

TOWN OF LYME, NEW HAMPSHIRE
TOWN MEETING
Minutes
March 8, 2016

Town Moderator Kevin Peterson called this meeting to order at 9:00 am in the Lyme School Community Gymnasium. There were approximately 175 people in attendance.

The Moderator voiced appreciation to all Veteran's in attendance, asking them to stand or raise a hand for recognition.

Troop # 273 of the Lyme Boy Scouts presented the Colors and those attending recited the Pledge of Allegiance.

Lynn Smith, representing the Parish Nurse program read a list reflecting on the PAST representing those people who died in 2015 and who may not have lived in Lyme all the time, but who are part of Lyme's family nonetheless..... Those honored included:

*Christina Schonenberger
Devey Piper
Marjorie Hathaway
Tony LaBombard
Dorf Sears
Janine Weins*

*Beverly Snelling Balch
Mary Carmichael
Marcelis Parsons
Henry Marsh
Laura DeGoosh
Ruth Bacon
Tony Ryan*

*Evelyn Currier
Esther Balch
Jim Piper
John Glover
Betty Olsen
Evelyn McCarthy*

Recognizing the PRESENT, Select Board Chair Susan MacKenzie announced the resignation of Volunteer Fire Chief Michael C. Hinsley after more than 13 years of service in that capacity to the Town. Appointed to replace Hinsley, Michael Mundy was introduced and acknowledged. Both Chiefs were given a round of applause.

MacKenzie also paid tribute to retired Road Agent Fred O. Stearns III. Stearns was honored for his dedication to the Town, having served for a total of 40 years. He was presented (in absentia) with a handmade bench by Michael Whitman (made of locally obtained shovel handles).

Jeff Valence, member of the Lyme Foundation board of directors, presented the Citizen of the Year award to Nancy Elizabeth Grandine.

Presenting the FUTURE was Rev. Amy Hayden, who read the names of babies born to, or adopted by, parents in Lyme in 2015. Names of the babies appear in the Town Report Vital Statistics section.

The Moderator made note of various upcoming events, displays and items for sale during the day.

NH State Representative Patricia Higgins was recognized.

Zoning Administrator David Robbins announced information about the new town website.

David Celone announced a raffle being held to raise money for the "Artist-in-Residence" program at the school.

Moderator Peterson reviewed the meeting procedures and rules of order, requesting respect and civility at all times. Without objection the procedures were adopted for this town meeting. Copies were available upon request.

Voice without Vote was approved for Zoning Administrator David Robbins, Sergeant Tony Swett and Town Counsel, Attorney Jae Whitelaw.

ELECTION OF OFFICERS

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

Select Board

One member for 3 years

Susan J. MacKenzie

Budget Committee	Three members for 3 years	Erik Colberg Eric Furstenberg Cybele Merrick Laurie Wadsworth
Cemetery Trustee	One member for 3 years	Kevin Peterson
Moderator	One member for 2 years	Mary Beth Durkin
Library Trustees	Three members for 3 years	Patty Hudson Daniel O'Hara David Allen
Library Trustees	One member for 2 years	Nancy Elizabeth Grandine
Overseer of Public Welfare	One member for 1 year	Eric Furstenberg
Planning Board	Two members for 3 years	Vicki Smith Steven M. Williams
Road Agent	One member for 1 year	Karen J. Borgstrom
Supervisor of the Check List	One member for 6 years	Peter Swart
Treasurer	One member for 3 years	Joanne Coburn
Tax Collector	One member for 3 years	Simon Carr
Trustee of the Trust Funds	One member for 3 years	

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

Include Small Wind Energy Systems Ordinance and add the text "and Regulations" in section 1.35. **1.35 Status of Other Land Use Ordinances, Regulations, and By-Laws.** The Town of Lyme Subdivision Regulations, Regulations for Site Plan Review, Curb Cut Regulations, Excavation Regulations, Telecommunications Facilities Ordinance, Floodplain Development Ordinance **and Small Wind Energy Systems Ordinance** remain in effect. In the event of any conflict between the provisions of these ordinances **and Regulations** and the Lyme Zoning Ordinance, the provisions which impose the greater restriction or the higher standard shall govern. Modifications of subdivision conditions, including but not limited to building envelopes, may be made by the Planning Board only.

