

TOWN OF LYME, NEW HAMPSHIRE

TOWN MEETING

March 10, 2020

Minutes

Town Moderator Kevin Peterson called the meeting to order at 9:04 AM in the Lyme School Community Gymnasium. There were approximately 200 people in attendance.

The Moderator voiced appreciation of all veterans and military service members and asked those in attendance to stand or raise a hand and be recognized.

Girl Scout Troop #30175 of the Lyme Girl Scouts presented the Colors and those attending this meeting recited the Pledge of Allegiance.

Moderator Kevin Peterson gave brief announcements concerning measures being taken to help protect and prevent the spreading of the present concerns of a spreading virus at Town Meeting.

Parish Nurse Karen Allen, reflecting on the Past, read the list of those who died in 2019 with significant Lyme connections. Those included in the list are:

James (Jim) Jenks	Lawrence (Larry) McCarthy	Jose Vidal
Alice Small	Scarlett Dube	Donald (Sam) Power
Harvey Frommer	Trent Toensing	Myrna Frommer
Donna Robinson	Irene Graf	Nancy Papademas
Joan Astley	Sallie Ramsden	Anne DeGoosh
Ruth Demarest	Mary Elizabeth Chapman	

Honoring the Present, the Citizens of the Year Award was presented to Jim and Dayle Mason by Martha Tecca, member of board of the Lyme Foundation.

Honoring the Future was Library Director Judy Russell, who read the names of new babies born to, or adopted by, Lyme families in 2019.

There was a period of general and procedural announcements. State Representative Polly Campion was introduced.

Emergency Management Director Margaret Caudill-Slosberg presented a short educational video on prevention and preparedness concerning the Corona virus-COVID-19

The Moderator opened the deliberative session with comments acknowledging and thanking the election team. The Emergency Management Team was also acknowledged with thanks for the considerable efforts in educating and communicating about the recent and concerning Corona virus outbreak.

Voice without Vote was approved for David Robbins, Zoning Administrator and Town Attorney Laura Spector-Morgan, by unanimous Voice Vote.

The Moderator reviewed the Rules of Procedure. A motion was made, seconded and voted unanimously to accept the rules as presented.

Kevin Sahr, Chair of the Select Board offered a high-level presentation of the reasoning behind the proposed town budget and other proposed appropriations. Following the presentation there was a short period of questions and answers.

Moderator asked if there was any objection to a change in the order of Articles to be discussed and voted. There was no objection voiced.

Articles 1 and 2 were official ballot voting.

ELECTION OF OFFICERS

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

1 Selectman for 3 years	Judith Lee Shelnutt Brotman
1 Town Moderator for 2 years	Kevin Peterson
1 Overseer of Public Welfare for 1 year	Nancy Elizabeth Grandine
3 Budget Committee members for 3 years	Jennifer Boylston
	Susan MacKenzie
	Scott Nichols (write-in votes)
1 Cemetery Trustee for 3 years	Jay Cary
3 Library Trustees for 3 years	Audrey Brown
	Katharine Ramsden
	Georgina Voegele
1 Planning Board member for 3 years	Tim Cook
1 Trustee of the Trust Funds for 3 years	Margaret "Mardi" Bowles
1 Supervisor of the Checklist for 6 years	Alan Greatorex

AMENDMENT TO ZONING ORDINANCES

Petitioned warrant article

ARTICLE 2. To see if the town will vote to amend the Zoning Ordinance as follows to allow for Planned Developments, by site plan review, for any property abutting NH Route 10 in the Rural District. See the attached pages for details

Changes are in bold & italic - Deletions are struck through

References to Planned Development appears on pages 11, 20, 21, 24, 37, 39, 40, 41

Page (11) Edit: *Change definition to allow 100% residential or a mix of residential and business uses*

PLANNED DEVELOPMENT. ***May be 100% residential or a*** mix of residential and institutional or business uses on a single lot in more than one building on a single lot.

Page (20) Edit: *In Table 4.1 for Planned Development under the Rural District, change the N (no) to SPR (Site Plan Review)² Adding Note 2: applying only to properties abutting NH Rt 10*

Table 4.1 **Planned Development under Rural District - SPR².**

Note 2: applying only to properties abutting NH Rt10

Page (21) unchanged:

4.41 Principal Building and Activity on Lots. There shall be only one principal building and one principal activity on a lot unless otherwise approved under the lot size averaging subdivision provision (Section 5.11 D.), the multi-dwelling and conversion provision (Section 4.46), or the planned development provision (Section 4.49).

