

2007 Town Meeting Minutes

**TOWN OF LYME
TOWN MEETING
MARCH 13, 2007**

Minutes

The Moderator Bill Waste called this meeting to order at 9:30 A.M., allowing for the large number of attendees (estimated at 320) to enter the Lyme Community Gymnasium and find a seat. The polls were opened at 7:00 A.M. for voting on Articles 1-7 and closed at 7:00 P.M.

The Reverend Lorain Giles from the Lyme Congregational Church offered the invocation.

Members of the Lyme Elementary School 5th grade class led the Pledge of Allegiance and sang a song.

Gerry Clancy, representing the Lyme Foundation presented the Citizen of the Year Award to Laura DeGoosh.

Moderator Bill Waste made general community announcements and established procedural guidelines for this meeting.

ARTICLE 1. To vote by non-partisan ballot for the following Town Officers:

Three Budget Committee Members to serve for a term of 3 years

Barney Brannen

Joshua Kilham

Freda Swan

One Cemetery Commissioner to serve for a term of 3 years:

Jean A. Smith

Three Library Trustees to serve for a term of 3 years:

Nora Palmer Gould

Jonathan Kuniholm

Judith G. "Judy" Russell

One Overseer of Public Welfare to serve for a term of 1 year:

Nancy Elizabeth Grandine

Two Planning Board Members to serve for a term of 3 years

Michelle Balch

John Elliott

One Planning Board Member to serve for a term of 1 year:

Stephanie Clark

One Road Agent to serve for a term of 1 year:

Fred O. Stearns III

One Selectman to serve for a term of 3 years

Simon Carr

One Sexton to serve for a term of 1 year:

William H. LaBombard

One Supervisor of the Checklist to serve for a term of 1 year:

Alan R. Greatorex

One Tax Collector to serve for a term of 3 years:

Joanne Coburn

One Treasurer to serve for a term of 3 years:

Andrea Colgan

One Trustee of Trust Funds to serve for a term of 3 years:

Carl O. Larson

ZONING AMENDMENTS

ARTICLE 2. Are you in favor of the adoption of Amendment #1 as proposed by the Planning Board for the Lyme Zoning Ordinance as follows:

Amend the Floodplain Development Ordinance with minor changes and additional definitions to comply with the requirements of the National Flood Insurance Program.

(Majority non-partisan official ballot required.)

YES 454 NO 82

ARTICLE 3. Are you in favor of the adoption of Amendment #2 as proposed by the Planning Board for the Lyme Zoning Ordinance as follows:

Amend the definition of "Lot" in Article II to eliminate the automatic merging of contiguous parcels held in the same ownership. This amended definition will be applied to parcels acquired after March 31, 2007.

(Majority non-partisan official ballot required.)

YES 363 NO 159

ARTICLE 4: Are you in favor of the adoption of Amendment #3 as proposed by the Planning Board for the Lyme Zoning Ordinance as follows:

Amend the Ridgeline and Hillside Conservation District map to include only those areas within one thousand feet (1000') of ridgelines that would be visible, if there were no trees, from a public road or waterway, but excluding three hundred feet (300') from any publicly maintained road. Amend Article 3.27.6 to provide a written description of this delineation.

(Majority non-partisan official ballot required.)

YES 336 NO 176

ARTICLE 5: Are you in favor of the adoption of Amendment #4 as proposed by the Planning Board for the Lyme Zoning Ordinance as follows:

Amend the Telecommunications Facilities Ordinance (which is an addendum to the Zoning Ordinance) to exempt from some restrictions, facilities that receive or receive and send broadband wireless internet signals, amend some safety and aesthetic requirements, and provide oversight by the Planning Board rather than the ZBA. Amend sections 4.62 B (steep slopes conservation district); 4.64 B (agricultural soils conservation district); 4.65 B (flood prone areas conservation district); and 4.66 B (Ridgeline and Hillside Conservation District) to allow telecommunications facilities by special exception.

(Majority non-partisan official ballot required.)

YES 417 NO 101

ARTICLE 6: Are you in favor of the adoption of Amendment #5 as proposed by the Planning Board for the Lyme Zoning Ordinance as follows:

Add definition of "switchback" to Article II. This term is used in section 4.53 Driveways.

(Majority non-partisan official ballot required.)

YES 400 NO 105

ARTICLE 7: Are you in favor of the adoption of Amendment #6 as proposed by the Planning Board for the Lyme Zoning Ordinance as follows:

Amend section 5.13 E. "Sewage Disposal System Setbacks" to clearly allow special exceptions for replacement septic systems for pre-zoning homes within the conservation districts by referencing section 8.20. Eliminate 5.13E.1.b) in deference to State septic system regulations. Add 5.13.E.1.d) to require a one hundred foot (100') setback from those waterbodies that do not specifically require a two hundred foot (200') setback.

(Majority non-partisan official ballot required.)

YES 435 NO 91

BOND WARRANT ARTICLE FOR MUNICIPAL BUILDING
(special warrant article)

ARTICLE 8. Peter Bleyler made the motion that the town vote to raise and appropriate the sum of one million, eight hundred eighty thousand dollars (\$1,880,000) (gross budget) for the purpose of financing the purchase of land and the design, construction and original equipping of a new municipal building, and to authorize the issuance of not more than one million, seven hundred fifty thousand dollars (\$1,750,000) of bonds or notes in accordance with the provisions of the Municipal Finance Act (RSA 33) and to authorize the Select Board to issue, negotiate, sell and deliver such bonds or notes and to determine the rate of interest thereon, the maturity and other terms thereof, and further to authorize the withdrawal of one hundred thirty thousand dollars (\$130,000) from the "Public Land Acquisition Capital Reserve Fund" for the remaining land acquisition costs of the project. *[Passage of this article shall override the 10 percent limitation imposed on this appropriation due to the non-recommendation of the budget committee].*

(2/3 ballot vote required) (Recommended by the Select Board.) (Not Recommended by the Budget Committee.)