Note: This amendment is intended as a clarification to the Ordinance.

Article 2 was VOTED IN THE AFFIRMATIVE BY OFFICIAL BALLOT

YES 231

NO 56

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

Add an objective to the Wetlands Conservation District.

3.27.1 Wetlands Conservation District. The Wetlands Conservation District is hereby defined as any area that is inundated or saturated by surface or ground water at a frequency and duration to support, and that under normal conditions does support, a predominance of vegetation typically adapted for life in saturated soil conditions, together with a 100 foot buffer zone around such areas.

Wetlands include but are not limited to swamps, marshes, bogs, and similar areas. Wetlands shall be delineated on the basis of hydrophilic vegetation, hydric soils, and wetlands hydrology in accordance with the current New Hampshire Department of Environmental Services Wetlands Bureau Code of Administrative Rules. One hundred percent (100%) of such wetland areas and 80% of the 100 foot buffer zone shall be excluded in the calculation of lot size. Wetlands less than 2,500 square feet in size are excluded from the provisions of the Wetlands Conservation District, although State regulations may apply. The map available in the Town offices at the time of application will provide the Natural Resources Conservation Service (NRCS) hydric soils and National Wetlands Inventory which may be used as preliminary guidance for wetlands delineation. **The primary objective of the Wetlands Conservation District is to protect the Town's wetlands from despoliation or unregulated alteration and thereby to preserve the integrity of these areas, optimizing the following: 1) proper drainage, 2) flood control, 3) water quality, 4) wildlife, flora and fauna, 5) recreation, 6) and aesthetics, all for the purpose of the public good.**

Note: This amendment was requested by the Lyme Zoning Board of Adjustment as the Wetlands Conservation District was the only Conservation District that did not have a stated objective.

Article 3 was VOTED IN THE AFFIRMATIVE BY OFFICIAL BALLOT

YES 236

NO 51

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

3) Change section 10:50, variance criteria, to reflect the state requirements in RSA 674:33

10.50 VARIANCE

The ZBA may, on an appeal, grant a variance from the provisions of this ordinance, but only if all the following facts are found by the ZBA and such findings are specified in its decision:

- (1) The variance will not be contrary to the public interest;
- (2) The spirit of the ordinance is observed;
- (3) Substantial justice is done;
- (4) The values of surrounding properties are not diminished; and
- (5) Literal enforcement of the provisions of the ordinance would result in an

unnecessary hardship.

(A) For purposes of this subparagraph, "unnecessary hardship" means that, owing to special conditions of the property that distinguish it from other properties in the area:

- (i) No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property; and
- (ii) The proposed use is a reasonable one.

(B) If the criteria in subparagraph (A) are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it.

Note: RSA 674:33 defines the criteria that must be met for the Zoning Board of Adjustment to grant a variance. The intent of this amendment is to update the Zoning Ordinance variance criteria to match the State criteria.

Article 4 was VOTED IN THE AFFIRMATIVE BY OFFICIAL BALLOT

YES 239

NO 42

TOWN OPERATING BUDGET

ARTICLE 5. Judy Brotman made the motion that the Town vote to raise and appropriate the sum of two million one hundred and fifty-nine thousand six hundred and one dollars (**\$2,159,601.00**) 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 recommended an operating budget of \$2,160,501.00 by a vote of 3-0.)

(The Budget Committee recommended an operating budget of \$2,159,601.00 by a vote of 10-0.)

Seconded by Dick Jones; no discussion

ARTICLE 5 WAS VOTED IN THE AFFIRMATIVE BY VOICE VOTE.