Page (24) Edit: *Remove the limitation on permitted business uses and the requirement for an easement on the remaining open space (5.) for a Planned Development.*

4.49 Planned Development. Planned Developments are allowed by Site Plan Review in districts as shown in Table 4.1. ***The uses in a Planned Development shall include only those uses permitted or allowed by Site Plan Review as listed in Table 4.1 in the district in which the development is proposed.*** A Planned Development or a change of use in a Planned Development shall be reviewed and approved by the Planning Board prior to the issuance of a building & zoning permit. A Planned Development must meet all of the requirements for a Site Plan Review under section 12.10 as well as the following criteria:

1. At least 15% of the floor area shall be reserved for residential use.
2. There shall be no more than six units per building.
3. If there will be a total of three or more units, there shall be a water supply suitable and accessible for public safety purposes; and the water supply must be located within 1/2 mile of the Planned Development.
4. Dimensional Controls: The Planned Development shall satisfy the dimensional controls of Article V except that aggregate building footprint and maximum lot coverage shall be established by the Planning Board and shall be equal to the maximum total building footprint and maximum total lot coverage which would be available to the applicant if the property were subdivided into the maximum number of lots which could be created in a subdivision meeting all of the requirements of the Lyme Subdivision Regulations and this ordinance. Maximum individual building footprint shall be as specified in Table 5.1.
5. ***Other Requirements: The areas of the lot which will be left undeveloped shall be retained in open space and such open space shall be protected through the granting of a zoning easement to the Town or a conservation easement to a governmental agency or a conservation organization approved by the Planning Board.***

Page (37) unchanged

5.11 Lot Size.

1. For the purposes of applying the provisions of this ordinance, lot size shall be defined as set forth in Article II and as provided by District in Table 5.1.
2. Unless otherwise permitted by the Planning Board in accordance with provisions for Planned Development in section 4.49, Lot Size Averaging in section 5.11 D., or Affordable Housing in section 11.30, minimum lot sizes shall be as set forth in Table 5.1. The minimum lot size in the Rural District is three acres for land within 1,000 feet of the state highways and five acres for all other land.
3. Building lot depth shall not exceed four times the average width of the lot, unless otherwise approved in connection with Planned Development provisions in section 4.49, Lot Size Averaging provisions in section 5.11 D. or Affordable Housing provisions in section 11.30. The foregoing limitation shall not apply in the subdivision of a lot of record on the effective date of this provision, March 12, 1996, for the creation of one lot in a single subdivision of that lot.

Page (39) unchanged:

5.12 Road Frontage. The minimum road frontage of a lot shall be as shown in Table 5.1 except in the case of lots approved in a Planned Development in section 4.49, Lot Size Averaging in section 5.11 D., or Affordable Housing in section 11.30 and conservation lots as defined in Article II. Subject to approval by the Planning Board in its discretion, such lots may have no road frontage, but must have adequate access as approved by the Planning Board.

Page (40) unchanged:

5.14 Building Footprint. The maximum building footprint shall be a percentage of lot size as provided in Table 5.1, or as follows, whichever is smaller:

- D. except as otherwise permitted by special exception in connection with lot size averaging subdivisions (Section 5.11); planned development (Section 4.49); and expansion of any lawful non-conforming structure in existence when this ordinance was passed (section 8.25).

Page (41) unchanged:

5.15 Maximum Lot Coverage. The maximum lot coverage shall be a percentage of lot size as provided in Table 5.1, or as follows, whichever is smaller:

4. except as otherwise permitted by special exception for lot size averaging subdivisions (section 5.11 D); planned developments (section 4.49); and expansion of any lawful non-conforming structure in existence when this ordinance was passed (section 8.25); and
5. Not recommended or recommended by the Planning Board by a vote of)
6. Not recommended or recommended by the Planning Board by a vote of)

(Not recommended by the Planning Board by a vote of 5-0)

Article 2 was VOTED IN THE NEGATIVE By OFFICAL BALLOT

YES 117 NO 376

TO CONSTRUCT A FIRE STATION

ARTICLE 3. Michael Mundy made the Motion that the town vote to authorize the selectmen to enter into a long-term purchasing agreement in the amount of five hundred thousand dollars (**\$500,000**), payable over a term of 7 years for the purpose of engineering and construction of a fire station located at 44 High Street. The first payment will be due in 2021. This purchase agreement does not contain an escape clause.

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

(2/3 ballot vote required) (Recommended by the Select Board by a vote of 3-0) (Recommended by the Budget Committee by a vote of 9-0)

(No amount to be raised by taxation.)

