

**Annual Town Meeting Minutes  
May 19, 2021**

The Town Meeting was called to order at 5:00 PM by First Selectman Steven Mattson with approximately 215 in attendance. The meeting was held outdoors due to pandemic restrictions on capacity for the meeting hall. Mr. Mattson prefaced the meeting by giving an update on the COVID-19 pandemic. Though as of May 19 the Governor removed the requirement to wear masks outside, attendees were encouraged to wear masks in large gatherings such as the town meeting, and masks were available for anyone who needed them. Mr. Mattson also requested that anyone not vaccinated and not wearing a mask to position themselves away from others for the protection of all.

He continued by saying the town had been remarkable in weathering the pandemic. While Lyme did have 107 positive virus cases, there had not been a new case in over a week and most thankfully there have been no deaths due to the virus. Mr. Mattson congratulation all for that, which was followed by a round of applause.

Mr. Mattson stated that the town was not able to hold an annual meeting in 2020 due to the pandemic, and he was happy to see the turnout this year. He stated that it is our town meeting form of governance at its best, where the voters make the important decisions for the town.

The Meeting was then organized by the selection of Don Gerber as Moderator. The Moderator asked Linda Winzer, Town Clerk, to read the Call to the Meeting:

“Electors and citizens qualified to vote in Town Meeting are hereby warned and notified that the Annual Budget Meeting will be held outside of Lyme Town Hall, 480 Hamburg Road, Lyme, CT Wednesday, May 19, 2021 at 5 P.M. EDT for presentation of the following agenda:

1. Acknowledge receipt of the Town of Lyme Annual Reports for the Fiscal Years ending June 30, 2019 and June 30, 2020.
2. Consider and act on an Ordinance to repeal and replace Town of Lyme Code 157-23(c) to adjust the process for applying for mooring permits in the waters of the Town of Lyme.
3. Consider and act on an Ordinance concerning the appointment of the Treasurer.
4. Consider and act on a Resolution accepting North Lyme Cemetery and the assets of the North Lyme Cemetery Association.
5. Consider and act on a Resolution to require the Board of Finance to set a minimum goal of \$1,000,000 for the Open Space Reserve Fund.
6. Consider and act on estimates of the Board of Finance for the Fiscal Year ending June 30, 2022.

Due to COVID restrictions, the Annual Meeting will be held outdoors. Please bring a folding chair or umbrella if needed. Masks must be worn, and social distancing is required to attend.

Dated at Lyme, CT this 5th day of May 2021.

Steven Mattson

For the Board of Selectmen”

The first order of business to come before the Meeting was to acknowledge receipt of the Town of Lyme Annual Reports for the Fiscal Years ending June 30, 2019 and June 30, 2020.

Moved and seconded. No discussion. Voted: affirmative. Vote was unanimous.

The second order of business to come before the Meeting was to act on an Ordinance to repeal and replace Town of Lyme Code 157-23(c) to adjust the process for applying for mooring permits in the waters of the Town of Lyme:

Whereas: The Town of Lyme is responsible for the permitting and proper placement of moorings in Hamburg Cove and the Town of Lyme waters, and,

Whereas: The Lyme Harbor Master has upgraded the applications for mooring permits and placed the process online,

Now, Therefore: Be it ordained by the Town of Lyme in Town Meeting convened, that Town of Lyme Code 157-23(c) is hereby repealed and replaced by the following:

All mooring permit applications will be submitted on-line using the website designated by the Town of Lyme Harbor Master and who will have the power to change the website designated from time to time.

This ordinance shall become effective fifteen (15) days after publication in a newspaper having general circulation in the Town of Lyme.

Moved and seconded.

Mr. Mattson stated that this was merely a housekeeping issue to match the changes the Harbor Master made to the permitting process. Carol Klimek inquired as to whether any mooring would be added and asked for justification for the increase in cost. Mr. Mattson stated that no additional moorings would be added to the mooring field, and the trade off for the increased cost is an easier application process and the additional benefit of a mooring field mapping/placement component. Judy Schaaf asked that with 132 moorings at \$50.00 each, where does the money go. Mr. Mattson stated that the town budgets \$8,000.00 annually, and still takes in less money that is expended.

