

Selectmen's Minutes

TOWN OF LYMAN 2014 ANNUAL MEETING - MARCH 11, 2014

Minutes prepared by Town Clerk Carol Messner

To the Inhabitants of the Town of Lyman, in the County of Grafton, and the State of New Hampshire, qualified to vote in the Town affairs:

You are hereby notified to meet at the Town Hall in said Town on TUESDAY, the ELEVENTH day of MARCH 2014; polls to open at EIGHT O'CLOCK in the morning and will not close before SEVEN O'CLOCK in the evening in said Town Hall, to act on Article 1 and vote on Articles 2 - 7, the remaining Articles to be considered at EIGHT O'CLOCK in the evening. (Note extended polling hours and later Town Meeting starting time to accommodate State election for Executive Councilor).

Article 1. To choose all necessary Town Officers for the ensuing year and to bring in your votes for Executive Councilor.

Present were Moderator: Phil Clark, Selectmen Chairman: Bruce Beane, Selectman: Jim Trudell, Selectman: Steve Moscicki, Administrative Assistant (AA): Donna Clark, Town Clerk/Tax Collector (TC/TX): Carol Messner, and Deputy Town Clerk/Tax Collector: Cindy Schieman. At 8:00 pm Moderator Clark called the meeting to order, introduced himself, welcomed all, reviewed procedures of order and thanked all for coming. The results of the Executive Councilor election were announced as 56 votes for Republican Joseph Kenney and 55 votes for Democrat Michael Cryans. He then read the results of Article 1 thru Article 7.

The following were chosen as Town Officers for the ensuing year:

Selectman (1) (three year term): Stephen Moscicki *103 votes
Planning Board (1) (three year term): Thomas Messner *106 votes
Board of Adjustment (1) (three year term): Robert Chenevert *105 votes
Board of Adjustment (2) (two year term): Robert Chenevert, Allen Gombas, Darren Hubbard, Linda Stephens, Donna Trudell *2 votes each (write-in)
Moderator (1) (two year term): Philip Clark *55 votes (write-in)
Supervisor of the Checklist (1) (six year term): Ann Baker *104 votes
Trustee of the Trust Fund (1) (three year term): Beth Hubbard *8 votes (write-in)

Article 2. Are you in favor of the adoption of Amendment No. 1 as proposed by the planning board for the town zoning ordinance as follows:

- Amendment No. 1 addresses several updates, technical corrections and clarifications; and reorganizes and renumbers certain sections.

The Article PASSED with 92 votes in favor, 18 against, 3 abstaining.

Article 3. Are you in favor of the adoption of Amendment No. 2 as proposed by the planning board for the town zoning ordinance as follows:

- Amendment No. 2 adds a new section requiring damaged structures to be repaired or removed within two years.

The Article PASSED with 81 votes in favor, 31 against, 1 abstaining.

Article 4. Are you in favor of the adoption of Amendment No. 3 as proposed by the planning board for the town zoning ordinance as follows:

- Amendment No. 3 adds "Presite Built Housing" as a permitted residential use and adds a definition for "Presite Built Housing" as follows: "Any structure designed primarily for residential occupancy which is wholly or in substantial part made, fabricated, formed or assembled in off-site manufacturing facilities in conformance with the United States Department of Housing and Urban Development minimum property standards and local building codes, for installation, or assembly and installation, on the building site. Owner must comply with all state and federal regulations regarding installation."

The Article PASSED with 89 votes in favor, 24 against.

Article 5. Are you in favor of the adoption of Amendment No. 4 as proposed by the planning board for the town zoning ordinance as follows:

- Amendment No. 4 changes home occupations from a use permitted by special exception to a permitted use.

The Article PASSED with 82 votes in favor, 29 against, 2 abstaining.

Article 6. Are you in favor of the adoption of Amendment No. 5 as proposed by the planning board for the town zoning ordinance as follows:

- Amendment No. 5 adds a new section providing that there shall be only one principal use and one principal building on each lot, and also allows "one attached or detached dwelling in addition to a nonresidential use" as a use permitted by special exception.

The Article PASSED with 67 votes in favor, 44 against, 2 abstaining.

Article 7. Are you in favor of the adoption of Amendment No. 6 as proposed by the planning board for the town zoning ordinance as follows:

- Amendment No. 6 adds more details to the criteria for a special exception to explain what is meant by the phrase "will not adversely affect the neighborhood" as follows: "The use will not adversely affect the neighborhood, including but not limited to such considerations as: the nature of the proposed use relative to surrounding properties; size and extent of structures and outdoor activities; the proposed operation; proposed lighting, screening, signs and outside storage; proposed hours of operation; amount of parking and other impervious surface; potential odor, fumes, vibration and noise; projected delivery and customer traffic; and number of employees."

