

# TOWN OF LYME

## TOWN MEETING

March 10, 2009

### MINUTES

The Moderator Bill Waste called this meeting to order at 9:05 A.M. Attendees of this meeting numbered approximately 160. The polls were opened at 7:00 A.M. and will close at 7:00 P.M. for voting on Articles 1 and 2.

Representing the Board of Selectmen: Simon Carr, Richard Jones and Charles Ragan.

Troop #273 of the Lyme Boy Scouts presented the Colors and led the Pledge of Allegiance. Troop members present included J. B. Snelling, Randy Snelling, Dylan DeRego and Kaleb O'Keefe.

Pastor Donna Colletti Lowre presented names of the *Past* (deaths in 2009), Gerry Clancy of the Lyme Foundation presented *Citizen of the Year* to Carola Lee as the *Present* and Dr. Elizabeth Bradley presented Lyme births in 2009 representing the *Future*.

Moderator Waste gave general instruction and meeting protocol to attendees.

***Voice without Vote was authorized by VOICE VOTE*** for Chief of Police Pauline Field, Transfer Station Supervisor Dan Quinn and Planning & Zoning Administrator David Robbins.

Third Grader Ralph Steyn was congratulated for his design of the 2009 Town Report cover.

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

Budget Committee:	One member for 1 year:	Earl Strout
	Three members for 3 years:	Morton F. Bailey Tim Cook Elizabeth Glenshaw
Cemetery Commission:	One member for 3 years:	Michael Hinsley
Library Trustees:	Three Trustees for 3 years:	Anne Baird Margaret (Mardi) Bowles Winifred Brand
Overseer of Public Welfare:	One Overseer for 1 year:	Nancy Elizabeth Grandine
Planning Board:	One member for 3 years:	John Stadler
	One member for 2 years:	Paul Mayo
	One member for 1 year:	Vicki Smith
Road Agent:	One Road Agent for 1 year:	Fred O. Stearns III
Selectman:	One Selectman for 3 years:	Charles Ragan
Sexton:	One Sexton for 1 year:	William H. LaBombard

Town Clerk: One Town Clerk for 3 years: Patricia G. Jenks  
Trustee of the Trust Funds: One Trustee for 3 years: Marlene Green  
One Trustee for 2 years: Jeff Lehmann (declined office)

**ARTICLE 2.** Ballot vote to see if the town will permit the public library to retain all money it receives from its income-generating equipment to be used for general repairs and upgrading and for the purchase of books, supplies and income-generating equipment in accordance with RSA 202-A:11-a.

**ARTICLE 2 VOTED IN THE AFFIRMATIVE**                      **Yes 309      No 16**

**ARTICLE 3. Judy Brotman made the MOTION** that the Town vote to raise and appropriate the sum of two million five thousand nine hundred fifty dollars **(\$2,005,950)** which represents the operating budget as recommended by the Budget Committee. Said sum does **not** include appropriations contained in any other warrant articles.

**SECONDED**

**David Hewitt made the MOTION to AMEND Article 3: “That the amount to be raised and appropriated for the Town’s operating budget be reduced by the sum of \$35,000.00.”**

**Motion to Amend was SECONDED**

**A lengthy discussion followed.**

**Motion to Amend Article 3 was voted by voice vote and declared to be in the negative. Bill Lewis requested that the vote be done by PAPER BALLOT. The Clerk was presented with the request and seven signatures of eligible voters in writing. PAPER BALLOT process began.**

Jay Smith from the Municipal Offices Building Committee gave report on building progress while ballot vote took place.

**PROPOSED AMENDMENT TO ARTICLE 3 was voted in the NEGATIVE BY PAPER BALLOT**

**YES 57                      NO 98**

After further discussion regarding Article 3 the Moderator instructed **PAPER BALLOT VOTE.**

While voting progressed, The Recreation Commission presented information regarding planned improvements at Chase Beach and the John Balch Memorial Ball Field.

**ARTICLE 3** as presented was voted in the **AFFIRMATIVE** by **PAPER BALLOT**

**YES 125**

**NO 36**

**ARTICLE 4. Judy Brotman made the MOTION** that the Town vote to raise and appropriate two hundred ninety three thousand five hundred dollars (**\$293,500**) 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:**

Bridge Capital Reserve Fund	\$5,000
Vehicle Capital Reserve Fund	\$97,000
Heavy Equipment Capital Reserve Fund	\$55,000
Property Reappraisal Capital Reserve Fund	\$10,000
Public Land Acquisition Capital Reserve Fund	\$5,000
Emergency Highway Repair Capital Reserve Fund	\$20,000
Computer System Upgrade Capital Reserve Fund	\$7,500
Town Buildings Major Maintenance and Repair Fund	\$15,000
Fire Fighting Safety Equipment Capital Reserve Fund	\$9,000

**Capital Reserve Funds Subtotal: \$223,500**

**Expendable Trust Funds:**

Emergency Major Equipment Rebuilding Trust Fund	\$25,000
Town Poor Expendable Trust Fund	<u>\$45,000</u>