Note: After discussion, the polls and ballot box will remain open for a least an hour for voting on this article.

SECONDED

Peter Bleyler, speaking on behalf of the Building Committee, went on to provide an overview of Article 8 and advised that Don Metz would be providing an amendment to adjust the requested amount based on the removal of the Police Department portion of the proposed building and associated planning since their relocation to leased space. Mr. Bleyler spoke of the many months that committees have been analyzing and researching the issues with increasing cramped work spaces in the current offices. He pointed out that although the location presented for consideration was not in the preferred "Common area", it was the most fiscally responsible recommendation to make at this time. He also reminded attendees that the cost of building or renovating will only continue to escalate as time passes.

Following a short discussion about the history and the procedures followed to arrive at the recommendation for this project Don Metz offered the following :

AMENDMENT to Article 8: To see if the town will vote to raise and appropriate the sum of one million, five hundred ten thousand dollars (\$1,510,000.00) (gross budget) for the purpose of financing the purchase of land and the design, construction and original equipping of a new municipal building, and to authorize the issuance of not more than one million, three hundred eighty thousand dollars (\$1,380,000.00) of bonds or notes in accordance with the provisions of the Municipal Finance Act (RSA 33) and to authorize the Select Board to issue, negotiate, sell and deliver such bonds or notes and to determine the rate of interest thereon, the maturity and other terms thereof, and further to authorize the withdrawal of one hundred thirty thousand dollars (\$130,000) from the "Public Land Acquisition Capital Reserve Fund" for the remaining land acquisition costs of the project.

The Moderator confirmed that this amendment was satisfactory to the makers of the original Article and that it would be considered a "Friendly Amendment".

Peter Bleyler, as original maker of Article 8 agreed and the **amendment was SECONDED.**

Questions from the floor included whether or not the Police Department could be added to this site at a later date.

The answer was yes, this site has the potential for future expansion if necessary.

Other comments included support for new offices, but not at this site.

Morton R. Bailey made the **Motion to Table Article 8** for the purpose of investigating the acquisition of the Tuckaway Timber property. This is considered by the Moderator to be an “advisory request”.

SECONDED.

There was no discussion. Paper Ballot/Voter Cards were used for voting on this motion and required a 2/3 majority vote.

Motion to table Article 8 was passed in the Affirmative by Paper Ballot/Voter Card.

YES 205 NO 77

***EXPEND MONEY TO PURCHASE LAND
(non-lapsing special warrant article)***

ARTICLE 9. Michael Woodard made the motion to see if the Town will vote to raise and appropriate \$130,000 to purchase land from the Upper Valley Land Trust, located on Map 402, Lot 59, with an address of 223 Dartmouth College Highway, and to fund this appropriation by authorizing the withdrawal of this sum from the "Public Land Acquisition Capital Reserve Fund". This will be a non-lapsing appropriation per RSA 32:7, VI, and will not lapse until the purchase is completed or by December 31, 2011, whichever is sooner.

(Majority vote required.) (Recommended by the Select Board.) (Not recommended by the Budget Committee.)

Note: The purchase price for the land is \$125,000. The additional monies of \$5,000 is the estimated cost of the title search, legal and other services that may be associated with purchasing the property. Any of the amount not needed will remain in the Public Land Acquisition Capital Reserve Fund. This article is intended as an alternative article to Article 8, to be voted on only if Article 8 is not approved.

SECONDED.

Selectmen Richard Jones requested that this article be addressed so that follow-up could be given to the Upper Valley Land Trust as there is a Purchase and Sales Contract in place which needs to be acted on following Town Meeting vote.

Frank Blanford made the MOTION to table Article 9.

SECONDED.

There was no discussion. Paper Ballot/Voter Cards were used for voting on this motion.

Motion to TABLE Article 9 was voted by Paper Ballot/Voter Cards and required a 2/3 majority vote.

YES 144 NO 136

Motion to Table Article 9 does not pass did not received the required 2/3 majority.

Frank Bowles made the motion to CALL THE QUESTION.

SECONDED.

Article 9 was voted in the NEGATIVE by Voice Vote.

TOWN OPERATING BUDGET

ARTICLE 10. Barney Brannen made the motion that the Town vote to raise and appropriate the sum of one million, nine hundred two thousand, three hundred fifty-seven dollars (\$1,902,357) which represents the operating budget as recommended by the Budget Committee. Said sums are **not** included any other warrant articles addressed in the warrant.

(Majority vote required.) (The Select Board recommends only \$1,898,846.) (Recommended by the Budget Committee.)

SECONDED.

Barney Brannen gave an overview of the current Library issues. Questions and comments were heard.

Judy Russell offered an **AMENDMENT to Article 10:**

She moved to reinstate the Library's original request for \$122,739.00 as recommended by the Selectmen, thereby increasing line 357 in the budget worksheet from \$110,000.00 to \$122,739.00

SECONDED.

Judy offered an explanation for her amendment. There was considerable discussion about and support for the Library services.

Freda Swan made the **MOTION TO CALL THE QUESTION.**

SECONDED.

Motion to call the question VOTED IN THE AFFIRMATIVE BY VOICE VOTE.

Amendment as presented by Judy Russell was VOTED IN THE AFFIRMATIVE BY VOICE VOTE.

Judith Brotman made the **MOTION to Amend Article 10 to increase line #163 (line item #4210-4214) by \$15,000.00 to a total of \$195,340.00.**

Ms. Brotman confirmed this is to add funds for new Police Offices and explained the history behind the rapid relocation of the Police Department from the old office in the Fire Station to the leased space owned by A. Wayne Pike known as the Mascoma Bank/Long River Studio building. She further explained the air quality concerns and remedies associated with the fire station.

Fire Chief Michael Hinsley concurred that the air quality concerns are addressed and supports this relocation of Police Offices due to the increase of police activity and need for confidential space, which they simply do not have at the fire station.