STATE OF NEW HAMPSHIRE BLOCK GRANT APPROPRIATION

ARTICLE 6. Dick Jones made the motion that the Town vote to raise and appropriate the sum of eighty-nine thousand two hundred sixty-five dollars (**\$89,265**) for the purpose of maintenance, construction and reconstruction of class IV & V highways; said sum to match the amount determined by State of New Hampshire Block Grant allocation and to be offset from the State of New Hampshire Block Grant Aid estimated payments for the 2016-2017 calendar year.

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 6-2.)

Note: This appropriation will show up on the MS-2(expenditures) and the MS-4(revenues) Department of Revenue annual forms. This is an in/out and does not affect the operating budget.

Seconded by Judy Brotman

Dick Jones offered an AMENDMENT to Article 6. “Amend this article to add the following sentence to the end of the Article: The funds appropriated in this article shall only be used on the project to restore the River Road to two way traffic between the East Thetford Road and Grant Brook”.

Amendment was seconded.

Susan MacKenzie, Chair of the Select Board and Roads Committee explained why she felt this was a bad idea, citing recent additional road failures on River Road requiring immediate action and funding. A period of questions and answers ensued.

Jack Elliott offered an AMENDMENT to the first amendment: Strike last sentence and add: “To amend this article to add the following sentence to the end of article: the funds appropriated in this article shall only be used on the project to restore River Road”.

Amendment was seconded.

Discussion followed.

Elliott AMENDMENT was VOTED IN THE NEGATIVE BY VOICE VOTE.

Jones AMENDMENT was VOTED IN THE NEGATIVE BY VOICE VOTE.

ARTICLE 6, as presented was VOTED IN THE AFFIRMATIVE BY VOICE VOTE.

TO CAPITAL RESERVE FUNDS AND TRUST FUNDS

ARTICLE 7. Judy Brotman made the motion that the Town vote to raise and appropriate four hundred seventy-eight thousand seven hundred dollars (**\$478,700**) 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	\$100,000
Vehicle Capital Reserve Fund	\$145,000
Heavy Equipment Capital Reserve Fund	\$37,000
Class V Roads Rehab Capital Reserve Fund	\$50,000
Public Works Facility Capital Reserve Fund	\$50,000
Emergency Highway Repair Capital Reserve Fund	\$30,000
Computer System Upgrade Capital Reserve Fund	\$7,500
Town Buildings Major Maintenance and Repair Fund	\$10,000
Recreation Facilities Capital Reserve Fund	<u>\$5,000</u>
Capital Reserve Funds Subtotal:	\$434,500

Expendable Trust Funds:

Annual Leave Trust Fund (\$4,184.32 Expended)	\$4,200
Town Poor Expendable Trust Fund	<u>\$40,000</u>
Expendable Trust Funds Subtotal:	\$44,200

Capital Reserve Funds and Expendable Trust Funds Total: \$478,700

(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 8-0.)

Seconded by Simon Carr.

ARTICLE 7 was VOTED IN THE AFFIRMATIVE BY VOICE VOTE

***WITHDRAWAL FROM CAPITAL RESERVE FUNDS AND
EXPENDABLE TRUST FUNDS***

ARTICLE 8. Bob Sanborn made the motion that the Town vote to raise and appropriate one hundred ninety-five thousand eight hundred and thirteen dollars (**\$195,813**) and to fund these appropriations by authorizing the withdrawal of 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 (1 ton pickup truck & police vehicle)	\$174,813
Computer System Upgrade Capital Reserve Fund (equipment)	\$5,000
Property Reappraisal Capital Reserve Fund	\$16,000

Withdrawals from Capital Reserve Fund **Total: \$195,813**

(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 8-0.)

Seconded by Judy Brotman

ARTICLE 8 WAS VOTED IN THE AFFIRMATIVE BY VOICE VOTE

LEASE-TO-OWN AGREEMENT FOR A 2015 BOMAG ROLLER

ARTICLE 9. Michael Whitman made the motion that the Town vote to authorize the Select Board to make the 3rd payment on a 5 year lease-to-own agreement for the purpose of leasing a roller for the Highway Department for a total cost of \$90,921 and to raise and appropriate the sum of eighteen thousand eighty-one dollars (**\$18,081.00**) for the third year's payment for that purpose. This lease agreement contains an escape clause.

