactured home park or subdivision.

Manufactured Home Park or Subdivision means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

National Flood Insurance Program (NFIP) means the program created by the Congress of the United States in 1968 through the National Flood Insurance Act of 1968 (P.L. 90-448). The program enables property owners in participating communities to purchase insurance protection, administered by the government, against losses from flooding.

New Construction means structures for which the start of construction commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

Reasonably Safe from Flooding means flood waters will not inundate the land or damage structures.

Structure means a walled and roofed building, including a gas or liquid storage tank that is principally above ground, as well as a manufactured home.

Substantial Damage means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. The market value of the structure should equal the appraised value of the structure prior to the damage occurring.

Substantial Improvement means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either:

- a. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the

- local code enforcement official and which are the minimum necessary to assure safe living conditions; or
- b. Any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure."

Variance means a grant of relief by a community from the terms of a floodplain management regulation.

Violation means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations.



**New Hampshire Office of Strategic Initiatives
Floodplain Management Program**

**Model Floodplain Management Ordinance Notes
For New Hampshire Communities with
No Mapped Special Flood Hazard Areas**

August 2019



New Hampshire Floodplain Management Program

Model Floodplain Management Ordinance Notes

This document provides explanations and website-linked reference information that support the regulations provided in the Model Floodplain Management Ordinance for New Hampshire Communities with No Mapped Special Flood Hazard Areas. Each section number and sub-section letter corresponds to the appropriate section and sub-section of the model ordinance.

For assistance or further information, please contact the State NFIP Coordinating Agency:

Jennifer Gilbert, CFM
State Floodplain Program Coordinator
603-271-1762
jennifer.gilbert@osi.nh.gov

Samara Ebinger, CFM
Assistant State Floodplain Program Coordinator
603-271-1755
Samara.ebinger@osi.nh.gov

NH Office of Strategic Initiatives, Floodplain Management Program
107 Pleasant Street, Johnson Hall, Concord, NH 03301

New Hampshire Floodplain Management Program

Model Floodplain Management Ordinance Notes

Model Ordinance Section	Regulation	Reference
SECTION 1 – STATUTORY AUTHORITY AND PURPOSE		
A. Citation of statutory authority.	State Statute (RSA)	674:56 674:16 & 17
B. Details the purpose of the Ordinance.	State Statute (RSA)	674:16
SECTION 2 – FINDINGS OF FACT AND APPLICABILITY		
<i>RESOURCE: FEMA NFP Floodplain Management Requirements - Unit 5 (FEMA-480)</i>		
A. Details that the community has chosen to participate in the National Flood Insurance Program and agreed to comply with its requirements.	NFP (44 CFR)	60.1 60.2
B. Identifies the applicable areas in the community that the ordinance applies to.	NFP (44 CFR)	60.3(b) 60.12
NFP regulations must be legally-enforceable, applied uniformly throughout the community to all privately and publicly owned land, including land and structures owned by the community, within flood-prone, mudslide (i.e., mudflow) or flood-related erosion areas, and the community must provide that the regulations take precedence over any less restrictive conflicting local laws, ordinances or codes.	State Statute (RSA)	674:57
C. Identifies the requirement to have a permit system in place for development in a flood-prone areas.	NFP (44 CFR)	60.3
SECTION 3 – ADMINISTRATIVE PROVISIONS		
<i>RESOURCE: NFP Floodplain Management Requirements - Unit 7 (FEMA-480)</i>		
A. Addresses any conflicts with other ordinances or regulations and identifies the standard that shall be controlling.	State Statute (RSA)	676:14
B. Addresses if any section or provision is considered invalid that the remaining portions are still valid.	State Statute (RSA)	35-A:38
C. This item identifies the state statute regarding the provisions of enforcement and administration of the ordinance.	State Statute (RSA)	676
D. This item addresses that flooding and flood damage can still occur even if compliance with this ordinance is met.		
SECTION 4 – FLOODPLAIN ADMINISTRATOR DUTIES AND RESPONSIBILITIES		