The Article PASSED with 83 votes in favor, 30 against.

Article 8. To see if the Town will vote to raise and appropriate the sum of Three Hundred Thirty-Seven Thousand One Hundred Ninety-Four Dollars (\$337,194) to defray Town charges for the ensuing year. (Majority vote required) (Recommended by the Selectmen)

Executive - 47,180

Election, Reg., Vital Statistics - 36,968
Financial Administration - 34,700
Legal Expenses - 3,000
Personnel Administration - 52,740
Planning - 5,755
Zoning - 1,300
General Government Buildings - 29,205
Cemeteries - 7,000
Insurance otherwise not allocated - 8,000
Advertising & Regional Assoc - 1,400
Other General Government - 700
Ambulance - 7,862
Fire - 18,450
Emergency Management - 7,620
Solid Waste Disposal - 45,920
Health Officer - 1,180
Animal Control - 1,265
Health Agencies - 4,859
Welfare Administration - 680
Welfare Vendor Payments - 3,000
Parks and Recreation - 110
Library - 1,100
Patriotic Purposes - 100
Other Culture - 1,300
Conservation - 200
Principal on Long Term Notes - 8,275
Interest on Long Term Notes - 3,825
Interest on TAN - 3,500

Moderator Clark read the Article aloud. It was moved by Gerard Landry and seconded by Bryson Yawger. The audience of 21 people viewed the "2013 Net Appropriation - Actual & 2014 Budget Summary - Proposed" form which was displayed on the overhead projector. Trudell noted that the 2014 proposed budget is \$18,841 more than the 2013 budget. This would mean approximately a \$.30 per \$1,000 increase in taxes however the School Budget taxes are projected to be reduced by \$53,000. Combining the increase in taxes for the town with the reduction in taxes for the school would leave us with a net approximate decrease of \$30,000 in total money needing to be appropriated or about \$.50 less per \$1,000. He said that each year one of the Selectmen plan to be on the School Budget Committee in order to maximize our representation in school matters and to try to keep costs down. Trudell then mentioned that they plan to put an addition on the back of the town hall this year to gain needed office space and a safety exit and to pay for it without borrowing. They will take a year off from adding to the highway equipment and the revaluation funds but they expect to return to their funding schedules next year. They are putting together a bridge replacement fund. Our first bridge could be replaced in four years. There are three bridges that need attention. One bridge on Mountain Meadows Road needs probable replacement and two others in town need paperwork completed and verification by an engineering firm of their weight carrying capacity. It may take us 4 or 5 years to collect the funds necessary at \$25,000 per year to complete the first bridge. All town roads will have been ledge-packed in 4 years. Trudell said we have enough material in our gravel pit to last a long, long time. The good care that is taken of our highway equipment is stretching out our equipment replacement schedule and saving us money. Trudell then displayed the "2013 Actual & 2014 Proposed Budget" listing on the overhead projector showing the 2013 budget,

2013 expenses and proposed 2014 budget. He went line by line down through the figures. Any elaboration of importance is noted here. Selectmen plan to raise Selectmen's annual salaries from \$1800 each to \$2400 each and \$2500 for the Chairman. A 3% increase is also planned for the 4 employees (AA, TC/TX, Road Agent and Road Crew). Trudell said all do a great job. He said we have a good blend of personalities. We have few employees but we have high quality employees. There will be four elections this year thus raising that budget line item. Fairpoint is suing the Town, as well as many other towns in NH, hoping to not need to pay taxes for their telephone poles. That accounts for a new line item under legal expense. Health insurance premiums are higher but our total expense is lower due to less people covered. Article 11 regarding the proposed building addition was mentioned saying the estimate was given to us by builder, Charles Hochmuth. We lost our cemetery mower, Larry Jackson, who did a great job, to retirement. Fortunately we found someone new for next year, Toby Knighton and his sons will mow and their rate is \$1500 higher. The ambulance gave us a per person increase. We were disappointed their staff was reduced but they are looking to replace the person they lost. The firefighting rate was increased \$3000 but Selectmen negotiated a stepped increase so we will see only half this year or \$1500. The Firefighters were at the 2014 Dodge Pond Day get-together watching over safety concerns. The "Local Emergency Operations Plan" (LEOP) will need updating this year but will be partially offset by a grant we will receive. Lisbon's recycling cost reduction of \$6,000 benefits Lyman. We received \$24,762 as our share of recycling revenue in 2013. Littleton Regional Hospital did not ask for an appropriation this year. The 'Welfare Other Vendor Payments' is for oil or PSNH payments for welfare recipients. The Lyman summer social has been a success so \$500 was allocated for another this coming summer. Trudell said it is a Town morale booster. Our only debt is the dam and the principal balance will be \$90,000 after this year's payment. Clark opened the floor to discussion. B. Yawger asked if the addition of sand to the roads would weaken the structure of the ledgepack and Beane said he believes the sand will fill in the voids and ultimately strengthen the system rather than weaken it. That along with the vibratory roller and the calcium chloride makes a really good road. Trudell spoke of possibly ledgepacking the Lyman Road which is a State maintained road, because the State will never have the money available to properly fix it. Clark called for any further discussion. With none, he re-read the Article and called for a vote. All ayes. Article 8 was PASSED and closed.

