

TOWN WARRANT

For the Town of Weare
The State of New Hampshire



FIRST SESSION OF THE ANNUAL MEETING
Saturday, February 3, 2007
9:00 A.M.
CENTER WOODS ELEMENTARY SCHOOL

TO THE INHABITANTS OF THE TOWN OF WEARE, IN THE COUNTY OF HILLSBOROUGH, IN SAID STATE, QUALIFIED TO VOTE IN TOWN AFFAIRS:

You are hereby notified to meet at the Center Woods Elementary School in said Weare on Saturday, February 3, 2007, at nine o'clock in the morning, for the explanation, discussion, debate and possible amendment of each Warrant Article, and to transact all business other than voting by official Ballot.

SECOND SESSION OF THE ANNUAL MEETING
TUESDAY, MARCH 13, 2007
7:00 A.M. To 7:00 P.M.
CENTER WOODS ELEMENTARY SCHOOL

TO THE INHABITANTS OF THE TOWN OF WEARE, IN THE COUNTY OF HILLSBOROUGH, IN SAID STATE, QUALIFIED TO VOTE IN TOWN AFFAIRS:

You are hereby notified to vote at the Center Woods Elementary School in said Weare on Tuesday, March 13, 2007 beginning at seven o'clock in the morning, and ending at seven o'clock in the evening to elect officers of the Town by official ballot, to vote on questions required by law to be inserted on said official ballot and to vote on all Warrant Articles as accepted or amended by the First Session.

ARTICLE 1

To choose all necessary town officers for the ensuing year. (By Official Ballot)

ARTICLE 2

Are you in favor of **Amendment No. 2**, as proposed by the Planning Board for the Town zoning ordinance as follows: To propose (a) increasing the minimum lot size to 5 acres and the minimum frontage requirement to 250 feet in the RA zone and (b) providing a 20% "density bonus" for cluster developments in the RA zone?

(**Recommended** by the Planning Board)

ARTICLE 3

Are you in favor of **Amendment No. 3**, as proposed by the Planning Board for the Town zoning ordinance as follows: To remove the sentence that reads "Any residential use shall conform to the requirements of Table 1-1." from Articles 24.5.1 and 25.5.1?

(**Recommended** by the Planning Board)

ARTICLE 4

Are you in favor of **Amendment No. 4**, as proposed by the Planning Board for the Town zoning ordinance as follows: To add a new Article 34 entitled "Sign Ordinance?"

(**Recommended** by the Planning Board)

ARTICLE 5

Are you in favor of **Amendment No. 5**, as proposed by the Planning Board for the Town zoning ordinance as follows: To repeal Article 15-A referred to as the Planning Board's Growth Management Ordinance, in its entirety?

(**Recommended** by the Planning Board)

ARTICLE 6

Are you in favor of **Amendment No. 6**, as proposed by the Planning Board for the Town zoning ordinance as follows: To add two sections, 28.9 entitled *Buffers* and 28.9.1 entitled *Exceptions* to Article 28 which will read: *Buffers*: A buffer of native vegetation with no ground disturbance allowed except for planting shall be maintained within 25 feet of all jurisdictional wetlands. In forested areas no more than 50 percent of the basal area shall be removed in any 10 year period. *Exceptions*: Buffer distances are not required within the right of way for any proposed class V or higher road or any related Class V road construction and/or maintenance activities. This section does not apply to any forest management or agricultural activity?

(**Recommended** by the Planning Board)

ARTICLE 7

Are you in favor of **Amendment No. 7**, as proposed by the Planning Board for the Town zoning ordinance as follows: To amend the flood plain ordinance as necessary to comply with requirements of the National Flood Insurance Program?
(**Recommended** by the Planning Board)

ARTICLE 8

Are you in favor of **Amendment No. 8**, as proposed by the Planning Board for the Town zoning ordinance as follows: To amend Article 30-A.3.1.1 to read as follows: The board finds that any proposed structure in the proposed development (a) is more than 600 feet from the centerline of Mt. Dearborn Road and (b) will be sited or screened by vegetation so as not to be visible from any point on Mt. Dearborn Road throughout the year and (c) meets all relevant requirements of 6.1.4, OR?
(**Recommended** by the Planning Board)