New Hampshire Floodplain Management Program

Model Floodplain Management Ordinance Notes

RESOURCE: FEMA NFIP Floodplain Management Requirements – Unit 7 (FEMA-480)			
A. Identifies the designated community official responsible for administering the regulations as the Floodplain Administrator, who is then referenced throughout the ordinance.	NFIP (44 CFR)		59.22(b)(1)
B. This item more clearly details the Floodplain Administrator’s duties and responsibilities.	NFIP (44 CFR)		60.2(a) 60.3(a)(2)
Model Ordinance Section		Regulation	Reference
SECTION 5 – FLOODPLAIN PERMITTING REQUIREMENTS			
RESOURCE: NFIP Floodplain Management Requirements – Units 5 and 7 (FEMA-480)			
A. Requires a permit from the community for all proposed development, which includes building and non-building developments.	NFIP (44 CFR)		60.3(a)(1)
B. Details that the applicant must something in writing to apply for a permit. The community can use the community’s existing building permit application form or develop one specifically for flood-prone areas. At a minimum, it is suggested the community collect the applicant’s contact information, a map indicating the location of the proposed development sufficient to accurately locate property and structure(s) in relation to existing roads and waterbodies; a description of the proposed development; and such other material and information as may be requested by the Floodplain Administrator to determine conformance with, and provide enforcement of these regulations.	NFIP (44 CFR)		60.3(a)(2)
C. Details the requirement to assure all federal, state, and local permits have been obtained prior to the issuance of the floodplain permit.	NFIP (44 CFR)		60.3(a)(2)
SECTION 6 – FLOODPLAIN DEVELOPMENT REQUIREMENTS			
RESOURCES:			
<i>NFIP Floodplain Management Requirements – Units 5 and 6 (FEMA-480)</i>			
<i>Protecting Building Utility Systems From Flood Damage (FEMA P-348)</i>			
A. Details general requirements for all development in flood-prone areas.	NFIP (44 CFR)		60.3(a)(3)
SECTION 7 – WATER SUPPLY AND SEWAGE DISPOSAL SYSTEMS			
RESOURCE: NFIP Floodplain Management Requirements – Unit 5 (FEMA-480)			

New Hampshire Floodplain Management Program

Model Floodplain Management Ordinance Notes

<p>A. Details the requirements for water supply and sewage disposal systems in flood-prone areas.</p>	<p>NFIP (44 CFR)</p>	<p><u>60.3(a)(5)</u> <u>60.3(a)(6)</u></p>
<p>SECTION 8 – VARIANCES AND APPEALS</p> <p>RESOURCES: <i>Variances and the NFIP (FEMA P-993)</i> <i>NFIP Floodplain Management Requirements – Unit 7 (FEMA-480)</i></p>		
<p>A. Details that an appeal be directed to the community’s Zoning Board of Adjustment. A municipality that has adopted a floodplain ordinance but does not have a comprehensive zoning ordinance must create a special Board of Adjustment for any floodplain ordinance appeals.</p>	<p>State Statute (RSA)</p>	<p><u>674:56, 674:33</u></p>
<p>B. Details the NFIP variance standards, which are required in addition to the state’s variance criteria. The NFIP variances procedures are designed to help local governments protect their citizens and property from flood damages. Allowing variances to the local floodplain management standards may significantly increase the property’s flood insurance rate and decrease the community’s resilience. Therefore, by implementing the NFIP variance procedures, a community will ensure that alternative actions are taken that protect and encourage safe development in the floodplain.</p>	<p>NFIP (44 CFR)</p>	<p><u>60.6</u></p>
<p>C. Details the Zoning Board of Adjustment notification requirements to the applicant.</p>	<p>NFIP (44 CFR)</p>	<p>60.6</p>
<p>D. Details the community’s maintenance and reporting requirements regarding variances.</p>	<p>NFIP (44 CFR)</p>	<p>60.6</p>
<p>SECTION 9 – DEFINITIONS</p>		
<p>Includes defined terms that are used throughout the floodplain ordinance.</p>	<p>NFIP (44 CFR)</p>	<p>59.1</p>

Town of Temple
Office of Tax Collector
PO Box 216
Temple NH 03084

603-878-3873

July 30, 2019

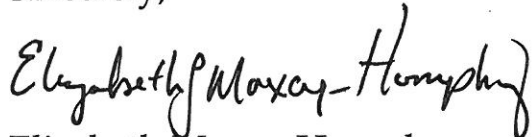
Temple Select Board
PO Box 191
Temple NH 03084

Dear Select Board,

Intent to Deed Notices for the 2016 levy were mailed on Friday July 26th. Attached is a list of the properties that will be subject to deeding on August 29, 2019 if not paid by noon of the due date, August 28, 2019.