Tony Ryan also supported the need for larger more confidential police space, based on his years as Police Chief in Lyme.

Don Elder asked if this was a five year lease as previously noted. Judy Brotman responded that no, although originally intended to be a long term lease, the Board of Selectmen must do a year by year lease unless voted otherwise at Town Meeting.

Cybele Merrick asked for clarification as to what the additional \$15,000.00 represents. Ms. Brotman indicated it represents rent and utilities.

The AMENDMENT to increase line 4210-4214 by \$15,000.00 passed in the AFFIRMATIVE by voice vote.

David Roby Sr. asked if the Transfer Station was going to open an additional day. He feels it's operating fine now and money could be saved by not adding an additional day.

Concern was expressed that there are limited workers available to do the extra day and that an extra day would increase operating costs.

Dorf Sears asked if the inventory (trash bags) currently being stored at the Green Mountain Studio building for which a monthly charge is paid could be moved to the now vacant police offices thereby saving money. Peter Bleyer explained the bags are on very large pallets and would not fit in the space Dorf is asking about.

Lee Larson made the MOTION TO AMEND Article 10 by reducing line 251 by \$10,000.00 and recommends keeping the Transfer Station open for one day only.

Moderator Waste confirmed this was an **ADVISORY** motion.

James Graham spoke in favor of adding the additional day as did Transfer Committee member Peter Bleyler, who indicated that a commitment had been made to the town that with the addition of the compactor the extra would be added to accommodate those with the Sunday morning scheduling conflicts.

Tom Hughes suggested that neighbors could and do help neighbors with helping to get trash to the Transfer Station on Sunday if they have a conflict.

Dan Bailey wondered why an extra day couldn't be staffed by highway personnel if the hours were scheduled accordingly.

Kathy Larson made the motion to CALL THE QUESTION.

SECONDED.

Motion to call the question VOTED IN THE AFFIRMATIVE BY VOICE VOTE.

Motion to reduce Article 10 by \$10,000.00 was INCONCLUSIVE BY VOICE VOTE.

Lee Larson requested a PAPER BALLOT on Motion to reduce Article 10 by \$10,000.00.

Paper Ballot/Voter Cards were used for voting on this motion.

AMENDMENT WAS VOTED IN THE AFFIRMATIVE BY PAPER BALLOT/VOTER CARDS.

YES 156 NO 78

Discussion about ways to lower the operating budget continued.

ARTICLE 10, AS AMENDED WAS VOTED IN THE AFFIRMATIVE BY VOICE VOTE.

Total operating budget stands at \$1,920,096.00.

***TO CAPITAL RESERVE FUNDS AND TRUST FUNDS
(special warrant article)***

ARTICLE 11. Tony Ryan made the motion that the Town vote to raise and appropriate three hundred twenty-seven thousand five hundred dollars (\$327,500) and make payment to the following Capital Reserve and Expendable Trust Funds previously established for the purposes set forth in the budget submitted by the Budget Committee as follows:

Capital Reserve Funds:

Vehicle Capital Reserve Fund	\$175,000
Heavy Equipment Capital Reserve Fund	\$25,000
Property Reappraisal Capital Reserve Fund	\$5,000
Public Works Facility Capital Reserve Fund	\$10,000
Town Offices Building Capital Reserve Fund	\$25,000
Emergency Highway Repair Capital Reserve Fund	\$20,000
Computer System Upgrade Capital Reserve Fund	\$7,500
Town Buildings Major Maintenance and Repair Fund	\$5,000
Fire Fighting Safety Equipment Capital Reserve Fund	\$5,000
Public Land Acquisition Capital Reserve Fund	<u>\$20,000</u>

Capital Reserve Funds Subtotal: \$297,500

Expendable Trust Funds:

Emergency Major Equipment Rebuilding Trust Fund	\$15,000
Town Poor Expendable Trust Fund	<u>\$15,000</u>

Expendable Trust Funds Subtotal: \$30,000

Total: \$327,500

(These appropriations are **not** included in the total operating budget warrant article [Article 10] as approved by the Budget Committee.)

(Majority vote required.) (Recommended by the Select Board.) (Recommended by the Budget Committee.)

SECONDED.

There being no discussion on this article the Moderator moved to vote.

Article 11 was VOTED IN THE AFFIRMATIVE BY VOICE VOTE.

***FROM CAPITAL RESERVE FUNDS AND EXPENDABLE TRUST FUNDS
(individual warrant article)***

ARTICLE 12. Sue Ryan made the motion that the Town vote to raise and appropriate two hundred seventy-four thousand, five hundred dollars (\$274,500) and to fund this appropriation by authorizing the Select Board, as agents for the Town, to withdraw and expend such funds from the Capital Reserve and Trust Funds for the purposes for which they were created as submitted by the Budget Committee as follows:

Machinery, Vehicles & Equipment:

Vehicle Capital Reserve Fund	
(Highway Dump Truck)	\$145,000
(Police vehicle)	\$35,000
Heavy Equipment Capital Reserve Fund	
(Mower for Cemeteries and Parks & Playgrounds)	\$16,000
Fire Fighter Equipment Trust Fund (Bessie M. Hall Trust)	
(Fire Fighting Safety Clothing)	\$5,500
Computer System Upgrade Capital Reserve Fund	
(Computers, Printers & Wiring)	<u>\$7,000</u>

Machinery, Vehicles & Equipment Subtotal: \$208,500

Buildings:

Town Offices Building Capital Reserve Fund	
(Design & Study)	\$25,000
Town Buildings Major Maintenance & Repair Capital Reserve Fund	
(Air Quality Remediation & to Address Safety Issues)	\$15,000

Public Works Facility Capital Reserve Fund
(Salt Shed Door) \$10,000
Buildings Subtotal: \$50,000
Improvements Other Than Buildings:
Property Reappraisal Capital Reserve Fund
(Second year of three-year revaluation project) \$16,000
Improvements Other Than Buildings Subtotal: \$16,000

Total: \$274,500

(These appropriations are **not** included in the total operating budget warrant article [Article 10] as approved by the Budget Committee.)

