

TOWN OF LYMAN
Town Meeting Warrant with Town Meeting Minutes
March 14, 2017

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 FOURTEENTH day of MARCH 2017; polls to open at ELEVEN O'CLOCK in the morning and will not close before SIX O'CLOCK in the evening in said Town Hall, to act on Articles 1 - 4; the remaining Articles to be considered at SEVEN O'CLOCK in the evening.

Article 1. To choose all necessary Town Officers for the ensuing year.

Present were Moderator: Phil Clark, Selectmen Chairman: Steve Moscicki, Selectman: Bruce Beane, Administrative Assistant: Donna Clark, and Town Clerk/Tax Collector: Carol Messner. At 7:00 pm Moderator Clark called the meeting to order, introduced himself, welcomed all, reviewed procedures of order and thanked all for coming. Moderator Clark then read the results of Article 1.

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

Selectman (1) (three year term):	
Steve Moscicki*	49 votes
Alphie Aldrich	2
David Simpson	2
Darren Hubbard	1
Planning Board (1) (three year term):	
Thomas Messner*	52 votes
Board of Adjustment (2) (three year term):	
Robert Chenevert*	43 votes
Brian Santy *	55
Gerry Landry	1
Andrew Dorsett	1
Board of Adjustment (1) (one year term):	
David Simpson*	2 votes
Rosemary Colombi	2
Gerry Landry	1
Todd Landry	1
Patty Slavtcheff	1
Supervisor of the Checklist (1) (three year term):	
Sandi Moscicki*	4 votes
Cindy Schieman	2
Beth Hubbard	1

Wanda Hubbard	1
Larry Schieman	1
Trustee of the Trust Funds (1) (three year term):	
Nancy Landry*	56 votes
Trustee of the Trust Funds (1) (one year term):	
Beth Hubbard*	3 votes
Nancy Landry	1
Cindy Schieman	1

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:

Define and permit one Accessory Dwelling Unit of up to two bedrooms within or attached to a single-family dwelling under certain conditions, including but not limited to the requirements that the ADU shall not exceed 750 square feet; either the ADU or the principal dwelling unit shall be occupied by the owner as his or her principal place of residence; adequate parking must be provided; and adequate provisions must be made for water supply and sewage disposal. Should this article fail, one ADU per single family home shall be permitted without any municipal permits or conditions pursuant to RSA 674:72.

This was voted by paper ballot during the hours of 11:00 am to 6:00 pm. The results were 53 yes 6 no. **Article 2 passed.**

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 revises the definition of "Variance" as follows: A variance is a relaxation of the terms of this Ordinance where such variance will not be contrary to the public interest and where, due to conditions peculiar to the property and not the result of the applicant or owner, a literal enforcement of the Ordinance will result in unnecessary or undue hardship

This was voted by paper ballot during the hours of 11:00 am to 6:00 pm. The results were 53 yes 5 no. **Article 3 passed.**

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 changes all references of "One Family" to "Single Family".

This was voted by paper ballot during the hours of 11:00 am to 6:00 pm. The results were 52 yes 6 no. **Article 4 passed.**

Article 5. To see if the Town will vote to raise and appropriate the sum of Four Hundred Twenty-Seven Thousand Three Hundred Seventy-Two Dollars (\$427,372) to

defray Town charges for the ensuing year. (Majority vote required) (Recommended by the Selectmen)

Executive	49,665
Election, Reg., Vital Statistics	43,826
Financial Administration	41,910
Legal Expenses	4,500
Personnel Administration	65,680
Planning	4,755
Zoning	1,780
General Government Buildings	32,365
Cemeteries	9,500
Insurance otherwise not allocated	11,795
Advertising & Regional Assoc.	2,655
Other General Government	700
Ambulance	7,862
Fire	22,200
Emergency Management	5,150
Solid Waste Disposal	37,020
Health Officer	1,180
Animal Control	2,070
Health Agencies	5,034
Welfare Administration	670
Welfare Vendor Payments	2,900
Parks and Recreation	110
Library	1,500
Patriotic Purposes	150
Other Culture	2,550
Conservation	200
Principal on Long Term Notes	8,275
Interest on Long Term Notes	2,870
Interest on TAN	3,500
Capital Outlay-Bridge Replacement	55,000