Please let me know if you have any questions. Thank you.

Sincerely,



Elizabeth Maxcy-Humphrey
Tax Collector
Town of Temple

TOWN OF TEMPLE
2016L01 Unpaid Receivables Listed by Warrant
 Requested by EJM -- 07/30/2019

Summary:

Warrant	Invoices	Balance	Unpaid Penalties	Interest	Due As Of 08/28/2019
2016L01	6	\$23,482.54	\$198.50	\$7,754.13	\$31,435.17
Totals:	6	\$23,482.54	\$198.50	\$7,754.13	\$31,435.17

Detail:

Warrant Current Owner	Map Lot Sub	Due Date	Balance	Unpaid Penalties	Interest	Due As Of 08/28/2019
2016L01						
ELLIS, GREGORY C.	00002A 000061 000000	04/24/17	\$1,569.92	\$17.25	\$43.36	\$1,630.53
GUY JR, DOUGLAS R	00002B 000071 000005	04/24/17	\$4,728.65	\$42.25	\$1,996.14	\$6,767.04
GUY JR. TRUSTEE, DOUGLAS R	00002B 000071 000004	04/24/17	\$5,129.02	\$27.25	\$2,120.59	\$7,276.86
GUY JR. TRUSTEE, DOUGLAS R	00002B 000071 000000	04/24/17	\$6,369.75	\$42.25	\$2,688.91	\$9,100.91
GUY JR. TRUSTEE, DOUGLAS R	00002B 000071 000001	04/24/17	\$1,993.22	\$42.25	\$841.41	\$2,876.88
LYNCH, KENNETH	00005B 000075 0007-2	04/24/17	\$3,691.98	\$27.25	\$63.72	\$3,782.95
Total For 2016L01			\$23,482.54	\$198.50	\$7,754.13	\$31,435.17
Totals for All Warrants:			\$23,482.54	\$198.50	\$7,754.13	\$31,435.17



Lisa Beaudoin fundraiser Town Hall fee refund

6 messages

Board Assistant <boardassistant@templeh.org>
To: Selectboard <selectboard@templeh.org>

Sat, Aug 3, 2019 at 9:38 AM

Hi Gents:

I received late notice (voicemail left yesterday while I was out, which I heard today) of the cancellation of the reservation for Sunday's use of the Town Hall for Lisa Beaudoin's fundraiser. The woman did not give the required at least 3 days notice while I am in the office per the written guidelines. But I'm inclined to refund the \$100 for this event so Lisa is not out \$100.

The hall had been reserved as an "in case of rain" venue. Please let me know if you would like this to be on the agenda of the 8/12 meeting for discussion purposes or if you are fine with letting this refund go through.

One of the organizers was handling - not Lisa. This is non-local person who does not typically rent the Town Hall and is not that familiar with the policies. I wouldn't normally grant a refund for folks familiar with or who should be familiar with the guidelines.

Just let me know.

Thanks,
Paul

--
Paul Clifton-Waite

Assistant to the Select Board

Town of Temple, NH

603.878.2536

Hours: Mon. 7-9 a.m., Tues. 8-6 p.m., Thurs. 8-6 p.m., 1st and 3rd Sat 8-11 a.m.

Bill Ezell <tsb@quackers.net>
To: Board Assistant <boardassistant@templeh.org>, Selectboard <selectboard@templeh.org>

Sat, Aug 3, 2019 at 3:19 PM

I think we have to at least discuss it publicly, put it on the agenda.

Bill
[Quoted text hidden]

--
Bill Ezell
Chairman, Selectboard, Town of Temple, NH

Board Assistant <boardassistant@templeh.org>
To: Bill Ezell <tsb@quackers.net>
Cc: Selectboard <selectboard@templeh.org>

Mon, Aug 5, 2019 at 7:25 AM

Will do.
Because of Monday's meeting, and partly due to being away Sat-Sun, I will post the agenda on Friday and alert Alanna that morning. Please let me know by Friday a.m. what else you want included on the agenda. I will circulate a draft on Thursday.
Thanks,
Paul
[Quoted text hidden]

GEORGE WILLARD <sophiemoog@comcast.net>
Reply-To: GEORGE WILLARD <sophiemoog@comcast.net>
To: Board Assistant <boardassistant@templeh.org>, Selectboard <selectboard@templeh.org>

Mon, Aug 5, 2019 at 7:24 AM

I say it's o.k. to refund! George
[Quoted text hidden]