(Majority vote required.) (Recommended by the Select Board.) (Recommended by the Budget Committee.)

SECONDED.

Discussion followed which concerned the type of dump truck being considered for purchase. As explained by the Selectmen, the rationale for a 10-wheel dump truck with a 14' plow was to reduce the number of trips necessary for materials and to enable faster plowing. This purchase was recommended by the Road Agent. Many comments from the floor indicated dismay with the potential meeting of such a large truck with a larger plow than what's currently being used on our narrow back roads. Heavy equipment contractors in attendance all concurred that this size truck was too large and 6-wheelers were more serviceable for the town. Selectmen indicated that a specific cost analysis had not been done either for the purchase of the 10-wheeler or for the acquisition of a smaller 6-wheeler similar to what we're using now. Speaking for the Budget Committee, Jeff Lehmann said that the Budget Committee did not vote specifically on a 10-wheeler, only on the approval for a dump truck. A highway employee who currently drives the 6-wheelers in all conditions and who has driven much larger trucks, agrees that to run a 10-wheeler with a 14' plow on Lyme's roads is not feasible.

Dan Bailey made the motion to AMEND ARTICLE 12 changing the Dump Truck line from \$145,000.00 to \$125,000.00 thereby changing the bottom line to \$254,500.00.

AMENDMENT WAS SECONDED.

Further discussion followed, including concern by Selectmen that \$125,000 was not enough money. The point was made that this purchase needed to be about practicality, not just the money.

AMENDMENT AS PRESENTED BY DAN BAILEY WAS VOTED IN THE AFFIRMATIVE BY VOICE VOTE.

Discussion continued, including concerns about the Highway Salt Shed door, the mower and the Police Department cruiser.

It was confirmed by the Selectmen that the proposed cruiser is a 2-wheel drive SUV to replace the existing Ford Explorer. This is a scheduled replacement and recommended by the Police Department.

Several suggestions were made to address the purchase and installation of a salt shed door at the Highway Department in an effort to reduce the cost.

Rusty Estes made the motion to AMEND ARTICLE 12, reducing the line item to \$0.00, bringing the bottom line for Public Works Facility Capital Reserve Fund to \$244,500.00.

AMENDMENT WAS SECONDED.

Amendment was voted in the AFFIRMATIVE BY VOICE VOTE.

Moderator Waste confirmed that Article 12 has been reduced so far by \$30,000.00.

Questions about why the Police Department wanted 2-wheel drive were asked.

Chief Pauline Field was given **voice without vote** for purposes of explanations and comments during this meeting.

She answered the various questions and addressed comments about this recommendation.

Barbara Woodard made the motion to CALL THE VOTE.

ARTICLE 12 AS AMENDED WAS VOTED IN THE AFFIRMATIVE BY VOICE VOTE.

***EXPEND MONEY TO PAY COSTS ASSOCIATED WITH CLOSING, SUBJECT TO GATES AND BARS, A
SMALL SECTION OF SHOESTRAP ROAD (APPROXIMATELY 1,415 FEET)
(non-lapsing special warrant article)***

ARTICLE 13. Vicki Smith made the motion that in accordance with NH RSA 229:5, VII, the Town vote to close, subject to gates and bars, a small portion of Shoestrap Road of approximately one thousand four hundred fifteen feet (1,415') in length (located approximately one thousand three hundred forty-five feet (1,345') east of River Road to three thousand, one hundred sixty-five feet (3,165') west of Dartmouth College Highway*) and make that portion of the road a Class VI road and vote to raise and appropriate the sum of up to seventeen thousand dollars (\$17,000) to pay for costs associated with closing the road and providing permanent bar-gate barricades, appropriate road signage for closure, modification of the vehicle turn around at the end and limited engineering assistance for construction and oversight, the seventeen thousand dollars (\$17,000) to come from the Emergency Major Highway Repair Capital Reserve Fund. This will be a non-lapsing appropriation per RSA 32:7, VI, and will not lapse until the project is completed or by December 31, 2011, whichever is sooner.

(These appropriations are **not** included in the total operating budget warrant article [Article 10] as approved by the Budget Committee.)

(Majority vote required.) (Recommended by the Select Board.) (Recommended by the Budget Committee.)

**Note: The measurements may change slightly when (and if) we install the gates and build the turn-around.*

SECONDED.

Rusty Estes expressed concerns about this project and suggested that the town take another year to study alternatives. He feels this should be discussed with the property owners on Shoestrap Road.

The Selectmen confirmed that money has been spent on engineering services to study this problem. Barriers have been placed and a turnaround has been expanded to accommodate plow trucks.

Bill Waste asked what the road may be used for under these circumstances. Selectmen replied that it allows for foot and bike traffic, similar to a Class 6 road.

Concern was expressed through public comment about how to maintain this section for any kind of traffic without stabilizing it and how emergency vehicles would be accommodated.

Dan Bailey wanted to know why it had to be closed, and why the Highway Department couldn't repair it.

Dan Bailey then MADE THE MOTION TO TABLE ARTICLE 13.

Moderator indicated MOTION TO TABLE WAS VOTED IN THE NEGATIVE BY VOICE VOTE.

Discussion continued for a short amount of time.

Tammy Bailey-Pippin asked if it was too late to request a paper ballot vote on the motion to table Article 13.

Moderator Waste asked if there were 7 people who supported this request. It was determined there were, by a show of hands.

Paper Ballot/Voter Cards were used for voting on this motion.

MOTION TO TABLE ARTICLE 13 WAS VOTED IN THE NEGATIVE BY PAPER BALLOT VOTE.

