

**Annual Town Meeting Minutes**  
**May 14, 2019**

The Town Meeting was called to order at 8:00 PM by Steven Mattson with approximately 50 in attendance. 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 at the Lyme Town Hall, 480 Hamburg Road, Lyme, CT, Tuesday, May 14, 2019, 8:00 PM EDT for presentation of the following agenda:

1. Acknowledge receipt of the Town of Lyme Annual Report for the Fiscal Year ending June 30, 2018.
2. Consider and act on an ordinance concerning the appointment of the Lyme Town Clerk.
3. Consider and act on an ordinance to allow the Lyme Tax Collector to retain overpayments of less than \$5.00.
4. Consider and act on a repeal and replacement of Ordinance 2011-2 authorizing the Board of Selectmen of the Town of Lyme to accept gifts, grants, devises, bequests and trusts to increase the amount authorized to an amount up to and including \$100,000.00.
5. Consider and act on estimates of the Board of Finance for the Fiscal Year ending June 30, 2020.

Please remember to license your dog(s) during the month of June.

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 Report for the Fiscal Year ending June 30, 2018.

Moved and seconded. Voted: affirmative.

The second order of business to come before the Meeting was to consider and act on an ordinance concerning the appointment of the Lyme Town Clerk:

Whereas: The Town of Lyme wishes to alter its process for selection of its Town Clerk 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 of the Connecticut General Statutes permits a municipality whose legislative body is a Town Meeting to authorize appointment of a Town Clerk, 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 Municipal Town Clerk, and

Be it further ordained that the Board of Selectmen shall appoint said Town Clerk for terms of four (4) years commencing with the municipal general election of November 5 and at the same four (4) 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 Town Clerk's term to commence on the first Monday of January 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 Town Clerk, and

Be it further resolved that the right to reappoint or not reappoint the Town Clerk 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 publication in a newspaper having general circulation in the Town of Lyme.

Moved and seconded.

First Selectman Steve Mattson commented that this is a continuation of what has occurred over the past few years, switching the Assessor and Tax Collector from elected to appointed positions. As we age and we don't have the ability to find a lot of qualified candidates, we're preparing the town for the future where we may have to go outside of the town to find the expertise we need. There's no intend to make changes in our structure, it just gives us flexibility should we have a need, so I suggest that you approve this ordinance.

A question was raised about what other towns do, as the questioner stated that in other towns they have lived in the Town Clerk was always elected. Town Clerk Linda Winzer responded that in some towns the Town Clerk is elected, in some they are appointed, and in some they are hired. Another question was to confirm that the Town Clerk's term was in fact going from two years to four years, to which First Selectman Steve Mattson replied in the affirmative. The question was then asked whether everything else would remain the same, to which First Selectman Steve Mattson again replied in the affirmative. Another question was raised as to whether the position could be filled by contracting. First Selectman Steve Mattson replied that there was no intention of including that, and he would need to get a legal interpretation in order to appoint a firm as opposed to an individual.

Voted: affirmative.

The third order of business to come before the Meeting was to consider and act on an ordinance to allow the Lyme Tax Collector to retain overpayments of less than \$5.00:

Whereas: The Town of Lyme from time to time receives tax payments slightly above the tax due, and

Whereas: The Town of Lyme incurs costs to refund these excess payments, and

Whereas: Section 12-129 of the Connecticut General Statutes as amended by P.A. 95-283, Section 10, allows the Tax Collector to retain for the benefit of the Town any payment received

which is in excess of the amount due from any taxpayer, provided the amount of the excess payment is less than \$5.00.

Now, Therefore: Be it ordained by the Town of Lyme, in Town meeting convened, that the Tax Collector is hereby authorized to retain for the benefit of the Town any payment received which is in excess of the amount due from any taxpayer, provided the amount of the excess payment is less than \$5.00.

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.

First Selectman Steve Mattson stated that this is an ordinance that the town should have had years ago. Almost every town in Connecticut does. It makes the administration a little easier, not having to track someone down to refund thirty-five cents on an overpayment. We are limited by state statute to five dollars. We would have gone higher than that, but that is the statute, and he recommended that the ordinance be passed.

Voted: affirmative.