ARTICLE 9

Are you in favor of **Amendment No. 9**, as proposed by the Planning Board for the Town zoning ordinance as follows: To amend the Town of Weare Zoning Map by modifying the zoning of 7.5+/- acres, Tax Map 404 Lot 171; and 57.5 +/- acres, Map 407 Lot 39, said parcels being located on Buckley Road, to change from Rural Agricultural (RA) to Residential (R)? (By Petition)
(**Recommended** by the Planning Board)

ARTICLE 10

Are you in favor of **Amendment No. 10**, as proposed by the Planning Board for the Town zoning ordinance as follows: To amend the Town of Weare Zoning Map by modifying the zoning of 35.4 +/- acres, Tax Map 412 Lot 12 (Sub 1); and 2.67 +/- acres, Map 412 Lot 12 (Sub 2), and 2.55 +/- acres, Map 412 Lot 12 (Sub 3); and 2.49 +/- acres, Map 412 Lot 12; said parcels being located on Colby Road, to change from Rural Agricultural (RA) to Residential (R)? (By Petition)
(**Recommended** by the Planning Board)

ARTICLE 11

Are you in favor of **Amendment No. 11**, as proposed by the Planning Board for the Town zoning ordinance as follows: In order to preserve open space and our rural character, as well as reduce property taxes, shall the Town vote to amend its zoning ordinance (a) to increase the minimum lot size in the Rural/Agricultural District to 5 acres and the minimum frontage requirement to 250 feet, while (b) providing a 10% density bonus for cluster developments? (By Petition)
(**Not Recommended** by the Planning Board)

ARTICLE 12

Shall the Town raise and appropriate, as an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the

amounts set forth on the budget posted with the warrant or as amended by vote of the first session, for the purposes set forth therein, totaling Four Million Three Hundred Forty-Five Thousand Seventy-Eight Dollars (\$4,345,078.00). Should this article be defeated, the Default budget shall be Four Million Two Hundred Fifty-Four thousand Six Hundred and Twenty-Two Dollars (\$4,254,622.00) which is the same as last year, with certain adjustments required by previous action of the Town or by law; or the governing body may hold one special meeting, in accordance with RSA 40:13, X and XVI, to take up the issue of a revised operating budget only.

	Department	Proposed	Default
A	TOWN OFFICERS SALARIES	\$ 21,533.00	\$ 21,533.00
B	TOWN OFFICERS EXPENSES	\$ 23,900.00	\$ 23,000.00
C	ELECTIONS & REGISTRATIONS	\$ 14,268.00	\$ 14,118.00
D	TAX COLLECTOR	\$ 40,300.00	\$ 38,975.00
E	FINANCE COMMITTEE	\$ 50.00	\$ 50.00
F	ASSESSING OFFICE	\$ 100,870.00	\$ 101,322.00
G	LEGAL FEES	\$ 65,000.00	\$ 54,000.00
H	FINANCE ADMINISTRATOR	\$ 67,734.00	\$ 67,734.00
I	TOWN CLERKS OFFICE	\$ 64,349.00	\$ 63,676.00
J	TOWN CLERK'S SALARY AND BENEFITS	\$ 55,025.00	\$ 55,025.00
K	SELECTMAN'S OFFICE	\$ 149,165.00	\$ 149,065.00
L	CABLE COMMITTEE	\$ 4,620.00	\$ 4,440.00
M	TRUSTEES OF TRUST FUNDS	\$ 85.00	\$ 85.00
N	LAND USE	\$ 73,239.00	\$ 71,111.00
O	GENERAL GOVERNMENT BUILDINGS	\$ 58,627.00	\$ 57,077.00
P	CEMETERIES	\$ 31,294.00	\$ 31,294.00
Q	INSURANCE	\$ 106,536.00	\$ 106,536.00
R	ADVERTISEMENTS AND DUES	\$ 7,700.00	\$ 7,690.00
S	POLICE DEPARTMENT	\$1,086,305.00	\$ 1,069,086.00
T	EMERGENCY MANAGEMENT	\$ 5,000.00	\$ 5,000.00
U	FIRE DEPARTMENT	\$ 242,583.00	\$ 234,522.00
V	BUILDING DEPT/ CODE ENFORCEMENT	\$ 88,366.00	\$ 88,876.00
W	FOREST FIRES	\$ 3,975.00	\$ 3,660.00
X	TOWN MAINT / HIGHWAY DEPT	\$1,037,490.00	\$ 1,007,439.00
Y	STREET LIGHTING	\$ 2,400.00	\$ 2,400.00
Z	TRANSFER STATION	\$ 394,704.00	\$ 391,603.00
AA	SEWER DEPARTMENT	\$ 13,711.00	\$ 14,035.00
BB	WATER DEPARTMENT	\$ 1,689.00	\$ 1,689.00
CC	ANIMAL CONTROL	\$ 20,816.00	\$ 20,266.00
DD	HEALTH OFFICER	\$ 4,711.00	\$ 4,711.00
EE	HUMAN SERVICES	\$ 49,959.00	\$ 49,159.00