Voted: affirmative.

The third order of business to come before the Meeting was to consider and act on an Ordinance concerning the appointment of the Treasurer:

Whereas: The Town of Lyme wishes to alter its process for selection of its Treasurer by making it an appointed rather than elected position, and

Whereas: The change will provide a more effective method to ensure that the Town of Lyme has the optimum mechanism at its disposal to ensure this office will be filled by a highly qualified individual in a timely fashion, and

Whereas: Section 9-185 and 9-189 of the Connecticut General Statutes permit a municipality whose legislative body is a Town Meeting to authorize appointment of a Treasurer, include provisions for the appointment procedure, and specify the term of appointment

Now, Therefore: Be it ordained by the Town of Lyme, in Town meeting convened, that the Board of Selectmen is hereby authorized and empowered to appoint a Treasurer, and,

Be it further ordained that the Board of Selectmen shall appoint said Treasurer for a term of two (2) years commencing with the municipal general election of November 2021 and at the same two (2) year intervals thereafter, and,

Be it further ordained that the Board of Selectmen shall make this appointment at its first regularly scheduled meeting following the aforementioned municipal election with Treasurer's term to commence on the third Tuesday of November upon the expiration of the incumbent's term, and,

Be it further ordained that the Board of Selectmen is hereby authorized and empowered to: establish the job description, qualifications, terms and conditions of employment (inclusive of wages and hours), discipline or terminate the Treasurer, and,

Be it further ordained that the right to reappoint or not reappoint the Treasurer or to fill a mid-term vacancy is reserved exclusively to the Board of Selectmen pursuant to town policies and state statutes as they may be amended from time to time.

This ordinance shall become effective fifteen (15) days after the publication in a newspaper having general circulation in the Town of Lyme.

Moved and seconded.

Mr. Mattson stated that this is a continuation of a process that began ten years prior, moving positions from Elected to appointed. He indicated that positions are becoming more difficult to fill with town residents. This gives the town the ability to go outside of town to find qualified candidates.

No questions or discussion. Voted: affirmative.

The fourth order of business to come before the Meeting was to consider and act on a Resolution accepting North Lyme Cemetery and the assets of the North Lyme Cemetery Association:

Whereas: The North Lyme Cemetery Association is disbanding and desires to transfer ownership of the property and assets of the Association to the Town of Lyme, and,

Whereas: The Town of Lyme is ultimately responsible for cemeteries that become abandoned within the borders of the town, and,

Whereas: The Board of Selectmen and the Planning & Zoning Commission have endorsed the acquisition of the property and assets of the Association,

Now, Therefore: Be it resolved by the Town of Lyme in Town Meeting convened, that the Board of Selectmen, acting on behalf of the Town of Lyme, be authorized to accept the North Lyme Cemetery and the assets of the North Lyme Cemetery Association and the First Selectman be authorized to execute any documents relative to said acceptance.

Moved and seconded. Matt Elgart inquired where the assets from the North Lyme Cemetery Association would go, the general fund or cemetery fund. Mr. Mattson stated that this is a rare occurrence; the town has taken over other cemeteries that did not come with funds. The

\$65,000.00 in the Association treasury would go into the Cemetery Fund, which is used to pay for maintenance of the town's cemeteries. Currently, approximately \$5,000.00 is expended to maintain cemeteries. Marsha Orzech inquired as to whether the funds would be invested or just deposited. Mr. Mattson stated that municipalities are limited in terms of investments. Towns use STIFs (Short Term Investment Funds). Another inquired as to why the funds from that cemetery are not segregated specifically for that cemetery. The moderator commented that his inquiry was duly noted.

Voted: affirmative. The vote was unanimous.

The fifth order of business to come before the Meeting was to Consider and act on a Resolution to require the Board of Finance to set a minimum goal of \$1,000,000 for the Open Space Reserve Fund.