(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 8-0.)

Seconded by Simon Carr.

ARTICLE 9 WAS VOTED IN THE AFFIRMATIVE BY VOICE VOTE.

***APPROPRIATE FUNDS FROM THE UNRESERVED FUND BALANCE
TO RELOCATE AND REOPEN RIVER ROAD***

ARTICLE 10. Susan MacKenzie made a motion (adjusting the amount as printed in the Town Report) that the Town vote to raise and appropriate the sum of Two Hundred Forty Five Thousand Dollars (\$245,000)—NOT five hundred thousand dollars (\$500,000) as printed in the Town Report—for the purpose of relocating & reopening the portion of River Road 2/10th of a mile south of the East Thetford Road intersection, and to acquire the necessary land for the relocation and to fund this appropriation by **authorizing the withdrawal of One Hundred Forty Five Thousand Dollars (\$145,000)**—NOT four hundred thousand dollars (\$400,000) as printed in the Town Report—from the unreserved fund balance and one hundred thousand dollars (**\$100,000**) to be raised by taxes. The funds will be used for all expenses necessary to reopen the road, including but not limited to testing, engineering, construction and materials for this project. This is a non-lapsing appropriation per RSA 32:7, and will not lapse until the road is reopened or December 31, 2017, 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 Selectmen by a vote of 3-0.)

(Not recommended by the Budget Committee by a vote of 6-1.)

Seconded by Jay Smith

Followed was a significant period of questions and answers about why the Budget Committee did not recommend this request and the ramifications thereof. MacKenzie provided a Power Point presentation in an effort to explain the conditions on River Road, the engineering efforts to date and the anticipated challenges this all represents.

Harold Swartz offered an AMENDMENT to the article; “to carry out additional analysis involving additional qualified engineering consultants to further evaluate status of all of River Road and include Class 6 status for current closed part of River Road, use of Shoestrap Road and analyze impact on property values and zoning implications of any rerouting”.

Town Counsel allowed this proposed amendment. Moderator restated the amendment for clarification. Moderator stated this would be an advisory amendment. After discussion,

AMENDMENT #1 BY SWARTZ WAS VOTED IN THE NEGATIVE BY VOICE VOTE.

More discussion and the question was asked by David Kotz if the original warrant article amounts could be considered. The Moderator replied it could, however because of the Budget Committee’s vote this presented a “10% rule” issue, which means if the original article were to pass, all other warrant articles could be reduced by the NH Department of Revenue Administration because the total approved at Town Meeting might be more than 10% greater than the total amount recommended by the Budget Committee for the entire town warrant.

David Roby Sr. offered an AMENDMENT to Article 10: “Amend the words ‘relocating and reopening’ to read ‘relocating and/or reopening’.

More discussion, including a recommendation by Dr. Ross McIntyre to let the record show the town feels that erosion caused by raising water levels by the owners of Wilder Dam is more frequent and destructive.

Town Counsel felt that the wording change offered by Mr. Roby provides options to the Select Board.

AMENDMENT TO ARTICLE 10 AS PRESENTED BY DAVID ROBY WAS VOTED IN THE AFFIRMATIVE BY VOICE VOTE.

Harold Swartz offered a second AMENDMENT to Article 10: “to advise the Select Board to assess impact on owners and adjacent properties”.

AMENDMENT TO ARTICLE 10 PRESENTED BY HAROLD SWARTZ WAS VOTED IN THE NEGATIVE BY VOICE VOTE.

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

PAVED ROAD REPAIR AND MAINTENANCE

ARTICLE 11. Bob Thebodo made the motion that the Town vote to raise and appropriate the sum of seventy-five thousand dollars (**\$75,000.00**) for the purpose of repair and maintenance of the Town’s paved roads. This will be a non-lapsing appropriation per RSA 32:7, VI and will not lapse until December 31, 2020.