FF	PARKS AND RECREATION	\$ 47,056.00	\$ 42,103.00
GG	LIBRARY	\$ 178,004.00	\$ 169,980.00
HH	PATRIOTIC PURPOSE	\$ 500.00	\$ 500.00
II	CONSERVATION COMMISSION	\$ 2,010.00	\$ 1,357.00
JJ	ECONOMIC DEVELOPMENT	\$ 1,500.00	\$ 1,500.00
KK	DEBT SERVICE	\$ 280,004.00	\$ 280,004.00

TOTAL EXPENDITURE	\$ 4,345,078.00	\$4,254,622.00
LESS ANTICIPATED REVENUE	\$ 2,495,073.00	
TOTAL TO BE RAISED BY TAX	\$ 1,850,005.00	
DIVIDED BY VALUATION	\$ 890,961.00	
ANTICIPATED TAX IMPACT	\$ 2.08	

(**RECOMMENDED** by Board of Selectmen)

ARTICLE 13

Shall the Town raise and appropriate the sum of Three Hundred Thirty Thousand Three Hundred Thirty-Four Dollars (\$330,334.00) to be added and allocated to the previously established Capital Reserve Funds as shown in the chart below.

Cemetery Construction Fund	\$ 10,000.00
Fire Communication Fund	\$ 15,000.00
Library-Computer Replacement Fund	\$ 2,434.00
Highway Truck & Equipment Fund	\$ 115,000.00
Transfer Station Equipment Fund	\$ 35,000.00
Recreation Field & Development Fund	\$ 6,000.00
Police Communication Fund	\$ 46,900.00
Police Cruiser Fund	\$ 65,000.00
Computer System Fund	\$ 15,000.00
Government Buildings & Maintenance Fund	\$ 20,000.00

(All the items listed are part of the Town's Capital Improvement Program)

Anticipated tax impact = \$ 0.37

(**RECOMMENDED** by Board of Selectmen)

ARTICLE 14

Shall the town raise and appropriate the sum of Sixty thousand Dollars (\$60,000.00) to replace the Fire Department forestry truck and any needed equipment to properly outfit the vehicle, with said funds to come from the existing Fire And Rescue Vehicle Capital Reserve Fund.

Anticipated tax impact = \$ 0.00
(**RECOMMENDED** by Board of Selectmen)

ARTICLE 15

Shall the Town establish a Capital Reserve Fund under the provisions of RSA 35:1 to be known as the Highway Communication Fund for the purpose of purchasing Highway/ Public Works Department communication equipment including a base station and mobile radios, and raise and appropriate the sum of Twenty Thousand Dollars (\$20,000.00) to be placed in this fund, and authorize the Board of Selectmen as the agents to expend from this account for its intended purpose.

(Majority vote required).

Anticipated tax impact = \$0.02

(**RECOMMENDED** by Board of Selectmen)

ARTICLE 16

Shall the Town establish a Capital Reserve Fund under the provisions of RSA 35:1 to be known as the Library Development/Consultant Fund for the purpose of assisting the Library Trustees and volunteer committees through the library development process to come up with the creation of a building plan, and raise and appropriate the sum of Fifteen Thousand Six Hundred Seventy-Five Dollars (\$15,675.00) to be placed in this fund, and authorize the Library Trustees as the agents to expend from this account for its intended purpose.

(Majority vote required).