Article 9. To see if the Town will vote to raise and appropriate the sum of Two Hundred Seventy Thousand Four Hundred Sixty Dollars (\$270,460) for maintenance, expenses, salaries, supplies, equipment and street lighting for the Highway Department for the ensuing year. (Majority vote required) (Recommended by Selectmen)

Highway Administration - 107,160
Highway Maintenance - 162,750
Street Lighting - 550

Clark read the Article aloud which was moved by Nancy Labbay and seconded by Bryson Yawger. Trudell mentioned again the planned 3% salary increase for the Road Agent and Crew and praised their work. Richard Hubbard is the highway temporary help and he also does a great job. There may be some painting at the garage this year and they may replace some desks. The town bought a new truck to replace the one ton which had some body problems. It is between a six wheeler and a one ton. The 1999 Sterling six-wheeler will be next on the replacement schedule. It probably can run for another 4 or 5 years. We have \$80,000 left in our equipment

replacement fund and will return to adding another \$50,000 to it again next year. Chief Bogie does our crushing and is all paid up. We will do ledgepacking, roadside mowing, grading, calcium chloriding and put up some more sand. We do need to replenish our salt and sand stockpile. After looking at having our own Town sand pit the Selectmen decided against it as not feasible. Altogether Article 9 proposed budget shows an increase of \$15,520 over last year. Clark called for any discussion. Wendy HoSingLoy said to please tell Tom and Scott (Tom Smith and Scott Stuart, our highway crew) thank you. She said we are very thankful. Trudell said we are very fortunate. We looked around at the best in the area to find Tom. They both are self-directed and take their responsibilities very seriously. Patricia Barry asked if we could sell some of our ledgepack to other towns. Trudell said we can't or we would lose our State permit. We took a less expensive, more restrictive permit at the time. With no further discussion Clark re-read the Article and called for a vote. All ayes. Article 9 was PASSED and closed.

Article 10. To see if the Town will vote to change the name and purpose of the existing Building Repair & Maintenance Capital Reserve Fund to the Building Capital Reserve Fund and to name the Board of Selectmen as Agents to Expend. (2/3 vote required) (Recommended by the Selectmen)

Clark read the Article aloud. It was moved by Bryson Yawger and seconded by Gerard Landry. Trudell explained that the name of this fund needs to be changed in order for the funds to be available to use for the building addition. There is a \$19,000 balance in this fund. The cost of the addition should be \$40-50,000. The estimate was given to us by builder, Charles Hochmuth, who did our building's siding, roof and our windows and also did the Church windows up the street. He has always treated us fairly and does a great job. We may have enough to replace our heating system which still works but is very old. There was no discussion. Clark re-read the Article and a vote was taken. All ayes. G. Landry asked if we should take a "raised arm" vote since the Article specifies a 2/3 vote so the vote was repeated with 100% ayes with arms raised and, again, none against. Article 10 was PASSED and closed.

Article 11. To see if the Town will vote to raise and appropriate the sum of Thirty Thousand Dollars (\$30,000) to be placed in the Building Capital Reserve Fund. (Majority vote required) (Recommended by the Selectmen)

Clark read the Article aloud. It was moved by Nancy Labbay and seconded by Todd Landry. The capital reserve fund has a balance of \$19,000 and adding \$30,000 will make a total of \$49,000 which will enable us to fund the building addition. Beane added that PSNH, who they will meet with tomorrow, has an energy conservation program that may help with some of our energy costs such as insulation, lighting, and electrical costs. Jamie Seidel said the State of NH has some grants available for municipal heating and energy and will get the information to Beane. With no further discussion, Clark re-read the Article and called for a vote. Article 11 was PASSED and closed.