The fourth order of business to come before the Meeting was to consider and act on a repeal and replacement of Ordinance 2011-2 authorizing the Board of Selectmen of the Town of Lyme to accept gifts, grants, devises, bequests and trusts to increase the amount authorized to an amount up to and including \$100,000.00:

Be it ordained by the Town of Lyme, in Town meeting convened, that Ordinance 2011-2 authorizing the Town of Lyme to accept Gifts, Grants, Devises and Bequests and Trusts, effective December 21, 2011, is repealed and the following is substituted in lieu thereof:

1. That the Town of Lyme Board of Selectmen is empowered to accept gifts, grants, devises, bequests and assume trusts for the benefit of its inhabitants under such terms and conditions as are prescribed by the grantor or donor and accepted by the Board.
2. That such discretionary authority shall be limited to amounts or value up to and including one hundred thousand dollars.
3. That acceptance of amounts or value above this threshold be subject to Town Meeting consideration and approval.

The Town Clerk shall publish a summary of this Ordinance in accordance with the requirements of Connecticut General Statutes Section 7-157.

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.

First Selectman Steve Mattson stated we have always had an ordinance to accept gifts, but were limited to amounts up to ten thousand dollars without coming to town meeting to accept the donation. The donations are for cash, not land. An asset such as land would still have to come in front of a town meeting. We would like to be able to do things in the future where we pull the community in and request donations; this would allow us to take in larger donations without the

burden of having to come to town meeting to do so. This is simply a change in limit from ten thousand to one hundred thousand dollars, and he recommended that the ordinance be passed.

A question was raised as to whether the donations are published. The First Selectman responded that donations would be published in the minutes of the Board of Selectman meeting upon acceptance. The Board of Selectman would have to accept the donation on behalf of the town, and that would be reflected in the minutes. A question was raised as to whether a donation could be for a specific thing. First Selectman Steve Mattson replied that yes, by the donor's request the donation could be earmarked for individual uses. We have a number of specific funds, such as affordable housing and open space, and a donation could be specified to go to a single one of those funds or be split. The only issue would be if they wanted to donate for a specific purpose that we do not have a specific fund for, we would have to deal with that at that time. He also noted that donations to the town, for any purpose, are federally tax deductible.

Voted: affirmative.

The fifth 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, 2020.

Moved and seconded.

Board of Finance Chair Dan Hagan referred people to Income Detail – General Property Tax. The property tax budgeted to be taken in for FY 19-20 is equal to this year, meaning that there is no property tax increase in this budget. He explained that there was a reassessment of all individual properties in 2018. Everyone should have received a letter from the assessor with the new assessment noted. The total value of the property in the town actually went down by 6.7%, so the grand list is lower. In order for the town to take in the same amount of money in taxes, the mill rate needs to be higher. This year the mill rate is 18.6; the revenue equal mill rate is 19.95. That will bring in the same amount of revenue as this year. An individual's property tax may go up or down based on the new assessment. The overall impact to the town is that there is no tax increase for the upcoming year. While all detail is listed on the budget sheet, he highlighted a couple of items. Operating expenses are down .5% and capital expenses are down 39.4% from last year due to the Johnston property purchase which was more than one million dollars – a combination of the open space fund and money we received from the state. Income is down by 8.9% due to less revenue from the state. The school district cost to Lyme is down 2.5%. The calculation is based on population and Lyme has 18-19 fewer students for next year. There is no way to know what the rate will be the following year as there is no way to predict the number of students. In order to maintain and increase savings, the capital recurring account goal is one million dollars, with \$150,000 going in to that to cover things like the Birch Mill Bridge and Macintosh Bridge work that needs to be done. It was noted that the Macintosh Bridge was just downgraded and the weight limit decreased to the point where school buses and fire trucks will no longer be permitted to cross. There will be \$75,000 into the open space line which had been depleted due to the Johnston property purchase. We will be building that line up over the year, with a goal of one million dollars to be in the fund eventually. We are establishing an affordable housing line, with \$25,000 going into it. This line will also be for grants and gifts which the Selectmen may accept.

A question was raised regarding the previous surplus estimate. First Selectman Steve Mattson stated that each year as we move from budget to actual during the audit process, there will be discrepancies or variances regarding the budget. This year more income was received than expected, including higher collection of delinquent taxes and more state monies received. If we err, we are not going to err by spending more than the budget, we will err by spending less than

the budget. A question was raised as to where the sanitarian went. First Selectman Steve Mattson stated that the cost is reflected in the Health and Welfare section rather than the General Government section as we are now part of Ledge Light Health District and do not have our own Sanitarian.

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 8:23 PM.

The Board of Finance met immediately after the meeting and set the new mil rate at 19.95.

Recorded by: Linda Winzer, Town Clerk