Seconded by Frank Bowles

After discussion, the polls and ballot box remained open for one hour for voting on this article.

ARTICLE 3 WAS VOTED in the AFFIRMATIVE by PAPER BALLOT by 2/3 MAJORITY

Yes 202 NO 6

WITHDRAWAL FROM THE PUBLIC WORKS FACILITY CAPITAL RESERVE FUND

ARTICLE 4. Judy Brotman made the Motion that the Town vote to raise and appropriate the sum of four hundred thousand dollars (**\$400,000.00**) for the purpose of constructing a fire station located at 44 High Street and further to authorize the withdrawal of such funds from the Public Works Facility Capital Reserve Fund for the purposes of which it was created.

(This appropriations is not included in the total town operating budget warrant article as approved by the Budget Committee.) (Majority vote required.) (Recommended by the Select Board by a vote of 3-0) (Recommended by the Budget Committee by a vote of 9-0) (No amount to be raised by taxation.)

SECONDED by Frank Bowles

ARTICLE 4 WAS VOTED in the AFFIRMATIVE BY VOICE VOTE

Per previous agreement, the Moderator moved to entertain a motion on Article 16.

Moderator Peterson recused himself (conflict of interest) from managing this Article. Bill Waste, Assistant Town Moderator provided support for the management of Article 16.

***TO DISCONTINUE COMPLETELY THE SECTION OF RIVER ROAD
CLOSED DUE TO EROSION***

ARTICLE 16. Sue MacKenzie made the Motion that the Town vote to discontinue the section of River Road that will not be used after the reroute in completed. The section of the road to be discontinued is approximately 1,053 feet long and runs from just south of 307 River Road to just north of 278 River Road.

(Recommended by the Select Board by a vote of 3-0) (Majority vote required.)

SECONDED by Rich Brown.

Judy Brotman, speaking on behalf of the Select Board asked for an open discussion, indicating a sense of the meeting regarding disposition of the 1,053 feet of River Road and associated town right-of-way.

After a period of questions and answers, it was determined that there are currently three viable options to be considered: 1) to discontinue or give up all town interest in the road and its associated right-of-way, 2) to turn into class 6 road or 3) classify as a town trail.

The Select Board, with input from Town Attorney Spector-Morgan, explained the specifics of these options:

1) Discontinuing the road means that the Town would relinquish the current easement for the road, and full unencumbered ownership would revert to the property owners---the right-of-way goes away. The public would not be able to use the road without owner permission. The property owners could use the roadway as private access. There was a question about utility rights & easements, which according to Select Board member Judy Brotman, is dictated by RSA 231:46 and the utility easements remain in place.

2) Turning the road into a Class 6 road, according to Attorney Spector-Morgan, means the Town cannot maintain this section of road but the public may continue to use it.

3) Turning the road into a Class A or B trail means there is a full public Right-of-Way as a trail with no vehicular access. There is limited liability exposure, according to Attorney Spector-Morgan.

There was a “sense of the meeting” show of hands to indicate preference:

Option 1-Discontinuing (9)

Option 2-Class 6 (82)

Option 3-Class A or B trail (67)

There were additional questions and comments.

Judy Brotman made the Motion to Table Article 16 for the purpose of further studies.

Hoyt Alverson asked for a point of order clarification: If an article is tabled, may it be brought back for discussion?

Acting Moderator Waste indicated that if tabled, this means postponing consideration with the ability to revisit and remove from the table. A new article could be brought forward.

Motion to Table Article 16 SECONDED by Kevin Sahr.

Motion to Table Article 16 was VOTED IN THE AFFIRMATIVE BY VOICE VOTE.

Attorney Spector-Morgan advised that the article can be restricted from reconsideration (RSA 40:10), which allows the Town to vote to restrict reconsideration.

Motion to restricted consideration was made, seconded and voted in the affirmative by voice vote.

Moderator Peterson instructed that Article 16 would not be addressed any further at this meeting and questions were to be directed to the Select Board through their office.

TOWN OPERATING BUDGET

ARTICLE 5. Dick Jones made the Motion that the Town vote to raise and appropriate the sum of two million three hundred sixty seven thousand six hundred forty nine dollars (\$2,367,649.00) which represents the operating budget as recommended by the Budget Committee.

Said sum does not include appropriations contained in any other warrant articles.

(Majority vote required.) (The Select Board recommends an operating budget of \$2,367,649.00 by a vote of 3-0) (The Budget Committee recommends an operating budget of \$2,367,649.00 by a vote of 9-0) (To be raised by taxation)

SECONDED by Nadia Gorman

Emergency Management Director Margaret Caudill-Slosberg offered an AMENDMENT to increase the operating budget by \$10,000 (ten thousand dollars) to be assigned for the Covid-19 emergency management fund.