(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 8-0.)

Seconded by Judy Brotman

ARTICLE 11 WAS VOTED IN THE AFFIRMATIVE BY VOICE VOTE

TO PURCHASE A TANK & SPRAYER UNIT

ARTICLE 12. Jennifer Cooke made the motion that the Town vote to raise and appropriate the sum of fourteen thousand three hundred twenty-five dollars (**\$14,325.00**) to be used towards the purchase of 1-VTA-500 5,000 gallon vertical storage tank & 1-Liqui Maxx 750 gallon deluxe sprayer system to be used by the Highway Department.

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

(Recommended by the Budget Committee by a vote of 6-2.)

Seconded by Jay Smith

Discussion followed, including a presentation of several slides showing the sprayer in action.

ARTICLE 12 WAS VOTED IN THE AFFIRMATIVE BY VOICE VOTE

***WITHDRAWAL FROM THE CEMETERY MAINTENANCE GIFTS
AND DONATIONS FUND***

ARTICLE 13. Simon Carr made the motion that the Town vote to raise and appropriate the sum of sixteen thousand four hundred eighty-six dollars (**\$16,486.00**) to be used towards funding maintenance of the Town cemeteries 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).

(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 8-0.)

Seconded by Judy Brotman

ARTICLE 13 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 14. Anne Baird made the motion that the Town vote to raise and appropriate the sum of one thousand six hundred dollars (**\$1,600.00**) 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 for that purpose.

(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 8-0.)

Seconded by Dick Jones

ARTICLE 14 WAS VOTED IN THE AFFIRMATIVE BY VOICE VOTE

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

ARTICLE 15. Jane Fant made the motion that the Town vote to raise and appropriate the sum of five thousand three hundred seventy-eight dollars (**\$5,378.00**) 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 Selectmen by a vote of 3-0.)

(Recommended by the Budget Committee by a vote of 8-0.)

Seconded by Sarah Crockett

James Graham provided background on this article.

ARTICLE 15 WAS VOTED IN THE AFFIRMATIVE BY VOICE VOTE.

**EXPENDITURE OF TRUST FUNDS FOR PROFESSIONAL FINANCIAL
MANAGEMENT**

ARTICLE 16. Simon Carr made the motion that the Town vote, pursuant to RSA 35:9-a II, to authorize the Trustees of Trust Funds to hire professional banking or brokerage assistance for capital reserve funds and to pay for capital reserve fund investment management services and any other associated expenses from capital reserve funds income. Such authority shall remain in effect until rescinded by a vote of Town Meeting. No vote by the Town to rescind such authority shall occur within five years of the original adoption of this article.

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

Seconded by Judy Brotman

There was a short discussion and explanation.

ARTICLE 16 WAS VOTED IN THE AFFIRMATIVE BY VOICE VOTE.

LYME EMERGENCY OPERATION PLAN

ARTICLE 17. Steve Campbell made the motion that the Town vote to raise and appropriate the sum of eight thousand dollars (\$8,000.00) for the purpose of updating the Lyme Emergency Operations Plan (LEOP) to be funded 50% (up to \$4,000.00) through a grant from the Federal Emergency Management Agency (FEMA), with the remaining 50% (up to \$4,000.00) to be raised by taxation.

(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 8-0.)

Seconded by Bob Sanborn

ARTICLE 17 WAS VOTED IN THE AFFIRMATIVE BY VOICE VOTE.

TO MAKE ROAD AGENT APPOINTED FOR A TERM OF ONE YEAR

ARTICLE 18. Bill Waste made the motion that the Town vote to authorize the Select Board to appoint a highway agent for a term of 1 year, who under the direction of the Select Board, shall have charge of the construction, maintenance, and repair of all town roads and bridges, maintenance and repair of all sidewalks within the town as provided for in RSA 231:62 rather than electing a Road Agent. If this article passes, the elected Road Agent will continue to serve until the March 2017 town election, at which time the elected office shall terminate.