Anticipated tax impact = \$0.02

(**RECOMMENDED** by Board of Selectmen)

ARTICLE 17

Shall the Town establish a Revolving Fund pursuant to RSA 31:95-h, for the purposes of facilitating recycling at the Town Transfer Station. All revenues received from fee-based recycled items at the Town Transfer Station will be deposited into this fund, and the money in this fund shall be allowed to accumulate from year to year, and shall not be considered part of the Town's General Fund Unreserved Fund Balance. The Town Treasurer shall have custody of all monies in the fund, and shall pay out the same only upon order of the governing body, and no further approval is required by the legislative body to expend. Such funds may be expended only for the purpose for which the fund was created. Should this article pass, The Transfer Station Operating Budget would be reduced by \$39,000.00 for fiscal 2007 calendar year.

Anticipated tax impact = \$0.00

(**RECOMMENDED** by Board of Selectmen)

ARTICLE 18

Shall the Town raise and appropriate the sum of Three Hundred Seventy-Five Thousand Dollars (\$375,000.00) for road reconstruction and resurfacing of roads. Of the \$375,000.00, the sum of Two Hundred Twenty-Three Thousand Two Hundred Seventy-Three Dollars (\$223,273.00) would be received from Highway Block Grant Funds from the

State of New Hampshire (Pursuant to RSA 235) with One Hundred Fifty-One Thousand Seven Hundred Twenty-Seven Dollars (\$151,727.00) to be raised by taxation.
Anticipated tax impact \$0.17
(**RECOMMENDED** by Board of Selectmen)

ARTICLE 19

Shall the Town raise and appropriate the sum of Thirty-Five Thousand Dollars (\$35,000.00) to have a Town Buildings needs assessment conducted to assess, among other things, the current condition of Town facilities, how they are suiting the needs of the community, and to anticipate and plan for the future needs of the Town and how to most efficiently and cost-effectively meet those needs. This will be a non-lapsing appropriation per RSA 32:7, VI and will not lapse until the needs assessment is completed or by December 31, 2009, whichever is sooner. (Majority vote required).
Anticipated tax impact = \$0.04
(**RECOMMENDED** by Board of Selectmen)

ARTICLE 20

Shall the Town raise and appropriate the sum of Twenty One Thousand Six Hundred Dollars, (\$21,600.00) to acquire the services of a part-time professional planner through the Regional Planning Commission's Circuit Rider Program for one year only?
Anticipated tax impact = \$0.02
(**RECOMMENDED** by Board of Selectmen)

ARTICLE 21

Shall the Town approve the cost item contained in the collective bargaining agreement reached between the Board of Selectmen and the *American Federation of State County, and Municipal Employees (AFSCME)* Union (police employees) inclusive of the following increases in salaries and benefits at the current staffing level:

Year	Estimated Increase	Year	Estimated Increase
2007	\$42,746.00	2008	\$28,488.00

and further to raise and appropriate the sum of Forty Two Thousand Seven Hundred Forty-Six Dollars (\$42,746.00) for the current fiscal year, such sum representing the additional costs attributable to the increase in salaries and benefits over those of the appropriation at current staffing levels paid in the prior fiscal year. The \$42,746.00 sum for 2007 includes salary funding retroactive to October 1, 2006, per the agreement.
Anticipated tax impact = \$0.05
(**RECOMMENDED** by Board of Selectmen)

ARTICLE 22

Shall the Town raise and appropriate the sum of Fifty-Two Thousand Dollars (\$52,000.00) for the purpose of hiring one (1) additional full-time Weare Police Officer. The stated amount will cover a nine-month cost of salary, benefits, uniforms, equipment and training. If approved, future funding for this position will be included in the Weare Police Department operating budgets.

Anticipated tax impact = \$0.06

(NOT RECOMMENDED) by Board of Selectmen)

ARTICLE 23

Shall the Town raise and appropriate the sum of Forty-Nine Thousand Eight Hundred Fifty Dollars (\$49,850.00) to hire two (2) per diem EMTs to staff the ambulance 8 hours a day 7 days a week from July 1st to December 31st. If this Article is approved, future funding for this position will be included in the Weare Fire Department operating budget.

Anticipated tax impact = \$0.06

(NOT RECOMMENDED) by Board of Selectmen)

ARTICLE 24

Shall the Town raise and appropriate the sum of Ten Thousand Dollars (\$10,000.00) to be added to the previously established Community Access TV Equipment Capital Reserve Fund? Said amount is the equivalent of a portion of the sum the Town receives each year from the Cable franchise fees.