YES 88 NO 101

A motion to CALL THE QUESTION WAS MADE.

SECONDED.

A vote on Article 13 was inconclusive by Voice Vote.

Moderator Waste called for Paper Ballot vote.

Paper Ballot/Voter Cards were used for voting on this motion.

Article 13 passed in the AFFIRMATIVE BY PAPER BALLOT.

YES 101 NO 86

***EXPEND MONEY FOR PHASE TWO OF
THE PLAN FOR HIGH SPEED COMMUNICATION
(non-lapsing special warrant article)***

ARTICLE 14. Judith Brotman made the motion that the Town vote to raise and appropriate the sum of three thousand two hundred fifty dollars (\$3,250) to pay Lyme's share of the cost of funding (with the West Central New Hampshire Regional Homeland Security Communications Consortium) the financial and technical engineering portions of the project. The project is to research, find funding for and plan for the installation of internet/broadband communication infrastructure with the goal of building a fiber optic cable system or some other system linking our community to state-of-the-art high speed communications. This will be a non-lapsing appropriation per RSA 32:7, VI and will not lapse until the project is completed or by December 31, 2011, whichever is sooner.

(These appropriations are not included in the total operating budget warrant article [Article 10] as approved by the Budget Committee.)

(Majority Vote) (Recommended by the Select Board.) (Recommended by the Budget Committee.)

SECONDED.

ARTICLE 14 WAS VOTED IN THE AFFIRMATIVE BY VOICE VOTE.

***TRANSFER FUNDS FROM THE CEMETERY SPECIAL REVENUE FUND INTO THE NEW CEMETERY CAPITAL RESERVE FUND
(special warrant article)***

ARTICLE 15. Simon Carr made the motion that the Town vote to appropriate six hundred dollars (\$600) from the "Cemetery Special Revenue Fund," into the "New Cemetery Capital Reserve Fund".

(These appropriations are **not** included in the total operating budget warrant article [Article 10] as approved by the Budget Committee.)

(Majority ballot vote required.) (Recommended by the Select Board.) (Recommended by the Budget Committee.)

SECONDED.

ARTICLE 15 WAS VOTED IN THE AFFIRMATIVE BY VOICE VOTE.

***EXPEND MONEY FROM THE CEMETERY MAINTENANCE GIFTS AND DONATIONS FUND
(Individual warrant article)***

ARTICLE 16. Alfred Balch made the motion that the Town vote to raise and appropriate seventeen thousand five hundred forty-three dollars (\$17,543) for the cremation garden to come from the Cemetery Maintenance Gifts and Donations Fund (established by the Select Board on January 5, 2000).

(These appropriations are **not** included in the total operating budget warrant article [Article 10] as approved by the Budget Committee.)

(Majority ballot vote required.) (Recommended by the Select Board.) (Recommended by the Budget Committee.)

Note: In 2006 in her will Margaret Burdette Wise devised \$30,000 to the Town of Lyme for cemetery use. The Cemetery Trustees spent \$12,457.42 to begin to create a cremation garden. Because they did not spend the whole of the devise in the year they received it, they need to ask the town to appropriate the remainder of the monies in successive years.

SECONDED.

After explanation on behalf of the Selectmen, Judith Brotman moved to TABLE ARTICLE 16.

SECONDED.

MOTION TO TABLE ARTICLE 16 WAS VOTED IN THE AFFIRMATIVE BY VOICE VOTE.

***RENAME THE SUBSTANCE ABUSE EDUCATION FUND AS THE SUBSTANCE ABUSE TRUST FUND,
CHANGE THE PURPOSE OF THE FUND AND AUTHORIZE THE SELECT BOARD AS AGENTS TO
EXPEND MONEY FROM THE TRUST FUND
(individual warrant article)***

ARTICLE 17. Kevin Peterson made the motion that the Town vote to rename the "Substance Abuse Education Fund" the "Substance Abuse Trust Fund," and to change its purpose to allow expenditures not only for substance abuse education, but also for supplies, equipment and training related to the detection and/or prevention of

substance abuse; and further to appoint the Select Board as agents to expend from this fund. Balance is four thousand one hundred forty-five dollars and fifty-four cents (\$4,145.54) which represents the fines plus interest collected since the fund was established in 1989 under RSA 31:19-a.

(These appropriations are **not** included in the total operating budget warrant article [Article 10] as approved by the Budget Committee.)

(2/3 vote required) (Recommended by the Select Board.) (Recommended by the Budget Committee.)

SECONDED.

Chief Pauline Field answered questions about this fund, further indicating this was a bookkeeping issue, enabling the use of the monies collected and place in this fund.

This article to be voted on by special paper ballot and required a 2/3 majority to pass.

Moderator Waste instructed registered voters as to procedure and indicated that in order to move along with the meeting, Article 18 will be passed over while Article 17 is processed and counted.

ARTICLE 17 did not receive the required 2/3 majority.

ARTICLE 17 WAS VOTED IN THE NEGATIVE BY PAPER BALLOT.

YES 103 NO 65

***EXPEND FROM THE SUBSTANCE ABUSE EDUCATION FUND
(individual warrant article)***

ARTICLE 18. Putnam Blodgett made the motion that the Town vote to raise and appropriate a sum of four thousand, one hundred forty-six dollars (\$4,146) from the Substance Abuse Education Fund” or the successor fund entitled the “Substance Abuse Trust Fund,” for an in-car video system. The balance represents the fines plus interest collected since the fund was established in 1989 under RSA 31:19-a.

(These appropriations are **not** included in the total operating budget warrant article [Article 10] as approved by the Budget Committee.)

(Majority vote required.) (Recommended by the Select Board.) (Not recommended by the Budget Committee.)

SECONDED.

David Roby Sr. made the motion to CALL THE QUESTION.

Motion to CALL THE QUESTION was SECONDED.

ARTICLE 18 WAS VOTED IN THE NEGATIVE BY VOICE VOTE.

