

TOWN WARRANT

**TOWN OF GOSHEN
The State of New Hampshire**

**THE POLLS WILL BE OPEN FROM 10:00 AM TO 7:00 PM
on Tuesday March 9, 2010**

**THE BUSINESS PORTION OF THE MEETING WILL BEGIN AT 6:30 PM
on Saturday March 13, 2010.**

To the inhabitants of the Town of Goshen in the County of Sullivan in the State of New Hampshire qualified to vote in Town Affairs: You are hereby notified to meet at the Goshen Town Hall in said Goshen on Tuesday, the 9th day of March, 2010 between the hours of 10:00 AM and 7:00 PM to act upon the following subjects:

Polls opened at 10:00 AM. Officials attending were Arthur G. Jillette Jr.: Moderator, Cindy Williams: Town Clerk/Tax Collector, Theresa Cutter, Peta Brennan, Susan Carrick, and Dottie Bennett: Ballot Clerks, Jane Galpin, Cynthia Phillips and Nickole Johnson: Supervisors of the Checklist, James Carrick and Edward Andersen Sr.: Selectmen.

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

ELECTED OFFICIALS;

**Selectperson, 3 Years – Edward J. Andersen, Sr.
Town Treasurer, 3 Years – Heather Peckham
Trustee of Trust Fund, 2 Years – James Carroll
Trustee of Trust Fund, 3 Years – Ronald Kempton
Cemetery Trustee, 3 Years – Ronald Kempton
Planning Board, 3 Years – John Wirkkala
Town Moderator, 2 Years – Arthur G. Jillette, Jr.
Budget Committee, 3 Years – Beatrice Jillette
Budget Committee, 3 Years – Lilyan B. Wright
Budget Committee, 3 Years – Ronald Kempton
Budget Committee, 2 Years – Trisha LaBossiere
Library Trustee, 3 Years – Diane Carroll**

You are further notified to meet at the Goshen Town Hall in said Goshen on Saturday, the 13th day of March, 2010, at 6:30 of the o'clock in the evening, to act upon the following subjects:

To receive the reports of the Town Officers of Goshen and take any necessary action thereon.

Moderator Arthur Jillette calls the meeting at 6:30 to receive the reports of the Town Officers of Goshen and take any necessary action thereon. Moderator Jillette explains that because we have such a big crowd he will demand that everyone act with civility. He also asked unregistered voters to identify themselves now if they intend to speak on an article so that permission from the voters can be obtained at the beginning of the meeting. Four people were recognized and approved by voice votes.

Moderator Jillette states that he has received a signed petition requesting a ballot vote for article #15. A voice vote took place to move Article #15 before Article #2 and to move #8 before Article #12.

Motion Passes.

- 15. (Petitioned) We, the undersigned registered voters of the Town of Goshen, New Hampshire, hereby petition the Goshen Select Board to place the following article on the warrant for 2010 Town Meeting. "To see if the town will vote to dissolve Goshen's Police Department and enter a contract with the Sullivan County Sheriff's department to act as Goshen's law enforcement.**

Article moved by Nicole Johnson. Seconded by Bob Johnson. The selectboard asks to make a statement. Clark Wamsley addressed the audience and explained that after contacting the Local Government Center the article is technically illegal because no dollar amount is listed, and that we cannot expend money that was not talked about during the budget committee process. The petitioned article doesn't have any dollar amount assigned to it and that we can't assign any tonight. Clark Wamsley reads RSA 32:5 (Budget Preparation) which explains that all amounts must be discussed at the final public budget meeting. Moderator Arthur Jillette states that the voters can still vote tonight, and if they vote to dissolve the Police Dept. it will give the selectmen a sense of which direction to move in and how to do it. Jim Carrick explains that it is RSA 105:1. This vote would be non-binding on the selectmen. The selectmen are the ones that appoint the chief, full-time and part-time officers. If the selectmen were to take action to dissolve the P.D. the town could open itself up to a lawsuit for breach of contract. Fred Smith said he believed we didn't have an employment contract and asked to see it. Steve Smith states that we do have appropriations in the budget for police, it doesn't specify local or county sheriffs. He reads the bottom of RSA 105:1 and says that it states we can do this. Adam Howard passes out a hand out with figures collected from town reports and officials, that compares Goshen to Lempster, Unity and other small towns. He states that the sole purpose for this petition article is to save the tax payers of Goshen money. Chief Ed Andersen, Jr. explains that the figure for detail work is wrong and that money comes back to the town. He explained further figures showing that he was not over budget. He understands why Adam did this and would be willing to tailor his department and budget to what the people want. He would love to sit down and explain in detail what the 87,000 gives this town and he would be willing to reduce his budget but it would also reduce services at the same time. If the people vote to dissolve the Police Dept. tonight he won't be afforded the opportunity to be able to do that. Mike Prozzo, from the Sullivan County Sheriff's Department addressed the people and explained what the Sheriff's Dept. would do and the cost. Starting April 1, 2010 they enter into 90 day contracts with the towns for coverage at 30.90 per hr. This price covers everything except dispatch. They would need a small office space for paperwork. They are a full service police dept. They work with each town to give them

exactly what they want to pay for. For 4,017 (130 hrs.) a month your town will receive between 35 to 36 hours per week. When asked if the state cuts its budget would it affect his budget he replied no, the state can't cut his budget.

There was much discussion on the floor from townspeople.

Motion by Nickole Johnson to table this article for a year, until Town Mtg. 2011. Seconded by Bob Johnson. Vote on amendment.

Amendment Failed.

Question called by Fred Smith. Seconded by Doug O'Clair. Vote to end discussion. Discussion ended.