Ken Caisse <temple.nh.selectman@hotmail.com>
To: GEORGE WILLARD <sophiemoog@comcast.net>, Board Assistant <boardassistant@templeh.org>, Selectboard <selectboard@templeh.org>

Wed, Aug 7, 2019 at 7:19 AM

Refund is ok

Thanks

Ken

STATEMENT OF CONFIDENTIALITY

THIS E-MAIL AND ANY ATTACHMENTS IS INTENDED ONLY FOR USE BY THE ADDRESSEE, AND MAY CONTAIN LEGALLY PRIVILEGED OR CONFIDENTIAL INFORMATION. IF YOU ARE NOT THE INTENDED RECIPIENT OF THIS E-MAIL ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS E-MAIL AND ANY ATTACHMENTS IS PROHIBITED. IF YOU HAVE RECEIVED THIS E-MAIL IN ERROR, IMMEDIATELY CALL Ken Caisse 603-562-7832

From: GEORGE WILLARD <sophiemoog@comcast.net>
Sent: Monday, August 5, 2019 7:24:08 AM
To: Board Assistant <boardassistant@templenh.org>; Selectboard <selectboard@templenh.org>
Subject: Re: Lisa Beaudoin fundraiser Town Hall fee refund

[Quoted text hidden]

Bill Ezell <wje@quackers.net> Wed, Aug 7, 2019 at 7:43 AM
To: Ken Caisse <temple.nh.selectman@hotmail.com>, GEORGE WILLARD <sophiemoog@comcast.net>, Board Assistant <boardassistant@templenh.org>, Selectboard <selectboard@templenh.org>

I think we need to do this in public session, we can just vote to refund.

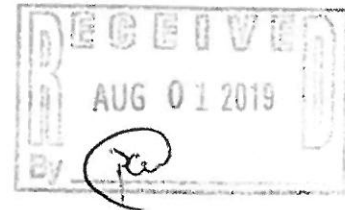
[Quoted text hidden]

--
Bill Ezell

I happen to know this is the Lupin Express.

June 27, 2019

Town of Temple
Paul Clifton-Waite, Assistant to the Select Board
PO Box 191
Temple, NH 03084



RE: 2019 Premium Holiday for the Property & Liability Program

Dear Paul:

The Primex³ Board of Trustees approved a Premium Holiday distribution for the Property & Liability Program, based on the financial results from 2018.

I am pleased to inform you the **Town of Temple** will be receiving a Premium Holiday distribution in the amount of \$ 509.63 effective July 1, 2019.

Enclosed is your entity's revised Property & Liability invoice for January 1, 2019 through December 31, 2019 with the Premium Holiday applied. If the applied Premium Holiday has resulted in a credit balance for your Property & Liability Program account, this credit balance will be applied to the January 1, 2020 through December 31, 2020 contribution, or you could request a refund check. We are pleased to be able to provide this Premium Holiday, and hope to offer Premium Holidays in subsequent years based on each member's as well as the pool's overall performance.

Please let us know if you have any questions. We appreciate your continued trust in, and commitment to the Primex³ Property & Liability Program.

Sincerely,

A handwritten signature in black ink, appearing to read "Ty Gagne".

Ty Gagne, CEO

Enclosure: January 1, 2019 through December 31, 2019 Revised Property & Liability Invoice



NH Public Risk Management Exchange

Bow Book Place
 46 Donovan Street
 Concord, NH 03301-2624
 (603) 225-2841
 (800) 698-2364

REVISED INVOICE

Invoice Date	Invoice Number	Member Number
7/1/2019	4239	00309

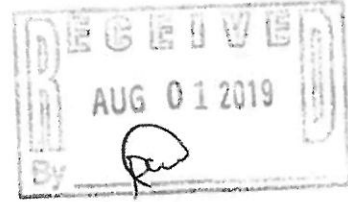
M Town of Temple
 E PO Box 191
 M Temple, NH 03084
 B
 E
 R

Invoice Date	Coverage Period	Terms
7/1/2019	January 1, 2019 through December 31, 2019	Net 45 Days
Program		
Property & Liability Coverage		
DESCRIPTION		AMOUNT
Contribution	\$ 11,954	
Premium Holiday	\$(509.63)	
Previously Paid	\$(11,954)	
Net Contribution		\$(509.63)
<p>The contribution above includes the following discounts</p> <p>WC Package Discount</p>		
Property & Liability		\$(509.63)
<p>Please make checks payable to "Primex". For payment questions, please call the Finance Department. For contribution questions, please call your Member Services Representative.</p>		Do Not Pay

Trust. Excellence. Service.