Moderator Clark read the Article which was moved by Selectman Beane and seconded by Selectman Moscicki. Moscicki spoke to the audience of 16 and said the budget was a little lower than last year. He asked and it was decided not to go line by line through the budget as we normally do. The blizzard influenced audience desire to spend time on details. Clark called for any discussion. There was none. The Article was moved by Nancy Labbay and seconded by Cindy Schieman. Clark re-read the Article and called for a vote. All ayes. **Article 5 passed.**

Article 6. To see if the Town will vote to raise and appropriate the sum of Two Hundred Thirty-Three Thousand Nine Hundred Forty Dollars (\$233,940) for maintenance, expenses, salaries, supplies, equipment and street lighting for the

Highway Department for the ensuing year. (Majority vote required) (Recommended by the Selectmen)

Highway Administration	\$114,790
Highway Maintenance	\$118,550
Street Lighting	\$ 600

Clark read the Article which was moved by Beane and seconded by Moscicki. Moscicki said the budget is stable because the highway employees are good. The health insurance is up 5% but the employees are paying more. There is a bridge on Mountain Meadows Road that needs work. Beane added that bridge is on the red list per State inspection. The rusted culvert will be replaced with precast pieces of concrete. The original estimate of \$350,000 has been reduced by more than half with this new construction method. Labbay moved the question, seconded by Schieman. Clark re-read the Article and called for a vote. All ayes. **Article 6 passed.**

Article 7. To see if the Town will vote to raise and appropriate the sum of Fifty Thousand Dollars (\$50,000) to be placed in the Highway Equipment Capital Reserve Fund. (Majority vote required) (Recommended by the Selectmen)

Clark read the Article which was moved by Beane and seconded by Moscicki. Moscicki said we put money away each year and have an equipment replacement schedule. Last year we bought a new 10 wheeler and were able to pay cash saving the interest expense on taking out a loan. Beth Carignan asked what happens to the old equipment and was told it might be kept, sold or traded. With no more discussion Labbay moved the question which was seconded by Schieman. Clark re-read the Article and called for a vote. All ayes. **Article 7 passed.**

Article 8. To see if the Town will vote to establish a Capital Reserve Fund under the provisions of RSA 35:1 for the purpose of Transfer Station Equipment & Repair and to raise and appropriate the sum of Eight Thousand Dollars (\$8,000) to be placed in this fund and to name the Board of Selectmen as Agents to Expend. (Majority vote required) (Recommended by the Selectmen)

Clark read the Article which was moved by Beane and seconded by Moscicki. Moscicki said Lyman pays 21% of the Transfer Station costs. A new skid steer is needed this year. Putting money aside for future purchases has helped Lyman keep tax rates stable and we could put less into this fund each year. With no more discussion Labbay moved the question which was seconded by Schieman. Clark re-read the Article and called for a vote. All ayes. **Article 8 passed.**

Article 9. To see if the Town will vote to raise and appropriate the sum of Three Thousand Dollars (\$3,000) to be placed in the Property Revaluation Capital Reserve Fund. (Majority vote required) (Recommended by the Selectmen)

Clark read the Article which was moved by Beane and seconded by Moscicki. Moscicki said this fund is used to pay the firm that does our revaluations. Richard Hubbard asked how often that happens and Donna Clark answered a statistical update is done every 5 years and a full revaluation every 10. Lyman's next will be an update in 2020. With no more discussion Labbay moved the question which was seconded by Beth Hubbard. Clark re-read the Article and called for a vote. All ayes. **Article 9 passed.**