***APPOINT SELECT BOARD AS AGENTS TO EXPEND FROM THE
BRIDGE RESERVE FUND (ESTABLISHED IN 1956)
(special warrant article)***

ARTICLE 19. Richard Jones made the motion that the Town vote to appoint the Select Board as agents to expend monies from the Bridge Reserve Fund established on March 13, 1956.

(Majority vote required.) (Recommended by the Select Board.)

Note: In an emergency the Select Board is not presently authorized as an agent to expend monies in the Bridge Reserve Fund should it become necessary to expend this money before the next town meeting.

SECONDED.

ARTICLE 19 WAS VOTED IN THE AFFIRMATIVE BY VOICE VOTE.

Because of the lateness of the hour (2:45pm), Michael Hinsley asked if it would be possible for this meeting to move out of order to recognize and act on Article 26 while there were still people in attendance. Many voters would need to leave with the ending of the school day.

Moderator Waste, after research and conference with Assistant Moderator Nancy Grandine, and seeing a show of hands by a strong majority of the meeting in favor, agreed to suspend rules and move to Article 26 as requested.

***PETITION TO ADD MONEY TO PLAN FOR IMPROVING
CHASE BEACH RECREATION AREA
(petitioned special warrant article)***

ARTICLE 26. (BY PETITION.) Ross McIntyre made the motion that the Town vote to raise and appropriate the sum of ten thousand dollars (\$10,000) to add to the sum recommended by the Budget Committee for approval in the Recreation Budget at the 2007 Town Meeting. This amount is to be used to pay the costs incurred by the Town as the Recreation Commission develops a plan making recommendations and developing Warrant Article(s) for the improvement or replacement of Chase Beach, the adjacent ball field and other recreational facilities to be considered at the 2008 Town Meeting. If during 2007 the relevant parties involved in the management of Post Pond water levels are able to eliminate ongoing damage to the Town's recreation property and restore normal use to Chase Beach and the adjacent ball field, the Recreation Commission is instructed to reduce the scope of the plan for improvements to that involving facilities on the present site only.

(These appropriations are **not** included in the total operating budget warrant article [Article 25] as approved by the Budget Committee.)

(Majority vote required.) **(BY PETITION.)** (**Not** Recommended by the Select Board.) (Not Recommended by the Budget Committee.)

SECONDED.

Ross McIntyre spoke to this Article as generator of the petitioned warrant article.

He then MADE THE MOTION TO AMEND ARTICLE 26 to read as follows:

To see if the Town will vote to add one dollar to the amount recommended by the Budget Committee for the Recreation budget and instruct the Selectboard to convene the relevant parties involved in the management of Post Pond water levels for the purpose establishing an average water level that avoids damage to Town-owned recreational facilities and maintains the use of Chase Beach and the adjacent ball field. Such a level, except during extreme inflows to the Pond, is a foot below the Natural Mean High Water Level set by the State of New Hampshire.

SECONDED.

Many people spoke in favor of Dr. McIntyre's proposed amendment. The question was asked where the money would come from to do another "Beaver Deceiver" (the pipe used to regulate the beaver dams).

Town Bookkeeper Dina Cutting indicated there was \$1500.00 in the budget to address this need.

There were many other comments and questions regarding this issue including a lengthy objection by Tom Morrissey.

Bob Sanborn spoke as part of the Balch family who had originally established the funding for the creation of the Chase Beach playing field in memory of John F. Balch. He is in favor of Dr. McIntyre's amendment and any effort to save the playing field and beach areas from the beavers.

Gloria LaBombard MADE THE MOTION TO CALL THE QUESTION.

Motion to end debate was VOTED IN THE AFFIRMATIVE BY VOICE VOTE.

AMENDMENT AS PRESENTED BY DR. MCINTYRE WAS VOTED IN THE AFFIRMATIVE BY VOICE VOTE.

Discussion continued.

ARTICLE 26, AS AMENDED WAS VOTED IN THE AFFIRMATIVE BY VOICE VOTE.

APPOINT SELECT BOARD AS AGENTS TO EXPEND FROM EMERGENCY HIGHWAY REPAIR CAPITAL RESERVE FUND (ESTABLISHED IN 1997)
(special warrant article)

ARTICLE 20. Dick Jones made the motion that the Town vote to appoint the Select Board as agents to expend monies from the Emergency Highway Repair Capital Reserve Fund adopted by the town meeting on March 11, 1997, under RSA 35:1.

(Majority vote required.) (Recommended by the Select Board.)

Note: In an emergency, the Select Board is not presently authorized as an agent to expend monies in the Emergency Highway Repair Capital Reserve Fund should it become necessary to expend this money before the next town meeting

SECONDED.

The question was asked why this money couldn't be use for the repairs on Shoestrap Road. Selectmen responded that some of it had been used to pay for the engineering costs and there was about \$76,000.00 left in the account.

ARTICLE 20 WAS PASSED IN THE AFFIRMATIVE BY VOICE VOTE.

EXPEND MONEY TO CREATE A PARKING LOT AT THE LYME CENTER ACADEMY BUILDING
(non-lapsing special warrant article)

ARTICLE 21. Judy Brotman made the motion that the Town vote to raise and appropriate eleven thousand forty dollars (\$11,040) to design and construct a parking lot at the Lyme Center Academy Building (owned by the Town of Lyme) and located on Map 409, Lot 18, with an address of 183 Dorchester Road, eleven thousand forty dollars (\$11,040) to come from tax monies. This will be a non-lapsing appropriation per RSA 32:7, VI and will not lapse until the project is completed or by December 31, 2011, whichever is sooner.

(Majority Vote) (**Not** recommended by the Select Board.) (Not recommended by the Budget Committee.)

SECONDED.

There was considerable discussion about this project, including comments about the condition of the parking area during mud-season, how this should be considered a “wish” not a need at this time, and how the road crew should be able to do whatever needs doing.