Anticipated tax impact = \$0.00

(RECOMMENDED) by Board of Selectmen)

ARTICLE 25

Shall the Town raise and appropriate the sum of Fifteen Thousand Dollars (\$15,000.00) for cemetery improvements. This sum to be withdrawn from Cemetery Trust Funds Cy Pres Account.

Anticipated tax impact = \$0.00

(RECOMMENDED) by Board of Selectmen)

ARTICLE 26

Shall the Town raise and appropriate the sum of Eighty Thousand Dollars(\$80,000.00) and to fund this appropriation by authorizing the withdrawal of said sum from the Town Forest Account, said sum to be used in combination with the Conservation Fund for the acquisition of new Town Forest land.

Anticipated tax impact = \$0.00

(RECOMMENDED) by Board of Selectmen)

ARTICLE 27

Shall the Town raise and appropriate the sum of Fifteen Thousand Dollars (\$15,000.00) to allow the Conservation Commission to secure the contracted services of a New Hampshire Licensed Forester to prepare management plans, prepare timber harvests, and

provide timber harvest oversight for Town forests, and to fund this appropriation by authorizing the withdrawal of that sum from the Town Forest Account.

Anticipated tax impact = \$0.00

(RECOMMENDED) by Board of Selectmen)

ARTICLE 28

Shall the Town raise and appropriate the sum of Six Thousand Dollars (\$6,000.00) for the purpose of purchasing fireworks for the 2007 Weare Patriotic Celebration. This warrant article has been designated by the Board of Selectmen as a Special Warrant Article so that the funds, if approved, may not be transferred for any other purposes.

Anticipated tax impact = \$0.007

(RECOMMENDED) by Board of Selectmen)

ARTICLE 29

Shall the Town modify the elderly exemptions from property tax in the Town of Weare, based on assessed value, for qualified taxpayers, to be as follows: \$70,000.00 for a person 65 years of age up to 75 years, \$90,000.00 for a person 75 years of age up to 80 years, and \$300,000.00 for a person 80 years of age or older? To qualify the person must have been a New Hampshire resident for at least 3 consecutive years prior to April 1st, own the real estate individually or jointly, or if the real estate is owned by such person's spouse, they must have been married to each other for at least 5 consecutive years. In addition the taxpayer must have a net income of not more than \$33,000.00 or if married, a combined net income of not more than \$44,000.00; and own net assets not in excess of \$80,000.00, excluding the value of the person's residence and land up to 2 acres.

(RECOMMENDED) by Board of Selectmen)

ARTICLE 30

Shall the Town modify the Disabled Exemption for any person who is eligible under Title II or Title XVI of the federal Social Security Act for benefits to the disabled to receive a yearly exemption on the assessed value, for property tax purposes, of his or her residential real estate in the amount of \$60,000.00? To qualify the person must have been a New Hampshire resident for at least 5 years prior to April 1st and own and occupy the real estate individually or jointly, or if the real estate is owned by a spouse, they must have been married for at least 5 years. In addition, the taxpayer must have a net income of not more than \$13,400.00, or if married, a combined net income of not more than \$20,400.00; and own net assets not in excess of \$35,000.00, excluding the value of the person's residence and land up to 2 acres.

(RECOMMENDED) by Board of Selectmen)

ARTICLE 31

Shall the Town rescind the provisions of RSA 31:95-c to restrict 95% of revenues from special police details to expenditures for the purpose of paying the police officers to provide contracted detail service?

(**RECOMMENDED** by Board of Selectmen)

ARTICLE 32

Shall the Town establish a Revolving Fund pursuant to RSA 31:95-h, for the purpose of funding police special details. All revenues received for police special details will be deposited into the fund, and the money in the fund shall be allowed to accumulate from year to year, and shall not be considered part of the town's general fund unreserved fund balance. The town treasurer shall have custody of all moneys in the fund, and shall pay out the same only upon order of the Board of Selectmen and no further approval is required by the town meeting to expend. Such funds may be expended only for the purpose for which the fund was created.

(**RECOMMENDED** by Board of Selectmen)

ARTICLE 33

Shall the Town designate the 608 acre Eastman Conservation Area as Town Forest in accordance with RSA 31:110 to be managed by the Weare Conservation Commission?