June 27, 2019

Town of Temple
Paul Clifton-Waite, Assistant to the Select Board
PO Box 191
Temple, NH 03084



RE: 2019 Premium Holiday for the Workers' Compensation Program

Dear Paul:

The Primex³ Board of Trustees approved a Premium Holiday distribution for the Workers' Compensation Program, based on the financial results from 2018.

I am pleased to inform you the **Town of Temple** will be receiving a Premium Holiday distribution in the amount of \$ 538.54 effective July 1, 2019.

Enclosed is your entity's revised Workers' Compensation invoice for January 1, 2019 through December 31, 2019 with the Premium Holiday applied. If the applied Premium Holiday has resulted in a credit balance for your Workers' Compensation Program account, this credit balance will be applied to the January 1, 2020 through December 31, 2020 contribution, or you could request a refund check. We are pleased to be able to provide this Premium Holiday, and hope to offer Premium Holidays in subsequent years based on each member's as well as the pool's overall performance.

Please let us know if you have any questions. We appreciate your continued trust in, and commitment to the Primex³ Workers' Compensation Program.

Sincerely,

A handwritten signature in black ink, appearing to read "Ty Gagne".

Ty Gagne, CEO

Enclosure: January 1, 2019 through December 31, 2019 Revised Workers' Compensation Invoice



Bow Book Place
 46 Donovan Street
 Concord, NH 03301-2624
 (603) 225-2341
 (800) 698-2364

REVISED INVOICE

Invoice Date	Invoice Number	Member Number
7/1/2019	4425	00309

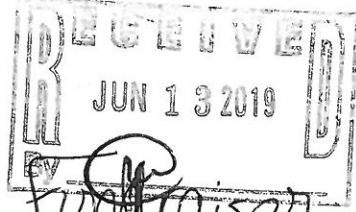
Town of Temple
 PO Box 191
 Temple, NH 03084

Invoice Date	Coverage Period	Terms
7/1/2019	January 1, 2019 through December 31, 2019	Net 45 Days
Program		
Workers' Compensation Coverage		
DESCRIPTION		AMOUNT
Contribution	\$ 9,506.00	
Premium Holiday	\$ (538.54)	
Credit Balance	\$ (3,519.85)	
Previously Paid	\$ (5,986.15)	
Net Contribution		\$(538.54)
<p>The contribution above includes the following discounts</p> <p>PL Package Discount</p>		
		\$(538.54)
<p>Please make checks payable to "Primex". For payment questions, please call the Finance Department. For contribution questions, please call your Member Services Representative.</p>		Do Not Pay

Trust. Excellence. Service.

Temple Town Hall
Fees, Rules, Regulations & Reservation Form

RESERVATION FORM



NAME / GROUP: Lisa Beaudoin's Concert Fundraiser

FACILITY/ROOM REQUESTED: Temple Town Hall

FEE: 100.00

NAME of RENTER: Tara Greenblatt / Lisa Beaudoin

ADDRESS: 242 General Miller Highway, Temple, NH, 03084

PHONE: 603 732 7798

EMAIL: drumtara1@gmail.com

DATE/TIME REQUESTED: Sunday, August 4th, 1PM - 8PM

APPROXIMATE NUMBER OF PEOPLE: 100

PURPOSE FOR USE: Concert + party For Lisa Beaudoin Recovery.

KITCHEN FACILITIES REQUESTED: YES NO

The regulations for use of the Temple Town Hall and/or Annex are incorporated into this permit by reference.

I hereby acknowledge that I have received and read the regulations, and that I agree to abide by all terms stated therein.

LIABILITY INSURANCE REQUIRED: YES NO (For Office use only)
If yes, certificate of insurance must be presented to the Temple Select Board prior to use.

POLICE SUPERVISION REQUIRED: YES NO (For Office use only)
If yes, arrangements must be made with the Police Chief for Special Detail Officers.