**Expendable Trust Funds Subtotal: \$70,000**

**Capital Reserve Funds and Expendable Trust Funds Total: \$293,500**

**SECONDED**

**After discussion, Article 4 was VOTED IN THE AFFIRMATIVE BY VOICE VOTE.**

**ARTICLE 5. Judy Russell made the MOTION** that the Town vote to raise and appropriate two hundred thirty nine thousand five hundred dollars (**\$239,500**) 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:**

Fire Fighter Equipment Trust Fund (Bessie M. Hall Trust)	
(Fire Fighting Protective Clothing & Major Equipment)	\$4,500

Fire Fighting Safety Equipment Capital Reserve Fund (Fire Fighter Protective Clothing)	\$4,000
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Vehicle Capital Reserve Fund Fire Truck	<u>\$231,000</u>
<b>Machinery, Vehicles &amp; Equipment Subtotal:</b>	<b>\$239,500</b>

**SECONDED**

Fire Chief Michael Hinsley spoke to the article, explaining the need for the new fire truck. The truck to be replaced will not pass pump testing and cannot be used for emergencies.

Mortie Bailey asked if this expense could be put off for another year. Selectmen explained that the funds are already available and waiting would not be cost effective.

**Article 5 was VOTED IN THE AFFIRMATIVE BY VOICE VOTE**

**ARTICLE 6. Kathy Larson made the MOTION** that the Town vote to raise and appropriate the sum of twenty thousand seventy nine dollars (**\$20,079.00**) for the completion of the cemetery cremation garden and to authorize funding this appropriation by the withdrawal of such sum from the Cemetery Maintenance Gifts and Donations Fund (established by the Select Board on January 5, 2000).

**SECONDED**

**Article 6 was VOTED IN THE AFFIRMATIVE BY VOICE VOTE**

**ARTICLE 7. Andrea Colgan made the MOTION** that the Town vote to raise and appropriate the sum of four hundred dollars (**\$400**) to be placed into the New Cemetery Capital Reserve Fund re-established in 2005 under the provisions of RSA 35:1, and to authorize funding this appropriation by the withdrawal of said sum from the Cemetery Special Revenue Fund established in 2005 under the provisions of RSA 31:95-c.

**SECONDED**

**Article 7 was VOTED IN THE AFFIRMATIVE BY VOICE VOTE**

**ARTICLE 8. Don Elder made the MOTION** that the Town vote to raise and appropriate fifteen thousand dollars (**\$15,000**) for maintenance and repairs on the Lyme Center Academy Building and to authorize funding this appropriation by the withdrawal of said sum from the Capital Reserve Fund, Town Buildings Major Maintenance & Repair Fund for the purposes for which it was created.

## **SECONDED**

Don Elder followed the motion with an explanation for the need for this article.

### **Article 8 was VOTED IN THE AFFIRMATIVE BY VOICE VOTE**

**ARTICLE 9. Peter Mulvihill made the MOTION** that the Town will vote to establish a Capital Reserve Fund under the provisions of RSA 35:1, to be known as the "Recreation Facilities Capital Reserve Fund," for the purpose of repairs, improvements, and maintenance of the recreation areas owned by the Town of Lyme and to appoint the Recreation Commission as agents to expend from this fund, and further to raise and appropriate the sum of one thousand dollars (**\$1,000.00**) to be placed in this fund.

## **SECONDED**

Lengthy discussion followed, including a presentation by Tom Morrissey who opposes this Article.

### **Article 9 was VOTED IN THE AFFIRMATIVE BY VOICE VOTE**

**ARTICLE 10. Alfred Balch made the MOTION** that the Town vote to authorize a conservation easement to permanently protect the Chaffee Wildlife Sanctuary. This easement is intended to satisfy a wetlands mitigation requirement in the DES permitting process for maintenance of Chase Beach and John Balch field at the Town Recreation Facility.

## **SECONDED**

Jeanie McIntyre spoke, as President of The Upper Valley Land Trust, explaining their interest in this article.

### **Article 10 was VOTED IN THE AFFIRMATIVE BY VOICE VOTE**

**ARTICLE 11. Laurie Wadsworth made the MOTION** that the Town vote to raise and appropriate the sum of eight thousand four hundred dollars (**\$8,400**) 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 of that sum from the Independence Day Celebration Special Revenue Fund established for this purpose at the 2003 town meeting.

## **SECONDED**

**Article 11 was VOTED IN THE AFFIRMATIVE BY VOICE VOTE**

**ARTICLE 12. Judy Russell made the MOTION** that the Town vote to raise and appropriate the sum of seven thousand nineteen dollars (\$7,019.00) to put into the “Blisters for Books Expendable Trust Fund” established in 2007 for the purpose of purchasing children’s books, audiotapes and other resources. Said funds to come from the 12/31/2008 unreserved fund balance, and represent monies taken into the general fund in 2008.