SECONDED by Frank Bowles.

The Select Board indicated support of this proposed amendment.

AMENDMENT to increase Article 5 by \$10,000 was VOTED IN THE AFFIRMATIVE BY VOICE VOTE

Morton Bailey asked if there was enough money in the proposed budget to replace the heating system in the Highway Garage. Select Board indicated there was not.

Morton Bailey offered An AMENDMENT to Article 5 to increase the budget by \$25,000.00 (twenty-five thousand dollars).

NO SECOND TO THIS MOTION. MOTION TO AMEND FAILED.

Hebe Quinton PROPOSED AN AMENDMENT that \$15,000 (fifteen thousand dollars) be added to the budget to fund the Chase Beach Summer Program.

SECONDED by Luke Prince

Judy Brotman, speaking for the Select Board commented that it had been a couple of difficult years for the program, which made it clear to the Board that it was time to step back from a full service operation until things settled a bit.

After a period of comments and questions the Select Board shared that the issues surrounding the problems happening at the beach had created hours of meetings, strategy efforts, legal services and resolution efforts by all involved and was a big driver in the decision to hold funding on the Lifeguards and Beach Supervisor program this year. The problem was the users of the area, incidents requiring police intervention and significant Select Board time. It isn't just about the money.

Many people spoke in favor of trying to continue this "rite of passage" experience so many kids had been fortunate to have while growing up in Lyme, although felt that payment for the services provided by lifeguards was substandard.

Questions concerning liability to the town, signage, usage and the pond program were asked and answered.

After considerable and occasional heated discussion, Dave Hewitt CALLED THE QUESTION.

The AMENDMENT to ADD \$15,000 (fifteen thousand dollars) was VOTED IN THE AFFIRMATIVE by VOICE VOTE.

Budget now stands at \$2,392,649.00 (two million, three hundred ninety two thousand, six hundred forty nine dollars).

Nadia Gorman asked if this additional \$15,000 would be assured toward the beach program. Opinion from Legal Counsel and Select Board is that it is not assured. This is a non-binding vote.

ARTICLE 5, as AMENDED was VOTED IN THE AFFIRMATIVE BY VOICE VOTE

TO CAPITAL RESERVE FUNDS AND TRUST FUNDS

ARTICLE 6. Cindy Swart made the Motion that the Town vote to raise and appropriate four hundred twenty-five thousand dollars (**\$425,000**) to be added to the following Capital Reserve and Expendable Trust Funds previously established for the purposes for which they were created.

Capital Reserve Funds:

Bridge Capital Reserve Fund	\$50,000
Vehicle Capital Reserve Fund	\$150,000
Heavy Equipment Capital Reserve Fund	\$30,000
Class V Roads Rehab Capital Reserve Fund	\$50,000
Public Works Facility Capital Reserve Fund	\$100,000
Computer System Upgrade Capital Reserve Fund	\$10,000

Town Buildings Major Maintenance and Repair Fund	\$10,000
Fire Fighting Safety Equipment Capital Reserve Fund	\$10,000
Recreation Facilities Capital Reserve Fund	<u>\$5,000</u>
Capital Reserve Funds Subtotal:	\$415,000

Expendable Trust Funds:

Town Poor Expendable Trust Fund	<u>\$10,000</u>
Expendable Trust Funds total:	\$10,000

Capital Reserve Funds and Expendable Trust Funds Total: \$425,000

(These appropriations are not included in the total town operating budget warrant article as approved by the Budget Committee.) (Majority vote required.) (Recommended by the Select Board by a vote of 3-0) (Recommended by the Budget Committee by a vote of 9-0) (To be raised by taxation)

SECONDED by John Sanders

ARTICLE 6 was VOTED in the AFFIRMATIVE BY VOICE VOTE

STATE OF NEW HAMPSHIRE BLOCK GRANT APPROPRIATION

ARTICLE 7. Alan Greatorex made the Motion that the Town vote to raise and appropriate the sum of one hundred thousand dollars (**\$100,000**) for the purpose of maintenance, construction and reconstruction of Class IV & V highways with \$100,000 anticipated to come from the State of New Hampshire Block Grant. Said sum does not include appropriations contained in any other warrant articles.

(Majority vote required.) (Recommended by the Select Board by a vote of 3-0) (Recommended by the Budget Committee by a vote of 9-0) (No amount to be raised by taxation.)

