

FINAL



**WEARE BOARD OF SELECTMEN
MEETING MINUTES
November 2, 2015**

PRESENT: KEITH R. LACASSE, CHAIRMAN; TOM CLOW, VICE CHAIRMAN; JAMES LEARY, SELECTMAN; JENNIFER BOHL, SELECTMAN; FREDERICK W. HIPPLER, SELECTMAN

RECORDING SECRETARY: Kathleen Humphreys

TOWN ADMINISTRATOR: Naomi Bolton

GUESTS: Jan Snyder, Greg McDowell and John LaFreniere.

The Board, town administrator and other town employees participated in a sexual harassment training session conducted by PRIMEX before tonight's meeting.

8:00 p.m. Chairman Lacasse called the meeting to order.

PUBLIC COMMENT

None

DEPARTMENT HEAD AND COMMITTEE ITEMS

DPW Director Tim Redmond presented a truck driver candidate. The applicant, John LaFreniere, is an experienced plow truck driver and can operate the plow wing and additional equipment. The Highway Department will be fully staffed now.

VOTE: Selectman Leary moved, Selectman Hippler seconded, to hire John LaFreniere as Transfer Station Operator with a pay of \$15.92/hour starting immediately. Motion passed 5-0-0.

PUBLIC WORKS UPDATE

Paving on Gould Road was completed. The shim and overlay on Short Street was completed. The only outstanding paving projects are to address a few swales on Mt. Dearborn Road. Mr. Redmond commented the paving prices were good this year which was directly related to the price of oil.

Mr. Redmond informed the Board the town will receive the increase in next year's proposed block grant. With the help of Sen. Jerry Little and Sen. Forester who successfully argued in the Senate for the town's share of the 6 cents on the gas tax.

UPDATE ON NOISE ORDINANCE

Taking into consideration public comment and the police chief's suggestions, the Selectmen presented a revised noise ordinance. The ordinance can be seen on the town's website. It appears as follows:

I. Delete "at any time".

IV. Target practice was put in its own section. "(See section VII for exceptions)" was added at the end.

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Utilizing the NH Fish & Game law "half hour after sunset and half hour before sunrise" was discussed as the time frame to use.

V. It shall be unlawful to cause noise disturbance from target practice on private or public land during this same time 11:00 p.m. to 5:00 a.m. time period Monday through Sunday. At any other time during the day, continuous noise emanating from the same activity shall last no more than three consecutive hours per day, from the time the first round is fired. This ordinance shall not apply to public or private club shooting ranges except from the time restrictions stated above.

"During the time period of one half hour before sunrise and one half hour after sunset" will replace 11:00 p.m. to 5:00 a.m. This does not disallow emergency use or shoveling driveways.

VI. "Accelerator, gas pedal and carburetor" was replaced with "fuel management system". "Except as a danger warning; the sounding of any such device" was deleted

VII. Delete "Any other noise resulting from activities permitted by law, for which a permit is granted by the Town, and which noise or activity is within any noise or operational limitations imposed by the town as part of its permit approval"

VII. Violations will now read, "Violations will result in written language warnings or fines of \$250.00 per occurrence for multiple violations." The Chief suggested to the Selectmen the police may not always want to issue a fine after one warning.

Resident Greg McDowell felt the ordinance discriminates against people who work the third shift.

The first paragraph quotes criminal code section 644:2 because it reads, "Making loud and unreasonable noise in a public or private place". It's right out of the criminal code.

644:13 deals with fire arms in a compact area in a town or city. Selectman Clow didn't see that applying to a noise ordinance and felt unauthorized use of firearms in a crowded and residential area would take care of it.

Selectman Lacasse informed the Board the police chief asked them to take out some of the subjectivity. He directed them to a decibel chart. The Board felt a decibel rating chart was helpful plus it had comparisons. "See attached chart of noise level comparisons". It was debated if the chart would be confusing.

Loud and unreasonable noise was debated. Selectman Leary discussed noise will sound different in his driveway than another location. Vice Chair Clow mentioned that loud and unreasonable can differ. If I hear target practice at my house it's not unreasonable but if it goes on all day, it can get unreasonable.

The next public hearing will gather a second level of feedback from residents and from the police chief.

Selectman Bohl suggested most of the noise problem relate from a lack of respect.

After discussion Section VI will add, after the word transmission, "alternations of a vehicles that results in loud noise to emitting from the exhaust system".

The noise from Jake brakes was a concern to resident Greg McDowell. He also wondered if residents would complain the gun range does not have a time limit for noise and can shoot longer than three hours and stated that noise is noise.

Section VII, where it says snow blowers and other types of private or public commercial snow removal operations" and add in "emergency generators".

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Selectman Hippler moved, Selectman Bohl seconded to approve the minutes of October 19, 2015 as amended. Passed 5-0-0

The Board will table accepting the Oct. 26 minutes until their next meeting.