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

Seconded by Alfred Balch

There was a short period of discussion and **REQUEST FOR PAPER BALLOT.**

ARTICLE 18 WAS VOTED IN THE AFFIRMATIVE BY PAPER BALLOT.

YES 89

NO 64

ESTABLISH A CAPITAL RESERVE FUND FOR MUNICIPAL

TRANSPORTATION IMPROVEMENTS

ARTICLE 19. Blake Allison made the motion that the Town vote to adopt the provisions of NH RSA 261:153 (VI) to levy an additional motor vehicle registration fee in the amount of five dollars (\$5.00) to be used to support a municipal transportation improvement fund. And to further provide that with the adoption of this article the town shall create Capital Reserve Fund, pursuant to RSA Chapter 35 to be known as the Municipal Transportation Capital Reserve Fund, said fund to be used to fund, wholly or in part, improvements in the local or regional transportation system including roads, bridges, bicycle and pedestrian facilities, parking and intermodal facilities and public transportation. The funds may be used for engineering, right-of-way acquisition, and construction costs of transportation facilities, and for operating and capital costs of public transportation only. The funds may be used as matching funds for state or federal funds allocated for local or regional transportation improvements. Such funds shall not be used to offset any other non-transportation appropriations made by the municipality. And to further name the Select Board as agents to expend this Capital Reserve Fund.

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

Seconded by Susan MacKenzie

Susan MacKenzie provided explanation on behalf of the Select Board followed by discussion.

Simon Carr offered an AMENDMENT to Article 19: Amend article to delete the final sentence.

Amendment was Seconded by Dick Jones.

AMENDMENT AS OFFERED BY SIMON CARR WAS VOTED IN THE AFFIRMATIVE BY A SHOW OF HANDS.

YES 66

NO 42

Steve Lornitzo offered an AMENDMENT to change the amount from \$5.00 to \$3.00. There was no second to his proposed amendment. The motion did not carry.

There was a request for PAPER BALLOT.

ARTICLE 19 WAS VOTED IN THE NEGATIVE BY PAPER BALLOT:

YES 63

NO 88

LITTLE COMMON

ARTICLE 20. Lee Larson made the motion that the Town vote to authorize the Town to enter a lease of a 20' x 90' section of the town owned property located at 39 Union Street and known as "The Little Common" with the Lyme School District for the purpose of constructing and using a parking lot for school purposes. This lease will be from January 1st, 2016 to December 31st, 2026 and renewable every 10 years thereafter and will have annual rental payments of \$1. (Majority vote required.) (Recommended by the Selectmen by a vote of 2-1)

Seconded by Dan Brand

The Moderator advised he had a petition of signatures requesting vote by paper ballot on this article.

Lee Larson offered an AMENDMENT to Article 20: "to see if the Town will vote to direct the Select Board to take the following actions: They shall make the property located at 39 Union Street and known as The Little Common a no parking area beginning immediately with enforcement to begin on March 9, 2016, shall construct a rail fence or other attractive barrier along the south boundary to prevent future parking along this south section, shall re-grade and seed the area between the driveway and the south boundary back into lawn in the spring and shall construct a short section of sidewalk along Union Street to connect the crosswalk with crosses East Thetford Road from the Park and Ride to the driveway on the Little Town Common to make a safe passage for pedestrians".

Amendment Seconded by Vicki Smith

Much discussion followed. Town Counsel advised that the proposed amendment needed to be addressed in parts: the first part concerning enforcement was discretionary, the part about appropriation for a sidewalk must be advisory only as there is no appropriation for this expenditure.

AMENDMENT as offered by Lee Larson was VOTED IN THE AFFIRMATIVE BY VOICE VOTE.

More discussion, with Power Point explanation by School Principal Jeff Valence and explanations from Chief Shaun O'Keefe and Susan MacKenzie.