**SECONDED**

**Article 12 was VOTED IN THE AFFIRMATIVE BY VOICE VOTE**

**ARTICLE 13. Sheryl Bailey made the MOTION** that the Town vote to place 50% instead of 100% of the revenues collected from land use change taxes into the Conservation Fund pursuant to NH RSA 79-A:25, with the other 50% to remain in the Land Use Change Tax Fund established at the 1993 Town Meeting. The monies in the Land Use Change Tax Fund will carry over until the following annual meeting, at which time the town may vote to appropriate those monies for special projects or, failing that, those monies will go back into the general fund to be used to reduce taxes.

**SECONDED**

Julia Elder offered an explanation of history of this issue.  
Many voters offered explanations of their support or disagreement of the article.

**Article 13 was VOTED IN THE NEGATIVE BY VOICE VOTE; Jeff Lehmann requested vote to be done by Paper Ballot. There being NO SECOND for request for Paper Ballot, the vote stands.**

**ARTICLE 14. Lee Larson made the MOTION** that the Town vote to raise and appropriate the sum of twelve thousand dollars (**\$12,000**) for the purchase of land that abuts the Town Forest, to be added to the Town Forest, and to fund this appropriation by authorizing the withdrawal of said sum from the Town Forest Maintenance Fund.

**SECONDED**

Lee Larson, for Conservation Commission, spoke to this Article with much discussion following.

Selectmen confirmed that this issue is long-standing, costing the Town significant legal fees and that this is an effort to finally reach resolution to the matter.

**Article 14 was VOTED IN THE AFFIRMATIVE BY VOICE VOTE**

**ARTICLE 15.** Matt Stevens made the **MOTION** that the Town vote to adopt the provisions of RSA 36-A:4-a, I(b) to authorize the Conservation Commission to expend funds for contributions to qualified organizations for the purchase of property interests, or facilitating transactions related thereto, where the property interest is to be held by the qualified organization and the town will retain no interest in the property.

**SECONDED**

Selectman Richard Jones explained that this Article enables the Town of Lyme along with other organizations to participate in transactions without the Town having to hold any interest in the considered property.

As there was some confusion about the Conservation Commission report in the Town Report, Julia Elder requested that future accounting from the Conservation Commission have a more complete fiscal report.

**Article 15 was VOTED IN THE AFFIRMATIVE BY VOICE VOTE**

**ARTICLE 16.** Matt Stevens made the **MOTION** that the Town vote to adopt the provisions of RSA 36-A:4-a, I(a) to authorize the Conservation Commission to expend funds to purchase interests in land outside the boundaries of our municipality, subject to the approval of the local governing body.

**SECONDED**

Selectmen Richard Jones confirmed that the Conservation Commission could not spend money for projects outside of Lyme without the approval of the Board of Selectmen.

**Article 16 was VOTED IN THE AFFIRMATIVE by VOICE VOTE**

**ARTICLE 17.** Steve Campbell made the **MOTION** that the Town vote to authorize the Board of Selectmen to enter into a inter-municipal agreement by and among the towns of Orford, Lyme, Hanover, Enfield, Springfield, Newbury, New London, and Sunapee, to create a non-profit corporation to develop a broadband communications network in accordance with RSA 53-A.

**SECONDED**

Steve Campbell provided data on high speed data network.

**Article 17 was VOTED IN THE AFFIRMATIVE BY VOICE VOTE**

**ARTICLE 18.** To see if the Town will vote to approve the following resolution: That the Town of Lyme will not purchase of a new police vehicle in 2009.

**This Article was presented by petition. As there was no need for the vote (nothing in budget to warrant the concern); there was NO MOTION and therefore NO VOTE.**

**ARTICLE 19.** Moderator Waste asked to hear reports of Agents, Auditors, or Committees or other officers heretofore chosen, and to pass any vote relating thereto.

**SECONDED**

**Article 19 was VOTED IN THE AFFIRMATIVE by VOICE VOTE**

**ARTICLE 20.** To transact any other business that may be legally brought before this Town Meeting.

- Selectman Simon Carr alerted voters to look for an Emergency Services Survey to be sent out for people to complete in the near future.
- The Town Report is 25% smaller than previous years. Thanks to selectmen's office staff for diligence on cost savings and timely distribution. He also asked how voters felt about a plan to distribute books differently in an effort to save money.
- Emergency Management Director Wallace Ragan thanked everyone for their help during the December 2008 ice storm.
- Bill Lewis thanked the Selectmen for their time and effort in the budgeting process and all other necessary duties. The Selectmen received a round of applause.
- Don Elder spoke about the Memorial Day celebration, asking for more participation and turnout. He also wants the Town to plan a celebration of the 250<sup>th</sup> birthday of the Town of Lyme in 2011.

This meeting was adjourned at 12:40 P.M. with polls open until 7:00 P.M. for official ballot voting.

Respectfully Submitted,

Patricia G. Jenks  
Town Clerk