Whereas: The Plan of Conservation and Development has consistently supported Open Space acquisition as one of the prime objectives of the town residents, and,

Whereas: The Board of Finance is responsible for adopting financial plans and policies that meet the objectives of the Plan of Conservation and Development, and,

Whereas: The Lyme community has expressed its overwhelming desire for the Open Space Reserve Fund to be supported by appropriations in the annual budget to grow this fund to an amount that will allow the town to be in a strong position to acquire large critical properties that further the goals of the town and the Open Space Committee,

Now, Therefore: Be it resolved by the Town of Lyme in Town Meeting convened, that the Board of Finance be required to set a minimum goal of \$1,000,000 for the Open Space Reserve Fund, take all measures to achieve this goal in the 2022/23 budget plan, and replenish this fund to this goal level in a timely fashion following the use of any of the Open Space Reserve Funds for property acquisitions.

Moved and seconded.

Mr. Mattson stated that the Board of Selectman voted unanimously to put this resolution on the agenda because open space preservation is a core issue in the Town of Lyme. Our town meeting form of governance has a basic tenet that the people shall decide major issues, and the Board felt that it was a major issue.

Historically, the town's first Plan of Conservation and Development (POCD) in 1964 recommended that more land be brought under public ownership. The 1990 POCD had, as a focus, the preservation of open space. At the 1996 Annual Town Meeting, the Open Space Committee was formed, and an account for savings for open space acquisition was approved. The 2001 POCD had the same focus on open space for the town and the most recent 2015 POCD recommended the continued support of the development of a town-wide greenway plan and the continued town funding for a reserve fund for town purchase of open space.

The town is now faced with a philosophical difference of opinion on the size of the savings for future land purchases. A slight majority of the Board of Finance have voted to limit the savings goal. A large resident showing at the public budget hearing spoke of the need for a greater level of savings.

The Board of Selectmen have placed this issue in front of the Town Meeting so the people can decide what the savings goal for the Open Space Reserve Fund should be.

The Moderator asked that Dan Hagan speak to the Board of Finance's position and Tony Irving speak to the Open Space Commission's position regarding the level of financial savings for open space.

Mr. Hagan, Chairman of the Board of Finance, stated that he was not there to speak against open space; that the Board of Finance is in favor of open space. Their vote to reduce the amount is an indication that the Board of Finance is against the Selectmen holding one million dollars of taxpayer money in reserve in addition to the 3.5 million dollars the town already holds, for no specific purpose. He continued that if the budget was approved, the town will have no debt, is in terrific financial shape, and does not need to hoard Lyme's money. He stated that this is about how much the Selectmen can take and hold for no purpose, in an account not earning much interest.

Mr. Irving, member of the Lyme Land Trust and the town's Open Space Commission, stated that it is not just a question of finance; it is an issue of finance and the preservation of open space. He went on to make three points:

Economic sustainability – There is more to this financial equation because in truth Lyme's open spaces cost the town little once purchased and even contribute to our low tax rate. The purchase of open space is a one-time expense that requires minimum town services, nor school assessments - unlike residential development which is a forever cost to the town. Open space preservation saves the town money over the long run.

Social sustainability – And there is a return on this investment. Open space preserves our cultural heritage and history. It defines our feelings of place and fosters rural qualities such as openness and aesthetics, while offering recreation opportunities and spiritual connections with the land. We have seen this past year the great numbers using our trails and outdoor places providing therapy during this pandemic time. Open space protects forever this legacy of our connection with the land.

Biological/ecological sustainability - What doesn't get as much notice but is of critical importance is our protection of the land's biological and ecological integrity. We are the stewards for our near-coastal community with its over six miles of shoreline and estuarine habitat on the Connecticut River that has been internationally recognized. The Eightmile River and surrounding lands are recognized by Congress as one of the nation's Wild and Scenic River systems. Audubon Connecticut designated portions of Lyme and surrounding towns as part of the "Lyme Forest Block", the only landscape-sized "Important Bird Area" in Connecticut. It is because of our protection of our open spaces that ensure the stability and resilience of these biological and physical systems. Remember there are still a number of unprotected parcels that if lost would endanger the survivability of species over time. We in a sense live in a zoo and we are the zookeepers.