SECONDED by Sue Ryan

ARTICLE 7 was VOTED IN THE AFFIRMATIVE BY VOICE VOTE

***APPROPRIATE FUNDS TO CLASS V ROADS REHAB CAPITAL RESERVE FUND
FOR RIVER ROAD AT NORTH THETFORD ROAD REPAIR***

ARTICLE 8. Dick Jones made the Motion that the Town vote to raise and appropriate the sum of two hundred thousand dollars (**\$200,000**) to be added to the Class V Roads Rehab Capital Reserve Fund for the purpose of repairing a portion of River Road at North Thetford Road intersection in 2021.

(This appropriation is not included in the total town operating budget warrant article as approved by the Budget Committee.) (Majority vote required.) (Recommended by the Select Board by a vote of 3-0.)

(Recommended by the Budget Committee by a vote of 9-0) (To be raised by taxation)

SECONDED by Judy Brotman

John Gartner opened a discussion by disclosing that as an engineer, he felt this work was unnecessary. After a period of questions and comments, Kevin Sahr, speaking for the Select Board reminded voters that the work on this project by the United States Corps of Engineers (USACE) has been in place since 2011. This year-2020- is the final year that funds from the government through would be available, as we would fall out of their funding Que. If the project doesn't move forward with USACE this year, all the requests, pre-engineering and planning funds completed by the town and USACE will be halted. Then the project will have to be completed by the town with no government assistance.

A VOICE VOTE WAS INCONCLUSIVE; MODERATOR INSTRUCTED VOTE BY PAPER BALLOT

ARTICLE 8 was VOTED IN THE AFFIRMATIVE BY PAPER BALLOT

YES 86 NO 73

WITHDRAWAL FROM THE CLASS V ROADS REHAB CAPITAL RESERVE FUND

ARTICLE 9. Kevin Sahr made the Motion that the Town vote to raise and appropriate the sum of eighty thousand dollars (**\$80,000.00**) for the purpose of design and engineering for the repair of River Road at North Thetford Road and further to authorize the withdrawal of such funds from the Class V Roads Rehab Capital Reserve Fund for the purposes of which it was created.

(This appropriations is not included in the total town operating budget warrant article as approved by the Budget Committee.) (Majority vote required.) (Recommended by the Select Board by a vote of 3-0) (Recommended by the Budget Committee by a vote of 9-0) (No amount to be raised by taxation.)

SECONDED by Judy Brotman

Lee Larson asked if this Article is related to Article 8. Kevin Sahr answered Mr. Larson's question: \$80,000 (eighty thousand dollars) is the Town's share of design and engineering. \$200,000 (two hundred thousand dollars) is meant to smooth out budget requests for other road related Articles.

Moderator Peterson asked that the mover and second of Article 9 withdraw their motion until results of Article 8 is available.

Mr. Sahr and Ms. Brotman agreed to withdraw and pass over the motion awaiting a tally on Article 8 (which was voted in the affirmative by paper ballot).

ARTICLE 9 was VOTED IN THE AFFIRMATIVE BY VOICE VOTE

WITHDRAWAL FROM VEHICLE CAPITAL RESERVE FUND

ARTICLE 10. Hebe Quinton made the motion that the Town vote to raise and appropriate the sum of eighty two thousand four hundred sixty seven dollars (**\$82,467**) for the annual payment on the Fire Truck, the purchase of which was authorized in 2019; and further to authorize the withdrawal of this amount from the Vehicle Capital Reserve Fund. The purchase agreement does not contain an escape clause.

(This appropriations is not included in the total town operating budget warrant article as approved by the Budget Committee.) (Majority vote required.) (Recommended by the Select Board by a vote of 3-0) (Recommended by the Budget Committee by a vote of 9-0) (No amount to be raised by taxation.)

SECONDED by Dick Jones

Article 10 was VOTED IN THE AFFIRMATIVE BY VOICE VOTE

WITHDRAWAL FROM THE VEHICLE CAPITAL RESERVE FUND

ARTICLE 11. Simon Carr made the Motion that the Town vote to raise and appropriate the sum of fifty one thousand four hundred fifty nine dollars (**\$51,459.00**) for the purpose of paying off the loan for the police vehicle purchased in 2019 and to authorize the withdrawal of these funds from the Vehicle Capital Reserve Fund for the purposes of which it was created.

(This appropriation is not included in the total town operating budget warrant article as approved by the Budget Committee.) (Majority vote required.) (Recommended by the Select Board by a vote of 3-0) (Recommended by the Budget Committee by a vote of 9-0) (No amount to be raised by taxation.)