ARTICLE 21 WAS VOTED IN THE NEGATIVE BY VOICE VOTE.

***EXPEND MONEY TO RESURFACE THE TENNIS COURTS AND BASKET BALL COURT AT CHASE BEACH RECREATION AREA
(non-lapsing special warrant article)***

ARTICLE 22. Cindy Swart made the motion that the Town vote to raise and appropriate eight thousand five hundred sixty dollars (\$8,560) to resurface the tennis courts and basketball court at the Chase Beach Recreation Area owned by the Town of Lyme. This will be a non-lapsing appropriation per RSA 32:7, VI and will not lapse until the project is completed or by December 31, 2011, whichever is sooner.

(Majority Vote) (**Not** recommended by the Select Board.) (Not recommended by the Budget Committee.)

SECONDED.

After lengthy discussion about this issue, Paul Killebrew stepped forward to remind voters that many years ago when he was a member of the Recreation Committee, he orchestrated a volunteer group of contactors who created the base for the tennis and basketball courts, and he'd be happy to try doing that again now if it means saving the taxpayers money and getting the job done.

BOB SANBORN MADE THE MOTION TO TABLE ARTICLE 22.

SECONDED.

MOTION TO TABLE ARTICLE 22 WAS VOTED IN THE NEGATIVE BY VOICE VOTE.

The motion was made to CALL THE QUESTION ending debate.

ARTICLE 22 WAS VOTED IN THE NEGATIVE BY VOICE VOTE.

***WITHDRAWAL FROM INDEPENDENCE DAY
SPECIAL REVENUE FUND
(special warrant article)***

ARTICLE 23. Charles Ragan made the motion that the Town vote to raise and appropriate the sum of eight thousand nine hundred dollars (\$8,900) to sponsor an Independence Day celebration, including but not limited to a parade, a picnic and fireworks and to fund this appropriation by authorizing withdrawal from the Independence Day Celebration Special Revenue Fund established for this purpose at the 2003 town meeting. This is a "special" warrant article pursuant to NH RA 32:3, VI.

(These appropriations are **not** included in the total operating budget warrant article [Article 10] as approved by the Budget Committee.)

(Majority vote required.) (Recommended by the Select Board.) (Recommended by the Budget Committee.)

SECONDED.

ARTICLE 23 WAS VOTED IN THE AFFIRMATIVE BY VOICE VOTE.

ESTABLISHMENT OF BLISTERS FOR BOOKS EXPENDABLE TRUST FUND AND WITHDRAWING FROM IT

(special warrant article)

ARTICLE 24. Tish Smith made the motion that the Town vote to create an expendable trust fund under the provisions of RSA 31:19-a, to be known as the “Blisters for Books Expendable Trust Fund (ETF)” for the purpose of providing monies for the Library Trustees to spend on Children’s Books and Audios and to raise and appropriate the sum of six thousand three hundred fifty-one dollars (\$6,351) for deposit in that fund and to appoint the Library Trustees as agents to expend from this fund. These monies are donated funds.

(These appropriations are **not** included in the total operating budget warrant article [Article 10] as approved by the Budget Committee.)

(Majority vote required.) (Recommended by the Select Board.) (Recommended by the Budget Committee.)

SECONDED.

ARTICLE 24 WAS VOTED IN THE AFFIRMATIVE BY VOICE VOTE.

AUTHORIZE THE PLANNING BOARD TO PREPARE AND AMEND A CAPITAL IMPROVEMENTS PROGRAM

ARTICLE 25. Lee Larson made the motion that the Town vote to authorize the Planning Board pursuant to RSA 674:5 to prepare and amend a Capital Improvements Program (CIP). This would include recommendations for future major expenditures for roads, equipment and other capital expenses over a period of at least six years. The sole purpose and effect of the CIP shall be to aid the Select Board and the Budget Committee in their consideration of the annual budget. The CIP shall classify projects according to the urgency and need for realization and shall recommend a time sequence for their implementation.

(Majority ballot vote required.) (Recommended by the Planning Board.) (Recommended by the Budget Committee.) (Recommended by the Select Board.)

SECONDED.

Selectman Dick Jones explained that this is a document prepared by the Planning Board which is non-binding on the Board of Selectmen or Budget Committee. It’s a one-time vote.

ARTICLE 25 VOTED IN THE AFFIRMATIVE BY VOICE VOTE.

Note: Articles 26-30 are petitioned warrant articles.

PETITION FOR COMMITTEE TO REASSESS PLANNING AND ZONING REGULATIONS FOR LYME COMMON AND LYME CENTER VILLAGE DISTRICTS

ARTICLE 27. (BY PETITION.) Don Metz made the motion that the Town vote to authorize the Select Board to

delegate a committee to re-assess the Planning and Zoning Regulations pertaining to the Lyme Common and Lyme Center Village Districts. This committee would be charged with proposing means of increasing the population and mixed-use density potential in these areas in such a way that is consistent with Lyme's 2006 Town Attitude Survey.

(Majority vote required.) **(BY PETITION.)** (Not recommended by the Select Board)

SECONDED.

Don Metz spoke to this article, explaining that its intent is to emphasize findings from the Community Attitude Survey.

When asked why the Selectmen voted against this the response was that they felt this was a Planning Board obligation.

It was relayed that approximately 65% of the surveys were completed and returned.

ARTICLE 27 WAS VOTED IN THE NEGATIVE BY VOICE VOTE.

***PETITION TO APPOINT A COMMITTEE TO MAKE
ZONING REGULATIONS LESS COMPLICATED***

ARTICLE 28. (BY PETITION.) Roland Smith made the motion that the Town vote to authorize the Select Board to delegate a committee charged with making the Zoning Regulations less complicated and more user-friendly while maintaining the goals expressed in Lyme's 2006 Town Attitude Survey.