Mr. Irving concluded by saying that a number of properties still remain that would better serve the town as open space rather than for development. An insufficient reserve fund puts in jeopardy the town's ability to procure these properties. We need to be in a position to act when these become available, and an adequate Open Space Reserve Fund allows us to act quickly. Approval of this motion is truly in the best interests of Lyme.

Mary Powell-St. Louis spoke in support of Mr. Hagan's comments. She stated that the town has \$500,000.00 in reserve already, and if the town needs more money for open space, it can come from other areas where there are supplemental funds. She feels an increase in money is hoarding. She stated that the 2015 POCD stated "Lyme will not attempt to be frozen in time" and encouraged "population diversity through housing opportunities". She also stated that 54% of the town is already preserved.

David Lahm asked if the reserve goes to one million dollars, can the funds be used for other accounts. Mr. Mattson replied that as with any funds, it would take a town meeting to move money for open space, or to spend and authorize purchase of an open space parcel.

Jim Miller inquired as to whether there are limits on the amount of money that can be utilized when the town purchases land. Mr. Mattson stated that when an open space purchase is considered, there is negotiation between the town and the seller. The town obtains at least two appraisals. The selling price is based on appraisals and negotiations. Mr. Miller went on to inquire as to whether the price for a parcel come before the town meeting, to which Mr. Mattson replied that it does.

Judy Schaaf stated that she has worked in real estate for forty years, and over that time has twice suggested parcels to the town for purchase, but the town could not pay more than the appraised value. She notes this to show that not every available piece can or will be bought by the town, as the town has restrictions.

Tina West, and Affordable Housing Commission member, inquired as to how much land the land owned outright with no restrictions, where it has discretion for its use. Mr. Mattson replied that the town owns land individually, and jointly with the Land Trust as well as the Nature Conservancy. The town applies for money for open space acquisition in the form of grants from the state whenever possible. An example is the Johnston Preserve parcel, where the town received a grant for \$670,000.00. These grants require patience on behalf of the seller, as in that case it took two years for the grant to be finalized. If the town receives state grant money for a purchase, there are a lot of strings attached, where the land must be kept in its natural state. If we need money from the state to make a purchase, preservation and protection is in perpetuity, so in those circumstances there are restrictions in terms of use. Tina West gave an example of the Blackwell property, which was purchased exclusively with open space funds. The property was separated into ecologically sensitive land and a building lot. The building lot was sold for what went into it. The town ended up with protected land and it did not cost anything. She hoped people would support the resolution.

Marsha Orzech, who has served on the Land Trust, commented that if the town is in a position to do so, why question putting the money aside. We do not want to lose an opportunity.

Matt Elgart inquired if the money would be put in reserve all at once or gradually. Mr. Mattson replied that presently there is \$500,000 in reserve. There is \$75,000 in the budget for this year. With the approval of this resolution, next May money would be added to reach the goal. The Board of Finance did not want to add the money this year.

Motion made for the vote to be made with a show of hands. Motion seconded. Tom St. Louis asked what happens to the tax base when there is so much open space; when do we have enough open space. The Moderator stated that his comment was out of order, not pertaining to the motion. Motion passed. Vote by show of hands – 202 in favor, 10 opposed. The motion carries and the resolution is passed.

The sixth order of business to come before the Meeting was to consider and act on estimates and recommendations of the Board of Finance for the Fiscal Year ending June 30, 2022.

Moved and seconded. No comments. Voted: affirmative.

The moderator announced that the Board of Finance would meet immediately following the meeting to set the mil rate.

There being no further business to come before the Meeting, a motion was made and seconded to adjourn the Meeting. Voted: Affirmative. The Meeting was adjourned at 5:53 PM.

The Board of Finance met immediately after the meeting and set the new mil rate at 19.95, which reflects no change from the previous year.

Recorded by: Linda Winzer, Town Clerk