(**RECOMMENDED** by Board of Selectmen)

ARTICLE 34

If the Weare Conservation Commission can obtain ownership, shall the Town authorize addition of approximately 64 acres obtained by the Weare Conservation Commission from Map 404, Lot 130 to the Chevy Hill Town Forest in accordance with RSA 31:110 to be managed by the Weare Conservation Commission pursuant to RSA 31:112, II; to authorize the Conservation Commission to convey certain conservation easements to a qualified land trust such as the Piscataquog Watershed Association or Society for the Protection of New Hampshire Forests?

(**RECOMMENDED** by Board of Selectmen)

ARTICLE 35

In order to prevent any future development on land intended for conservation, shall the town authorize the Weare Conservation Commission and Weare Board of Selectmen to convey into conservation easements for any town forest and town conservation lands with a qualified land trust such as the Piscataquog Watershed Association or Society for the Protection of New Hampshire Forests?

(**RECOMMENDED** by Board of Selectmen)

ARTICLE 36

Shall the Town rescind Article 31 adopted at the 1981 Town Meeting which authorized the Weare Historical Society to use the Stone Memorial Building for purposes of storing, preserving and acquiring artifacts pertaining to Weare's history but required the Historical Society to pay the costs of maintaining the Stone Building, and instead to authorize the Weare Historical society to use the Stone Memorial Building for purposes of storing, preserving and acquiring artifacts pertaining to Weare's History with the Town to bear

all costs of maintaining the building, thus allowing the Historical society to utilize it at no cost.

(**RECOMMENDED** by Board of Selectmen)

ARTICLE 37

Shall the Town authorize the Board of Selectmen to sell to Tim and Sheila Savaria two parcels of land along NH Route 114 to which the Town acquired title through the Last Will and Testament of Mildred E. Hall, and to allow the Selectmen to negotiate all aspects of said sale, including the sale price. These parcels are shown as the northerly and southerly tracts of Tax Map 408-190 on a plan entitled "Boundary Line Agreement Plan, Land of SHB Properties, LLC, Russell P. and Carol A. Bernard and Tim and Sheila Savaria, Tax-Map Lots 411-152, 408-168, and 408-190" dated February 16, 2006 and recorded at the Hillsborough County Registry of Deeds as Plan 34581.

(**RECOMMENDED** by Board of Selectmen)

ARTICLE 38

In order to provide year round equitable public access to Horace Lake, Public Waters of the State of New Hampshire, managed by New Hampshire Fish and Game for year round trout fishing, shall the Town approve opening either the Chase Park Boat Launch or the old boat launch adjacent to Chase Park for boat launching during ice off conditions and access to the ice during ice on conditions daily from one hour before sunrise to one hour after sunset and provide reasonable access to parking either in the park or [on] roadside.(by **Petition**)

ARTICLE 39

Shall we adopt the provisions of RSA 31:95-c to restrict One Hundred Percent (100%) of revenues from (*donations, grants, voluntary fees, and/or fundraisers*) to expenditures for the purpose of building and operating a Community Center to include kitchen(s), multi-purpose rooms, and recreational facilities? Such revenues and expenditures shall be accounted for in a special revenue fund to be known as the *Community Center fund*, separate from the general fund. Any surplus in said fund shall not be deemed part of the general fund accumulated surplus and shall be expended only after a vote by the legislative body to appropriate a specific amount from said fund for a specific purpose related to the purpose of the fund or source of revenue. (Majority ballot vote).

(by **Petition**)

ARTICLE 40

Shall the elected position of Weare, New Hampshire Chief of Police be discontinued and the position become an appointed position, in accordance with all Town of Weare hiring practice and procedure, and within all requirements of the New Hampshire Police standards and Training Council? If approved, the position shall be appointed at the end of the current elected term, in March 2008.

(by **Petition**)

ARTICLE 41

To transact any other business which may legally come before this meeting?

Given under our hands and seal, this 25th day of January in the year of our Lord, two thousand and seven.

Weare Board of Selectmen

Heleen Kurk, Chairperson

Joseph Fiala, Vice Chairman

Thomas Clow, Selectman

Donna Osborne, Selectperson

A. Craig Slattum, Selectman