SECONDED by Nadia Gorman

There were a few questions about the logic of this and explanation provided by the Chair of the Budget Committee, Dick Jones.

ARTICLE 11 was VOTED IN THE AFFIRMATIVE BY VOICE VOTE

WITHDRAWAL FROM CAPITAL RESERVE FUNDS

ARTICLE 12. John Elliott made the Motion that the Town vote to raise and appropriate the sum of two hundred eighty seven thousand dollars (**\$287,000**) to fund the following purchases by authorizing the withdrawal of such funds from the Capital Reserve Funds for the purposes for which they were created as submitted by the Budget Committee:

Vehicle Capital Reserve Fund: 5 Ton truck with plow	\$230,000
Vehicle Capital Reserve Fund: maintenance work truck	\$32,000
Computer System Upgrade CRF: Computer equipment replacement	\$25,000

Withdrawals from Capital Reserve Funds Total: \$ 287,000

These appropriations are not included in the total town operating budget warrant article as approved by the Budget Committee.) (Majority vote required.) (Recommended by the Select Board by a vote of 3-0) (Recommended by the Budget Committee by a vote of 9-0) (No amount to be raised by taxation.)

SECONDED by Shaun O'Keefe

Questions about the Highway fleet were asked and answered.

ARTICLE 12 was VOTED IN THE AFFIRMATIVE BY VOICE VOTE

***APPROPRIATE FEMA FUNDS FROM JULY 2017 STORM TO
EMERGENCY HIGHWAY REPAIR CAPITAL RESERVE FUND***

ARTICLE 13. Susan MacKenzie made the Motion that the town vote to raise and appropriate the sum of one hundred and fifty thousand dollars (\$150,000) to be added to the Emergency Highway Repair Capital Reserve Fund previously established and for the purpose which it was created, with said funds to come from unassigned fund balance. This amount represents a portion of FEMA reimbursement funds from the 2017 July storm which were accepted by the selectmen as unanticipated revenue.

(This appropriation is not included in the total town operating budget warrant article as approved by the Budget Committee.) (Majority vote required.) (Recommended by the Select Board by a vote of 3-0) (Recommended by the Budget Committee by a vote of 9-0) (No amount to be raised by taxation.)

SECONDED BY Frank Bowles

A short explanation was provided by Judy Brotman, member of the Select Board.

ARTICLE 13 was VOTED IN THE AFFIRMATIVE BY VOICE VOTE

***APPROPRIATE FEMA FUNDS FROM JULY 2017 STORM TO
CLASS V ROAD REHAB CAPITAL RESERVE FUND***

ARTICLE 14. Russell Hirschler made the Motion that the town vote to raise and appropriate the sum of eighty thousand nine hundred and ninety four dollars (**\$80,994**) to the Class V Roads Rehab Capital Reserve Fund previously established. This amount represents a portion of FEMA reimbursement funds from the 2017 July storm which were accepted by the selectmen as unanticipated revenue, and the funds will come from the unassigned fund balance.

(This appropriation is not included in the total town operating budget warrant article as approved by the Budget Committee.) (Majority vote required.) (Recommended by the Select Board by a vote of 3-0) (Recommended by the Budget Committee by a vote of 9-0) (No amount to be raised by taxation.)

SECONDED by Frank Bowles

ARTICLE 14 was VOTED IN THE AFFIRMATIVE BY VOICE VOTE

***APPROPRIATE FUNDS FROM HAZARD MITIGATION GRANT PROGRAM
TO BE USED FOR PAVING RIVER ROAD SOUTH***

ARTICLE 15. Lee Larson made the Motion that the town vote to rescind Article 13 from the 2019 Town Meeting raising and appropriating one hundred fifty-four thousand six hundred twenty-five dollars (**\$154,625.00**) for a Hazard Mitigation Grant Program from the Federal Emergency Management Agency that will no longer be applied for. Further to raise and appropriate \$154,625 to be used to pave River Road south from East Thetford Road intersection to south of 51 River Road, with the funds to come from the unassigned fund balance.

(This appropriation is not included in the total town operating budget warrant article as approved by the Budget Committee.) (Majority vote required.) (Recommended by the Select Board by a vote of 3-0) (Recommended by the Budget Committee by a vote of 9-0) (No amount to be raised by taxation.)