MANIFESTS

Chairman Lacasse moved, Vice Chair Clow seconded to sign accounts payable and payroll checks dated November 2, 2015 as included in the following manifests:

Payroll Manifest	\$50,124.91 (Weekly payroll including Accrual Payout)
Fire Department Payroll Manifest	\$14,125.79 (Monthly Payroll October 2015)
Accounts Payable Manifest	\$115,819.98
John Stark Accounts Payable Manifest	\$250,000.00 (October 22, 2015 Appropriation)
TOTAL	\$430,070.68
Passed 5-0-0	

ADMINISTRATIVE REPORT

The Finance Office had four abatements for signatures.

Glen Dubois was given permission to trap on town property at a previous meeting but the back of the form also needed to be signed allowing him to drive on the property.

A Public Hearing will be held to accept \$32,246.47 in FEMA Disaster funds for the Jan. 15, 2015 storm.

Government Buildings & Maintenance Projects:

- The treads on the stairs at Town Office will be trimmed. Attic insulation is on hold until venting is reviewed.
- The handicap parking spot at Town Hall was completed.
- Clinton Grove Academy painting will be held until spring 2016
- The second Noise Ordinance Public Hearing is changed to November 16, 2015 and moved to Town Hall. It's posted on both sides of the Town Hall sign and the town's website and the Weare Community News will be notified.

The "No Through Trucking" will be discussed when the highway and police department come in for their budget review.

The Finance Committee meetings schedule was presented to the Selectmen.

2016 Budget Presentation:

- November 9, 2015 ó 2016 budget presentation for Fire and Police
- November 23, 2015 ó 2016 budget presentation for DPW, Library and Parks & Recreation
- November 30, 2015 ó 2016 budget presentation for balance of budgets

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Finance Committee Schedule:

November 12, 2015 ó CIP presentation with Parks & Recreation and Public Works

November 19, 2015 ó CIP presentation with Police and Fire Departments

December 3, 2015 ó 2016 Operating Budget discussion

December 10, 2015 ó 2016 Operating Budget discussion (if necessary)

Other Important Dates:

Monday, Jan. 4, 2016 ó last day to post notice of hearing on bond (DPW) and budget

Monday, Jan 18, 2016 ó Public Hearing for DPW bond and 2016 operating budget

Monday, Jan. 25, 2016 ó last day to post warrant and budget at polling place

Saturday, Feb. 6, 2016 ó Deliberative Session, 9 a.m. at the Weare Middle School

Tuesday, March 8, 2016 ó Town Meeting Voting at Weare Middle School, 7:00 a.m. to 7:00 p.m.

The Finance Department provided the Transfer Station Revolving Fund and the budget.

The budget amount remaining is \$892,877.80 with 10 more weeks of payroll. Beth Rouse listed all the payments. There is \$226,867.38 remaining for 10 weeks.

VOTE: Vice Chair Clow moved, Selectman Hippler seconded, effective immediately any discretionary spending by town department heads has to first be approved by the Town Administrator. Passed 5-0-0.

CORRESPONDENCE

The town receives two thank you notes for employees Jan and Sharon, who stayed late to help a resident register a trailer. A copy will go in their file.

PUBLIC COMMENT

Jan Snyder is having computer problems resulting in losing data. She is wondered if there was a computers in the building she could use. The Town Administrator discussed some of the other computers support XP not Windows 7. Spaulding Computers will be asked to look into the problem.

It was announced the Selectmen will hold a second public hearing to discuss the Noise Ordinance on Nov. 16, 2015 at 7:00 p.m. at Town Hall on 16 North Stark Highway. The updated ordinance will be available on the website.

OTHER BUSINESS

Chairman Lacasse wanted to talk about prayer before meetings.

VOTE: Chairman Lacasse moved the BOS open their meetings with public prayer and that we may invite members of clergy, if so willing, to offer that for us or otherwise. Selectman Leary seconded the motion.

Selectman Clow does not think it's appropriate to set that type of precedent and it should go before the voters. He had concerns it would bind future Boards.

Chairman Lacasse felt it would not bind future Boards and they could vote on it. He felt with the amount of business they deal with and the sensitivity for the topics covered he believes they need some divine intervention.

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He stated they are not asking others to join them in prayer or convert them. He thinks it's appropriate for body of governments and they do it all over the country and it has happened throughout our history including local government.

Vote: Motion failed. Opposed; Selectman Bohl, Selectman Hippler and Vice Chair Clow. Yes; Chairman Lacasse and Selectman Leary.

VOTE: Selectman Bohl made a motion to have a moment of silence after The Pledge of Allegiance instead of a prayer. Chairman Lacass seconded. Motion passed 3-2. Opposed; Selectman Hippler and Vice Chair Clow. Yes; Selectman Bohl, Chairman Lacasse and Selectman Leary.

Vice Chair Clow wanted to make a suggestion that as part of a moment of silence they could mention important people to the town who have passed away.

Chairman Lacasse moved, Selectman Bohl seconded, to adjourn at 9:41 p.m. Motion passed 5-0-0.

ADJOURNMENT

A True Record.

Kathleen Humphreys, Recording Secretary