SIGNED

DATE 6/13/19

NOTES

RECEIPT

DATE 6/13 NO. 912225

RECEIVED FROM Tara Greenblatt

ADDRESS 21 Temple St New Ipswich

FOR 8/14 Town Hall car with 3 children \$ 100

ACCOUNT		HOW PAID		
AMT OF ACCOUNT	AMT PAID	CASH	CHECK	MONEY ORDER
			<u>100</u>	
BALANCE DUE				

BY [Signature]

©2001 REEFORM @ 81808

ANDREW B HANNAH
TARA H GREENBLATT
91 TEMPLE RD
NEW IPSWICH, NH 03071 3430

PAY TO THE ORDER OF

Tara Greenblatt
one hundred

\$ 100.00

Dollars

Bank of America

ACH RIT 011400495

For Aug 4th Town Hall Rental

⑆00000495⑆ 0038802677721⑆ 1907

Holland Clear

WILDLIFE PORTRAITS®

© PROOK PHOTO

1907
54-48 JAN 1574

6/13/19 Date





DEPARTMENT OF
ADMINISTRATIVE SERVICES
SURPLUS DISTRIBUTION SECTION
144 CLINTON STREET
CONCORD NH 03301
603/271-3239



APPLICATION, CERTIFICATION AND AGREEMENT FORM FOR FEDERAL SURPLUS PROPERTY

ELIGIBILITY: The Surplus Distribution Section shall determine the eligibility of applicants to participate in and receive surplus personal property through the program established by the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 484) as amended by Public Law 94-519. Standards and guidelines contained in FPMR 101-44-207 shall be followed in making the determination of eligibility for each applicant.

TO ESTABLISH ELIGIBILITY, APPLICANTS SHALL BE REQUIRED TO CERTIFY THAT THE APPLICANT IS:



(1) PUBLIC AGENCY

A. Complete a Surplus Distribution Application Certification and Agreement Form.



(2) NON-PROFIT EDUCATION, HEALTH OR HOMELESS INSTITUTION OR ORGANIZATION

A non-profit educational or public health institution or organization such as a medical institution, hospital or clinic, health center, school college, university, school for the mentally retarded, school for the physically handicapped, child care center, radio and television station licensed by the public, or library serving free all residents of a community, district, state or region, which is exempt from taxation under Section 501 of the Internal Revenue Code of 1954, for the purposes of education or public health including research for any such purpose.

A. Complete a Surplus Distribution Application, Certification and Agreement Form.

B. Provide a documentary evidence of Tax-Exempt Status under Section 501 (c)(3) of the Internal Revenue Code of 1954. (Letter from IRS)

C. Provide documentary evidence that it and/or its programs are approved, accredited or licenses: (Must provide a current copy of approval, accreditation or license)

D. Explanation of Program (pamphlet or letter)

All surplus government property requested and accepted by the applicant will be usable in their programs within the State of New Hampshire, and required for its own use to fill an existing need and will not be acquired for any other use or purpose or for sale.

Funds are available to pay for the costs of care and handling incident to the donation, including packing, preparation for shipment, loading, transportation and warehousing of said property and any service charges assigned by the State Agency.

TERMS & CONDITIONS

Property acquired shall be on an "as is, where is" basis without warranty of any kind. All property acquired will be put in use for the purposes for which acquired within one year from the date of acquisition and used for one year or returned at no cost to the State Agency or release such property to such persons as the agency shall designate.

All property requested and accepted will be used only for public purposes, education or public health purposes.

All passenger motor vehicles and any items of property having a government acquisition of \$5,000.00 or more, and any items of property that have characteristics that require special handling or use limitations must be used in an approved program for a period of 1 to 2 years as determined by the State Agency or General Services Administration.

The applicant will not sell, trade, lease, lend, bail, encumber or otherwise dispose of property or remove it for use outside that State without prior written approval of the State Agency. In case of any such disposal without such written approval, the applicant at the option of the State Agency or the General Services Administration shall be liable to the United States of America for the proceeds of the disposal or for the fair market value of the property at the time of such disposal as determined by the State Agency. The applicant shall make such reports to the State Agency on the use, condition and location of property and on other pertinent matters as may be required by the State Agency or the General Services Administration.

The State Agency may amend, modify or grant release on any terms and conditions, reservations, or restrictions, provided that the conditions pertinent to each situation have been affirmatively demonstrated to the prior satisfaction of the State Agency.

At the option of the State Agency, the donee may abrogate the terms and conditions in above by the payment of an amount as determined by the State Agency.

All aircraft having an acquisition cost of \$5,000.00 or more and vessels 50' and over shall be subject to the terms and conditions of the conditional Transfer Document executed by the authorized donee representative.