SECONDED by Jennifer Cooke

ARTICLE 15 WAS VOTED IN THE AFFIRMATIVE BY VOICE VOTE

DISCONTINUE PUBLIC LAND ACQUISITION CAPITAL RESERVE FUND

ARTICLE 17. Jennifer Boylston made the Motion that the town vote to discontinue the Public Land Acquisition Capital Reserve Fund. Said funds, with accumulated interest to date of withdrawal, are to be transferred to the municipality's general fund. (Majority vote required.) (Recommended by the Select Board by a vote of 3-0) (Recommended by the Budget Committee by a vote of 9-0) (No amount to be raised by taxation.)

SECONDED by Nadia Gorman

ARTICLE 17 was VOTED IN THE AFFIRMATIVE BY VOICE VOTE

APPROPRIATE FUNDS TO CLASS V ROADS REHAB CAPITAL RESERVE FUND

ARTICLE 18. Michael Woodard made the Motion to see if the Town vote to raise and appropriate the sum of thirty six thousand seventy six dollars (**\$36,076.00**) to be added to the Class V Roads Rehab Capital Reserve Fund. Said funds to come from the unassigned fund balance. This amount is the equivalent of the balance remaining in the Public Land Acquisition Capital Reserve Fund, proposed to be discontinued, above. (This appropriation is not included in the total town operating budget warrant article as approved by the Budget Committee.) (Majority vote required.) (Recommended by the Select Board by a vote of 3-0) (Recommended by the Budget Committee by a vote of 9-0) (No amount to be raised by taxation.)

SECONDED by Dick Jones

ARTICLE 18 was VOTED IN THE AFFIRMATIVE BY VOICE VOTE

***INDEPENDENCE DAY CELEBRATION
SPECIAL REVENUE FUND***

ARTICLE 19. Steve Campbell made the Motion that the Town vote to raise and appropriate the sum of six thousand nine hundred eighty-three dollars (**\$6,983.00**) to sponsor an Independence Day celebration, including but not limited to a parade, picnic, music and family fun 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. (This appropriation is not included in the total town operating budget warrant article as approved by the Budget Committee.) (Majority vote required.) (Recommended by the Select Board by a vote of 3-0) (Recommended by the Budget Committee by a vote of 9-0) (No amount to be raised by taxation.)

SECONDED by Kathy Larson

ARTICLE 19 was VOTED IN THE AFFIRMATIVE BY VOICE VOTE

MILFOIL TREATMENT FOR POST POND

ARTICLE 20. Judy Brotman made the the Motion that the Town vote to raise and appropriate the sum of thirty four thousand nine hundred thirty six dollars (**\$34,936.00**) for milfoil treatment of Post Pond, with thirteen thousand nine hundred seventy four dollars (**\$13,974.00**) to be funded through a grant from the New Hampshire Department of Environmental Services; a withdrawal of eight thousand seven hundred fifty-two dollars (**\$8,752.00**) from the unassigned fund balance and twelve thousand two hundred ten dollars (**\$12,210.00**) to be funded by the Conservation Commission. This will be a non-lapsing appropriation per RSA 32:7, VI and will not lapse until the milfoil problem is resolved or by December 31, 2023, whichever is sooner.

(This appropriation is not included in the total town operating budget warrant article as approved by the Budget Committee.) (Majority vote required.) (Recommended by the Select Board by a vote of 3-0.) (Recommended by the Budget Committee by vote of 9-0) (No amount to be raised by taxation.)

SECONDED by Russ Hirschler

There was a short discussion.

ARTICLE 20 was VOTED IN THE AFFIRMATIVE BY VOICE VOTE

ADOPT SOLAR EXEMPTION WITH EXPANDED DEFINITION

ARTICLE 21. Andrea Colgan made the Motion that the town readopt the RSA 72:62 solar energy system tax exemption originally adopted in 2008 to expand the definition of “solar energy system’ eligible for exemption to include a system which utilizes solar energy to produce electricity for a building and includes all photovoltaics, inverters, and storage. Systems may be off grid or connected to the grid in a net metered or group net metered arrangement pursuant to RSA 362-A:9 or in a direct retail sale arrangement pursuant to RSA 362-A:2-a.
(Recommended by the Select Board by a vote of 3-0.)

SECONDED by Susan Musty

There was a short period of questions and answers.

ARTICLE 21 was VOTED IN THE AFFIRMATIVE BY VOICE VOTE

RENEWABLE SOURCES OF ENERGY

ARTICLE 22. Jim Nourse made the Motion that the Town of Lyme vote to commit to a goal of 100% reliance on clean, renewable sources of electricity by 2030 and clean, renewable sources for all other energy needs, including for heating and transportation, by 2050.

The impetus for this goal is to reduce energy costs to the community and to keep energy dollars in the local economy; to reduce the risks to the community of escalation and volatility in energy costs; and to address the threat of global climate change.