ARTICLE 20, AS AMENDED WAS VOTED IN THE AFFIRMATIVE BY PAPER BALLOT

YES 125

NO 20

TOWN COMMON

Petitioned article

ARTICLE 21. David Celone made the motion that the Select Board authorize Town of Lyme volunteers to level a section of the Town Common for the purpose of making a viable town skating area for future years, by adding topsoil to the area where the Skating on the Common has been placed for two years in a row, grading it, leveling it, and seeding it, so long as all monies expended are privately raised and the esthetic of the Common is not compromised.

(Majority vote required.) (Not recommended by the Select Board by a vote of 3-0)

Seconded by Jack Elliott

Jack Elliott asked if the article could be a regular article and binding on the Select Board. Town Counsel replied it could not.

Dave Celone provided explanation for the petitioned article.

Jay Smith spoke on behalf of the Select Board, explaining their concerns and stating this would be an advisory vote only.

ARTICLE 21 WAS VOTED IN THE AFFIRMATIVE BY A SHOW OF HANDS.

LYME PARKING ORDINANCE AMENDMENT

Petitioned article

ARTICLE 22. Ed Gray made the motion "To see if the town will vote to direct the Board of Selectmen to amend the Lyme Parking Ordinance to permit, or not prohibit, overnight parking in the State's Park & Ride facility located on Main Street such that overnight parking is allowed for up to 21 days, as provided by New Hampshire RSA 262:32?".

(Majority vote required.) (Not recommended by the Select Board by a vote of 3-0)

Seconded

Mr. Gray explained he doesn't like the current ordinance and disagrees with the interpretation of the state park and ride rules. Chief O'Keefe explained the differences in the state descriptions of the park and rides and explained the local ordinance is intended to assure that the Lyme commuter lot is not abused by local landlords who do not have adequate parking for their tenants, a concern brought forward to the Select Board some time ago by frustrated citizens.

O'Keefe reminded that any time someone had an issue requiring a vehicle be left overnight, a call to his department would likely facilitate allowance for the overnight stay.

Jay Smith, speaking for the Select Board confirmed this is an advisory vote only. He also advised the Select Board is in active discussions with the NH Department of Transportation and

expecting resolution for a Memo of Understanding governing the control of the Lyme Park & Ride.

David Celone made the motion to AMEND Article 22 to strike the language after “as provided by New Hampshire RSA 262:32.”

Seconded

AMENDMENT TO ARTICLE 22 WAS VOTED IN THE AFFIRMATIVE BY VOICE VOTE.

Wilkes McClave offered an AMENDMENT changing the number of days a vehicle could be left from 21 to 3.

Seconded by Tim Cook

McClave AMENDMENT WAS VOTED IN THE NEGATIVE BY VOICE VOTE

ARTICLE 22 AS AMENDED BY CELONE WAS VOTED IN THE AFFIRMATIVE BY VOICE VOTE.

REPORTS OF AGENTS, AUDITORS & COMMITTEES

ARTICLE 23. To hear reports of Agents, Auditors, or Committees or other officers.

Town Clerk Patty Jenks advised that in the 2015 Town Report, page 12, Article 15 (2015 town meeting minutes) should read that the funds are to be transferred to the Library fund.

John Mudge made the motion that there be a sense of the meeting vote relaying that erosion issues with TransCanada are contributing to the failure of river roads and properties.

Seconded by Dan Brand.

VOTED IN THE AFFIRMATIVE BY VOICE VOTE.

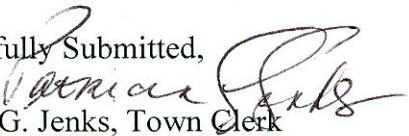
Message will be relayed to relicensing officials.

OTHER BUSINESS

ARTICLE 24. To transact any other business that may be legally brought before this Town Meeting.

There being no further business, the Moderator thanked everyone for their thoughtful contributions to a successful meeting and this meeting was ADJOURNED at 1:00 pm.

Respectfully Submitted,


Patricia G. Jenks, Town Clerk