Article 10. To see if the Town will vote to adopt the provisions of RSA 72:28-b, All Veterans' Tax Credit. If adopted, the credit will be available to any resident, or the spouse or surviving spouse of any resident, who (1) served not less than 90 days on active service in the armed forces of the United States and was honorably discharged or an officer honorably separated from services, and (2) is not eligible for or receiving a credit under RSA 72:28 or RSA 72:35. If adopted, the credit granted will be \$300.00, the same amount as the optional veterans' tax credit voted by the Town under RSA 72:28. (Majority vote required) (Recommended by the Selectmen)

Clark read the Article which was moved by Beane and seconded by Moscicki. Moscicki said rather than only allowing a credit to honorably discharged veterans who served during specific times of conflict, this would allow any honorably discharged veteran, also serving not less than 90 days, to also receive the tax credit. Tim Carignan, a combat veteran, stated 180 days is necessary for an honorable discharge and asked about the 90 day term and was told it was State rather than Federal parameters. He said there is a difference and this lumps all veterans into the same group. A person could be discharged in 90 days for something as minor as failure to adjust to military life. Donna Clark explained per State rules nothing will change to those already receiving the credit but this would expand the qualified veterans if we adopt it. It is basically a yes or no Article. With no more discussion Labbay moved the question which was seconded by Schieman. Clark re-read the Article and called for a vote. There were 8 ayes and 7 nos by hand vote. **Article 10 passed.**

Article 11. To see if the Town will vote to adopt the provisions of RSA 72:61-64 inclusively, which provide for an optional property tax exemption from the property's assessed value, for property tax purposes, for persons owning real property which is equipped with solar energy systems intended for use at the immediate site. Such property tax exemption shall be in the amount equal to 100% of the assessed value of qualifying solar energy equipment under these statutes, up to \$25,000. (Majority vote required) (Recommended by the Selectmen)

Clark read the Article which was moved by Beane and seconded by Moscicki. Moscicki said the property assessor determines the value. Carol Messner asked if the credit remains static or is depreciated and was told it is based on the assessed value. A home is more valuable with the panels and the credit offsets the added value of the solar improvement leaving a zero increase in tax assessment. Beane said the credit was decided on by the Selectmen with the aim of having consistency in taxing solar panels as some are taxed and some are not. Al Gombas said the State formerly

allowed each town to decide if panels should be taxed or not. Beane said we use the rules the State requires our outside assessment firm to use. With no more discussion Labbay moved the question which was seconded by Schieman. Clark re-read the Article and called for a vote. There were all ayes and 1 no by voice vote. **Article 11 passed.**

Article 12. To see if the Town will vote to completely discontinue Old Man's Road, a Class V road, pursuant to RSA 231:43. The road begins at an intersection with Pettyboro Road and Brook Road and travels approximately 1,300 feet between and into two properties currently owned by Sheila Post-Czarnocki and Thaddeus Czarnocki-Post. An affirmative vote will terminate the public's right to use the road, but under New Hampshire law owners of land abutting the road shall continue to have access over the road at their own risk. Notice of this article has been given to all owners of property abutting the road at least 14 days prior to town meeting. (Majority vote required) (Recommended by the Selectmen)

Clark read the Article which was moved by Beane and seconded by Moscicki. Czarnocki-Post asked when this takes effect since there is a blizzard and the Highway crew are currently keeping the drive clear. It was answered it takes effect after the vote is taken but realistically after this storm. With no more discussion Labbay moved the question which was seconded by Schieman. Clark re-read the Article and called for a vote. All ayes. **Article 12 passed.**

Article 13. To transact any other business that may legally come before the Meeting.

Clark read the Article which was moved by Beane and seconded by Moscicki. Beth Hubbard thanked the Selectmen for the 2016 Lyman Annual Report's dedication to the Lyman Community Group. Clark thanked all for coming and praised their tenacity in attending in such weather. All clapped. He then concluded the annual meeting at 7:50 pm.

Given under our hands and seal this 20th day of March, 2017. The Lyman Board of Selectmen

Stephen Moscicki, Chairman

Bruce Beane

James Trudell

Respectfully submitted,
Carol Messner, Lyman Town Clerk