The intent of this article is to influence policy at the local level in a fiscally responsible manner that will support and encourage individual action to shift towards 100% clean, renewable energy.

(This article is recommended by the Energy Committee, 7-0) (Recommended by the Select Board by a vote of 3-0.)

SECONDED by David Perlman

Jim Nourse indicated that this is a non-binding vote and does not obligate the Town to anything. The Energy Committee is looking for a sense of the meeting vote.

ARTICLE 22 was VOTED IN THE AFFIRMATIVE BY VOICE VOTE

RESOLUTION REGARDING EROSION ALONG THE CONNECTICUT RIVER

ARTICLE 23. John Mudge offered this resolution: “Whereas, the peaking operations of Wilder, Bellows Falls and Vernon dams have been causing daily fluctuations of, on average, 2-3 feet every day in the impoundments behind the dams for 70 years resulting in loss of land for landowners in VT and NH and degradation of water quality and habitat of the river for decades;

Whereas, in the late 1970s, during the last relicensing process, the Army Corps of Engineers (ACOE) conducted an erosion study on the project area; and FERC issued the last licenses in early 1979 just months before the ACOE completed their study in November of that year; and the ACOE study clearly states that pool level fluctuations are the *second most important causative factor* for erosion in the project areas.

Whereas, the erosion study completed for the current relicensing by Great River Hydro, the current owner of these three projects did not look at the effect of pool level changes on erosion, instead, focusing only on potential erosion due to velocity along the bank edge that would be typical for a natural river system; and the Connecticut River in the project area does not function as a natural river, instead functioning as a hybrid river with a series of impoundments controlled by the dams.

Whereas, many towns and landowners up and down the river have used millions of dollars in public and private money to attempt to stabilize and restore their streambanks to protect property and infrastructure over the past 70 years;

Therefore, be it resolved that the Town of Lyme, formally requests that the Federal Energy Regulatory Commission require, via license article, the current and any subsequent owners of the Wilder, Bellows Falls and Vernon Dams to modify current dam operations to minimize peaking; provide for ongoing monitoring; develop a shoreline adaptive management plan; and commit

funding for riverbank restoration and/or property owner compensation to reimburse towns and landowners for any and all damages resulting from the deterioration of the riverbank."

(Recommended by the Select Board by a vote of 3-0.)

SECONDED by Kathy Larson

Mr. Mudge offered an explanation about this resolution.

Kevin Sahr reported that the Select Board has met with State Representatives to raise awareness and supports this resolution.

ARTICLE 23 was VOTED IN THE AFFIRMATIVE BY VOICE VOTE

REPORTS OF AGENTS, AUDITORS & COMMITTEES

ARTICLE 24. To hear reports of Agents, Auditors, or Committees or other officers heretofore chosen, and to pass any vote relating thereto.

(Majority vote required.)

No Reports

OTHER BUSINESS

ARTICLE 25. To transact any other business that may be legally brought before this Town Meeting.

Other Business included comments as follows:

-Susan MacKenzie made the Motion that the Select Board be required to video record all public Select Board meetings, and to treat these recordings as Governmental Records. Within five days of a meeting, the Town website must be updated to include a link to an online location where the public can easily view the videos: on the town website, YouTube, or other repository.

SECONDED by Alan Groatorex

There was a discussion following, with pros and cons including storage issues, costs and sustainability. Suggestions included getting Board meeting minutes and agendas posted in a timely fashion, holding meetings at a time when people not working could attend, rather than the morning of a work day.

Kevin Sahr, speaking for the Select Board offered appreciation and noted the Board welcomes this opportunity for transparency. There is currently no budget for this but they are open to it.

Moderator Peterson reminded voters that this is a non-binding vote and is advisory only.

Ms. MacKenzie's Motion, as recommended to the Select board, WAS VOTED IN THE AFFIRMATIVE BY VOICE VOTE.

Bill Malcolm as the Town representative to the Upper Valley Lake Sunapee Council, asked that residents complete a survey being distributed about housing in the area. The UVLSC

appreciates this help.

Eleanor Shafer asked why Town Meeting is held on Tuesday. Moderator Peterson explained the regulation and process about the date for town meeting and that the Town has in the past voted to change the meeting times to evening and/or Saturday and that neither change produced good attendance, which is why we are back to Tuesday.

There being no further information to share or decisions to be made, Moderator Peterson thanked everyone for attending and the meeting was adjourned at 12:40pm.

**Patricia G. Jenks
Town Clerk
3-16-2020**