Article 12. To see if the Town will vote to establish a Capital Reserve Fund under the provisions of RSA 35:1 for the purpose of Highway Bridge Replacement & Repair and to raise and appropriate the sum of Twenty-Five Thousand Dollars (\$25,000) to be placed in this fund and to name the Board of Selectmen as Agents to Expend. (Majority vote required) (Recommended by the Selectmen)

The Article was read aloud by Clark, moved by Bryson Yawger and seconded by Gerard Landry. The situation on the bridges in town was mentioned earlier in the

meeting. The goal would be to collect \$25,000 per year for the next several years in order to be able to pay for repairing, replacing or obtaining the necessary documentation for our bridges. Trudell said we could wait for a blow up and then go for a loan or be pro-active and start setting up a fund. Yawger asked about the bridge/culvert in Mountain Meadows and was told that's the number one red flag concern. It sees activity from heavy trucks. Patricia Barry asked how many bridges we have and was told that they think we have nine but most are in very good shape when you actually look at them from the undersides. With no further discussion Clark re-read the Article and a vote was taken. All ayes. Article 12 was PASSED and closed.

Article 13. To see if the Town will vote to establish a contingency fund for the current year for unanticipated expenses that may arise and further to raise and appropriate Five Thousand Dollars (\$5,000) to go into the fund. This sum to come from fund balance and no amount to be raised from taxation. Any appropriation left in the fund at the end of the year will lapse to the general fund. (Majority vote required) (Recommended by the Selectmen)

Clark read the Article. It was moved by Nancy Labbay and seconded by Bryson Yawger. Trudell explained that our budget is usually pretty close. Beane told the crowd that new State legislative rules allow us to create a fund for unanticipated expenses. This contingency fund, if not needed, would be returned to the general fund. Moderator Clark asked for the floor and gave credit to the Selectmen for keeping the town in such a secure fiscal position. Trudell said we are all tax payers working toward a common goal. He mentioned Messner's contribution to whom they dedicated the 2013 Annual Report. He mentioned Donna Clark's contribution and thanked her for keeping him reined in saying he feels like he has two wives. Trudell also thanked the Lyman Community Group for their contribution to town affairs and mentioned the annual Lyman social and what a great town and great people we have. Joy Yawger asked if the amount will remain at \$5,000 each year. D. Clark, AA, said there is a ceiling and any expenditures would need to be reported. The amount would need to be raised and appropriated and voted upon each year. There was no further discussion so Clark re-read the Article and called for a vote. All ayes. Article 13 was PASSED and closed.

Article 14. Polling hours in the Town of Lyman are now 8:00 am to 7:00 pm. Shall we place a question on the state election ballot to change polling hours so that polls shall open at 11:00 am and close at 7:00 pm for all regular state elections beginning November 4, 2014? (Majority vote required)

Clark read the Article aloud which was moved by Gerard Landry and seconded by Nancy Labbay. Nancy, First Ballot Clerk since the 1970's, spoke on the Article. The Ballot Clerks, Moderator, Town Clerk and the Supervisors of the Checklist have found that the open hours between 8am and 11am are totally quiet and generally without voters. At the January 2014 Primary the election workers spent a long day for 26 voters. Messner, TC/TX, added that of the 26 voters the election officials accounted for 11 of them. Town elections are now and would remain 11am to 6pm. Federal elections are now and would remain 8am to 7pm. State elections are now 8am to 7pm. She explained we would like to have the option to begin at 11am on the State Primaries and the State General Elections when there is no Presidential vote involved. Larry Schieman, Supervisor of the Checklist, noted the high cost of approximately \$60 per vote saying it would be a savings to the town to not pay salaries for all the hours without activity. This Article would need to pass in order to put the question on the State General Election ballot. Todd Landry asked if there was

a State Statute. Messner said towns could start at either 8am or 11am and end at 7pm. They could then voluntarily lengthen but not shorten the day. With no further discussion Clark re-read the Article and called for a vote. All ayes. Article 14 was PASSED and closed.

Article 15. To transact any other business that may legally come before the Meeting.

Trudell mentioned the School Meeting would be March 19th at 7pm. Wendy HoSingLoy, School Board member, said they did fairly well keeping costs in line this year. There are two high-end teachers retiring and they may not need replacement. Unexpected costs crop up, for example, the town of Lisbon requested a generator and the school will now need to cover the maintenance costs of it alone as the town of Lisbon has declined. HoSingLoy says the solution really isn't local adding that the State changes the rules after the budget is created. Lyman has a small voice in school doings. The cost to Lyman taxpayers for the school is equal to or greater than the cost of running our town. They encouraged voters to attend the school meeting. Moderator Clark, displayed the 2013 Annual Report dedication to Messner. Messner said she loved it and thought it was so nice and thanked the Selectmen. Clark thanked the entire group and said it's rare to find a group working together so well and that it certainly makes life easier. All agreed. Gerard Landry motioned we adjourn the meeting. Bryson Yawger seconded and Clark announced the 2014 annual town meeting closed at 9:30pm.

Given under our hands and seal this 24th day of March, 2014.

The Lyman Board of Selectmen