(Majority vote required.) **(BY PETITION.)** (Not Recommended by the Select Board.)

SECONDED.

Again the question as to why this article was not recommended by the Selectmen was answered that this belongs to the Planning Board to deal with. Furthermore any zoning changes have to be done by paper ballot.

ARTICLE 28 WAS VOTED IN THE NEGATIVE BY VOICE VOTE.

***PETITION TO EXEMPT CERTAIN STRUCTURES FROM
ZONING BOARD REVIEW AND LOT COVERAGE CALCULATIONS***

ARTICLE 29. (BY PETITION.) Davie Roby Sr. made the motion that the Planning Board agree to exempt certain structures from Zoning Board review and lot acreage calculations as long as these structures:

- (1) Are not for human habitation.
- (2) Are less than 150 square feet in area.
- (3) Conform to lot setback controls.
- (4) Conform to setbacks from shorelines.
- (5) Do not exceed more than one per existing lot at the time of enactment.

(Majority vote required.) **(BY PETITION.)** (Not Recommended by the Select Board.)

SECONDED.

Don Metz addressed this article, explaining it's really intended to exempt structures such as chicken coops and other structures smaller than 150 square feet from Zoning review.

Bill Grant remembers from his days on the Zoning Board that these structures used to be exempt. He wasn't aware the regulations had changed.

After much further discussion Moderator Waste reminded voters that any vote on this article would be an ADVISORY VOTE only, intended to send a strong message.

ARTICLE 29 WAS VOTED IN THE AFFIRMATIVE BY VOICE VOTE.

PETITION TO REQUIRE QUORUM OF PLANNING BOARD & ZONING BOARD OF ADJUSTMENT MEMBERS VISIT ALL APPLICANTS' PROPOSED SITES

ARTICLE 30. (BY PETITION.) Allan Newton made the motion that the Town request that a quorum of Planning Board and Zoning Board members, and/or their alternatives, shall visit all applicants' proposed sites prior to the first public hearing scheduled to hear the merits or liabilities of such proposals.

(Majority vote required.) **(BY PETITION.)** (Not Recommended by the Select Board.)

SECONDED.

Allen Newton addressed this article indicating the intent is to make sure the members of the Planning/Zoning Boards were familiar with the case and could make an informed decision.

Jeanie McIntyre worried that this would require public notice for each visit.

ARTICLE 30 WAS VOTED IN THE NEGATIVE BY VOICE VOTE.

PETITION FOR NEW HAMPSHIRE CLIMATE CHANGE RESOLUTION

ARTICLE 31. (BY PETITION.) George Palmer made the motion that the Town vote to go on record in support of effective actions by the President and the Congress to address the issue of climate change, which is increasingly harmful to the environment and economy of New Hampshire and to the future well being of the people of Lyme, NH. These actions shall include:

1. Establishment of a national program requiring reductions of U.S. greenhouse gas emissions while protecting the U.S. economy; and
2. Creation of a major national research initiative to foster rapid development of sustainable energy technologies thereby stimulating new jobs and investment.

This climate change resolution is endorsed by the Lyme Conservation Commission and the Lyme Energy Committee.

The record of the vote on this article shall be transmitted to the New Hampshire Congressional Delegation, to the President of the United States, and to declared candidates for those offices.

(Majority vote required.) **(BY PETITION.)**

SECONDED.

Moderator declared ARTICLE 31 VOTED IN THE AFFIRMATIVE BY VOICE VOTE.

A request for paper ballot did not receive the required additional 7 requests.

The vote stands.

REPORTS OF AGENTS, AUDITORS & COMMITTEES

ARTICLE 32. To hear reports of Agents, Auditors, or Committees or other officers heretofore chosen, and to pass any vote relating thereto.

SECONDED.

Town Clerk, Patty Jenks asked that folks make a note in their Town Reports in the BIRTHS section, adding Caleb Eugene Smith who was born to Jedediah Smith and Catherine Pixley on January 7, 2006.

The minutes of the 2006 Town Meeting were approved as submitted.

ARTICLE 32 WAS VOTED IN THE AFFIRMATIVE BY VOICE VOTE.

OTHER BUSINESS

ARTICLE 33. To transact any other business that may be legally brought before this Town Meeting.

Moderator Bill Waste thanked everyone who worked so hard behind the scenes to prepare for this long and detailed meeting.

TOM MORRISSEY MADE AN ADVISORY MOTION to move that if the Town Selectmen are unable to effect a change in the State's decision on the Mean High Water Mark for Post Pond, then the Town should repair Chase Beach by installing a "perched beach" and make repairs to the soccer field so that it is usable in wet weather and at current water levels. These repairs shall be performed on an expedited basis so that the beach and soccer field are serviceable at Natural Mean High Water for the summer of 2007.

SECONDED.

After concern expressed that this motion is out of order, both Moderator Waste and Assistant Moderator Nancy Grandine agreed it was acceptable.

There was discussion which focused on the expenses that could be incurred as the result of this action which have not been budgeted for.

This ADVISORY MOTION WAS VOTED IN THE NEGATIVE BY VOICE VOTE.

Don Elder advised folks about Old Home Day planned for August 4, 2007 at the Academy Building and grounds.

Tammy Bailey-Pippin remarked that this was an "awesome" meeting and she wished as much thought and discussion could happen at the School District Meeting.

Martha Smith thanked the Highway Crew, the Emergency Services crews and Cemetery crew for their continuing efforts on behalf of the town. She also asked for notices to be posted in places other than the Town Web site and Lyme Listserv, for those who don't have access to computers on a regular basis.

Jason Reeves expressed appreciation for the organization and execution of this Town Meeting which was very much busier than usual.

Cynthia Bognolo thanked everyone who came to the meeting, particularly those younger people who grew up in town and who are becoming interested and involved in our town government.

This meeting was adjourned at 5:00 PM.

Respectfully Submitted,

Patricia G. Jenks
Town Clerk