



Town of Enfield Board of Selectmen

Public Hearing Notice

The Board of Selectmen will hold a public hearing

May 8, 2017

at 6:00 PM

Public Works Facility

74 Lockehaven Road, Enfield NH

to discuss the adoption of a resolution and amendment to the Municipal Sewer Ordinance to permit the creation of an assessment for the purpose of securing the funds necessary to underwrite the borrowing associated with the NH Route 4A sewer project.

Public hearings may start later, but not earlier than the posted time.

Posted: Whitney Hall
www.enfield.nh.us
Enfield Center Post Office
Enfield Post Office

April 28, 2017

RESOLUTION AUTHORIZING SEWER ASSESSMENT

Pursuant to the authority vested in the Town of Enfield Board of Selectmen by RSA Chapter 149-I, it is hereby

RESOLVED:

1. Purpose. The purpose of this resolution is to provide a reasonable and proportionate methodology for assessing individual properties that are serviced or benefited by the extension of a sewer line in the locations described below for their just share of the expense, including any capital debt or interest, of constructing the sewer main; to amend the Town of Enfield Sewer Ordinance; and, to implement the obligation of the users to reimburse the Town's general fund.

2. Properties Subject to Assessment. The properties subject to assessment under this resolution are as follows:

[All those condominium units located within the Lakeview
Condominium development.]

3. Sewer Assessment.

(a) The total cost of the proposed extension of the sewer line shall be paid by a special assessment upon all those units benefited. The Board of Selectmen shall determine the total cost of the project and the full amount to be assessed on each user.

(b) The assessment shall be spread over the units of land within the area described above on a per user basis, with such modifications as are necessary to assure that all properties benefited pay their proper share of the proposed expenses.

(c) Interest on the assessment shall be charged from the date of the assessment to the date of full payment thereof. The Board of Selectmen shall determine, annually, the rate of interest on installments not yet due and payable based upon the annual cost of borrowing funds by the Town. Interest shall accrue on any payment not made when due at the annual rate provided in RSA 76:13 and RSA 80:69.

(d) Payment of the entire amount assessed against the user, plus interest, shall be due in annual installments over a twenty (20) year period following the assessment.

4. Lien Created. The assessment established by this Resolution shall create a lien upon the condominium unit on account of which it is made, in accordance with RSA Chapter 149-I.

5. Abatement of Assessments. For good cause shown, the Board of Selectmen may abate any such assessment or portion thereof made by it. Applications for abatements shall be made in writing within sixty days of notice of the assessment, and not thereafter.

6. Notice of Assessment.

(a) The Board of Selectmen shall provide notice of the total amount of the assessment to each owner of a condominium unit that is assessed pursuant to this resolution, by certified mail, return receipt requested;

(b) The Board of Selectmen shall cause to be recorded in the Grafton County Registry of Deeds a notice of assessment, evidencing the continuing obligation of each condominium owner for which the assessment is made. A release of assessment shall be recorded in the Grafton County Registry of Deeds upon full payment of the assessment.

7. Collection of Assessments. The Town Manager shall be responsible for collecting the annual assessment. The Town Manager shall commit to the Tax Collector a warrant for the collection of all assessments that are delinquent, in accordance with RSA 38:22 II (a). The Tax Collector shall have the same rights and remedies, including a lien on the real estate, and be subject to the same liabilities in relation thereto as in the collection of taxes as provided in RSA Chapter 80.

8. Adoption of Amendment to Sewer Use Ordinance. The Board of Selectmen hereby adopts as an amendment to the Town of Enfield Sewer Ordinance, Article ___, Sewer Assessment, attached as Exhibit A.

Dated: _____, 2017

TOWN OF ENFIELD

ARTICLE _____ SEWER ASSESSMENT

THE TOWN OF ENFIELD ORDAINS that the following ordinance amending the Sewer Use Ordinance for the Town of Enfield, NH, is hereby enacted and shall be inserted after Article ____ of the Sewer Use Ordinance.

Authority

This ordinance is enacted by the town of Enfield Board of Selectmen pursuant to the authority vested in it by RSA Chapter 149-I.

Purpose

The purpose of this ordinance is to provide for a reasonable and proportionate methodology for assessing individual properties for the benefits conferred as a result of the extension of a sewer main to service the area of Lakeview Condominiums on NH Route 4-A.

Sewer Assessment

(a) The total cost of the proposed extension of the sewer line, plus interest, shall be paid by a special assessment upon all those properties benefited. The Board of Selectmen shall be responsible for determining the total cost of the project and the full amount to be assessed on each property.

(b) The assessment shall be spread over the condominium units within the area described above.

(c) Interest shall be charged from the date of the assessment to the date of full payment thereof. The Board of Selectmen shall determine the rate of interest.

(d) Payment of the entire amount assessed against the property plus interest shall be due in annual installments over a twenty (20) year period following the assessment.

Lien Created

The assessment established by this ordinance shall create a lien upon the condominium unit on account of which it is made.

Abatement of Assessments

For good cause shown, the Board of Selectmen may abate any such assessment or portion thereof made by it. Applications for abatements shall be made in writing.

Effective Date of Amendment

This amendment to the Sewer Use Ordinance (Article _____) shall be in full force and effect from and after its passage.

Passage of Amendment (Article _____)

Passed and ordained by the Board of Selectmen on the _____ day of _____, 2017, to become effective on the _____ day of _____, 2017.

TOWN OF ENFIELD
NOTICE OF SEWER ASSESSMENT

TO: _____

PROPERTY ADDRESS: _____

TAX MAP AND LOT: _____

RE: Sewer Assessment pursuant to RSA 149-I:7

DATE: _____, 2017

You are hereby given notice that the Town of Enfield, New Hampshire, has constructed a public sewer facility to which your property may connect or from which it receives special benefits.

The Town of Enfield Board of Selectmen has made an assessment on your property for its share of the expense of the construction of the sewer line in the amount of: \$_____. The amount of the assessment plus interest at an annual rate of ____ % is payable in ten (20) equal annual installments of \$_____ each. The first annual payment is due one year from the date of this notice. Interest shall be charged on any payment not made as of the due date at the maximum rate permitted by RSA 76:13 and RSA 80:69. You may prepay the assessment, plus accrued interest, in full at any time without penalty.

A notice of assessment shall be recorded in the Grafton County Registry of Deeds.

You have the right to appeal your assessment to the Board of Selectmen in accordance with RSA 149-I:14, by filing, in writing, a request for abatement with sixty (60) days after the date appearing on this notice, and not thereafter.

Respectfully,

_____, Town Manager