CIVIL RIGHTS ASSURANCE

Assurance to be executed by authorized representative of donee activity prior to receiving donations of surplus property from the State Surplus Property Agency on and after October 17, 1977.

This applicant, hereinafter called "the donee," hereby agrees that the program for or in connection with which any property is donated to the donee will be conducted in compliance with, and the donee will comply with and will require any other person (any legal entity) who through contractual or other arrangements with the donee is authorized to provide services or benefits under said program to comply with all requirements imposed by or pursuant to the regulations of the General Services Administration (41 CFR 101-6.2) issued under the provisions of Title VI of the Civil Rights Act of 1964, Section 606 of Title VI of the Federal Property and Administrative Services Act of 1949, as amended, Section 504 of the Rehabilitation Act of 1973, as amended, Title IX of the Education Amendments of 1972, as amended, Section 393 of the Age Discrimination Act of 1975 to the end that no person in the United States shall on the ground of race, age, color, national origin, or sex, or that no otherwise qualified handicapped person shall solely by reason of handicap, be excluded from participation in, be denied the benefit of, or be subjected to discrimination under any program or activity for which the donee received Federal assistance from the General Services Administration, and hereby gives Assurance that it will immediately take any measures necessary to effectuate this agreement.

The donee further agrees that this agreement shall be subject in all respects to the provisions of said regulations; that this agreement shall obligate the donee for the period during which it retains ownership or possession of any such property; that the United States shall have the rights to seek judicial enforcement of this agreement; and, this agreement shall be binding upon any successor in interest of the donee and the word "donee" as used herein includes any such successor in interest.

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION-LOWER TIER COVERED TRANSACTIONS

This certification is required by the General Services Administration regulations implementing Executive Order 12549-4 1 CFR 105-68-for all lower tier transactions meeting the requirements stated at 41 CFR 105-68.110.

INSTRUCTIONS FOR CERTIFICATION

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous

certification, in addition to other remedies available to the Federal Government, the department of agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or had become erroneous by reason of changed circumstances.

4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Covered sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-lower Tier Covered Transactions," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from covered transactions, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs.

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

CERTIFICATION

(1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals in presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

(2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

APPLICANT HEREBY AGREES TO THE TERMS & CONDITIONS AND HAS APPROVED THE ATTACHED DELEGATION OF AUTHORITY.

Legal Name of Applicant Town of Temple, NH

Address P.O. Box 191 423 NH Route 45 City/Town Temple Zip Code 03084

Telephone No. 603-878-2536 Fax No. 603-878-5067 Date of Application Aug. 12, 2019

Email address boardassistant@templenh.org

Chairman of the Board and/or Administrator's Signature _____ 2020
Signature Bill Ezell *Term Expiration Date*

Board Member or Selectman _____ 2021
Signature Ken Caisse *Term Expiration Date*

Board Member or Selectman _____ 2022
Signature George Willard *Term Expiration Date*

DEPARTMENT OF ADMINISTRATIVE SERVICES
 SURPLUS DISTRIBUTION SECTION
 144 CLINTON STREET
 CONCORD NH 03301
 603/271-3239

LEGAL NAME OF APPLICANT: Town of Temple Cust #: _____

I hereby formally delegate authority to the following persons to sign for surplus property in the name of the above named public or non-profit organization.

George Clark, Fire Chief, TVFD

NAME _____ Type or Print

George Clark
SIGNATURE _____

Mike Connolly, Fire Warden

NAME _____ Type or Print

SIGNATURE

NAME _____ Type or Print

SIGNATURE

NAME _____ Type or Print

SIGNATURE

NAME _____ Type or Print

SIGNATURE

NAME _____ Type or Print

SIGNATURE

NAME _____ Type or Print

SIGNATURE

NAME _____ Type or Print

SIGNATURE

NAME _____ Type or Print

SIGNATURE

NAME _____ Type or Print

SIGNATURE

NAME _____ Type or Print

SIGNATURE

NAME _____ Type or Print

SIGNATURE

For State Agency Use ONLY

STATE AGENCY FOR SURPLUS PROPERTY

The undersigned hereby certifies that the above applicant is eligible under the Federal Property and Administrative Services Act of 1949 as amended as pertinent.

SUPERVISOR

STATE AGENCY SIGNATURE

TITLE

DATE