Vote "To see if the town will vote to dissolve Goshen's Police Department and enter a contract with the Sullivan County Sheriff's department to act as Goshen's law enforcement. (Ballot vote requested by petition)

[56]
YES

[87]
NO

ARTICLE FAILS

Sherri Moen makes a motion to reconsider Article #15. Seconded by Nickole Johnson. Moderator Arthur Jillette clarifies that a Yes vote will allow the article to be brought up again, and that a No vote will mean that it cannot be brought up again for consideration. The moderator calls a vote on reconsideration.

MOTION FAILS

2. To see if the Town will vote to raise and appropriate the following sums of money for the general municipal operations: (Majority Vote Required)

<u>Account No</u>	<u>Selectmen Recommends</u>	<u>Budget Committee Recommends</u>
4130 Executive.....	46,000.....	46,000
4140 Election, Reg. & Vital Statistics	39,382.....	39,382
4150 Financial Administration	28,947.....	28,947
4152 Revaluation of Property.....	6,752.....	6,752
4153 Legal Expense.....	41,000.....	41,000
5155 Personnel Administration	22,561.....	22,561
4191 Planning & Zoning.....	12,900.....	12,900
4191 General Government Building	36,486.....	36,486
4194 Cemeteries	4,500.....	4,500
4196 Insurance.....	106,358.....	106,358
4197 Advertising & Regional Assoc.	965.....	965
4723 Interest on TAN's.....	<u>3,000</u>	<u>3,000</u>
Total	348,851.....	348,851

Article moved by Bob Johnson. Seconded by Dennis Parmalee.

Lars Nelson from the Cemetery Trustees would like to explain that right now the cemeteries

are mowed 3 times a year. If the people in town want to increase it to 5 times a year we would have to increase account # 4194 by 1,400.

Debbie Hall makes a motion to increase account # 4194 by 1,400 to 5,900 making article 2 have a total of 350,251. Seconded by Dennis Parmalee. Vote on Amendment.

Amendment Fails

Mary Walter makes a motion to cut 32,031 from the total bringing the amount to 316,820. This was the total for the 2007 budget. Seconded by Adam Howard.

Jonathan Purick is concerned what impact this would have on departments. Adam Howard wants to know why so much for legal expenses. Jim Carrick explains the legal expenses which include ongoing litigation. Barbara Paronto states that the budget committee doesn't arbitrarily cut by percentages. Vote on Amendment.

Amendment Fails

Alan Greenhalgh makes a motion to cut 16,000 from account # 4153 bringing the amount to 25,000. Seconded by Fred Smith. Jim Carrick explains that they use the Local Government Center as much as possible. He explained how all the departments use it for various forms of legal advice. Barbara Paronto urges people to attend the Budget Meetings. Vote on Amendment.

Amendment Fails

Question called by Bob Johnson. Seconded by Debbie Hall. Vote to end discussion. Discussion ended.

Vote to raise 348,851 for the general municipal operations: (Majority Vote Required)

ARTICLE PASSES

3. To see if the Town will vote to raise and appropriate the following sums of money for Public Safety: (Majority Vote Required)

<u>Account No</u>	<u>Selectmen Recommends</u>	<u>Budget Committee Recommends</u>
4210 Police.....	87,110	87,110
4215 Ambulance	7,700	7,700
4220 Fire	30,760	30,760
4240 Building Inspection	1,400	1,400
4290 Emergency Management	4,000	4,000
4290 Hepatitis B Shots	<u>500</u>	<u>500</u>
Total	131,470	131,470

Article moved by Dennis Parmalee. Seconded by Lilyan Wright. Chief Ed Andersen, Jr. was asked to speak about the police budget. He briefly explained the budget and how we are a part time police department with a full time officer. He addressed many concerns that he has heard. Question called by Jean Barrett. Seconded by Lilyan Wright.

Vote to raise 131,470 for Public Safety: (Majority Vote Required)

ARTICLE PASSES

4. To see if the Town will vote to raise and appropriate the following sums of money for Highways and Streets: (Majority Vote Required)

<u>Account No</u>		<u>Selectmen Recommends</u>	<u>Budget Committee Recommends</u>
4311	Highway Administration	67,000	67,000
4312	Highway & Streets	100,000	100,000
4316	Street Lighting	<u>350</u>	<u>350</u>
	Total	167,350	167,350

Article moved by Dennis Parmalee. Seconded by Lilyan Wright. Jim Carrick explains that Highway heating costs are not in this article, it would be under General Government Buildings. Highway Admin. is the salaries for all 3 employees. Barbara Paronto states that the highway budget is 7,650 less than what was approved last year. Jim Carrick answers concerns about the highering of the new Highway Road Agent. Adam Howard reads from a hand out that tells of many purchases that the Highway Road Agent has made. Coutney Heath explains the expenditures and addresses peoples concerns.

David Serrentino makes a motion to reduce account # 4312 by 25,000. Seconded by Jean Barrett. Vote on amendment.

AMENDMENT FAILS

Question called by Lilyan Wright.

Vote to raise 167,350 for Highways and Streets: (Majority Vote Required)

ARTICLE PASSES

5. To see if the Town will vote to raise and appropriate the following sums of money for Sanitation: (Majority Vote Required)

<u>Account No</u>		<u>Selectmen Recommends</u>	<u>Budget Committee Recommends</u>
4321	Solid Waste Administration	22,470	22,470
4324	Solid Waste Disposal	26,030	26,030
4326	Sewage Disposal.....	<u>1,112</u>	<u>1,112</u>
	Total	49,612	49,612

Article moved by Mary Walter. Seconded by Bob Johnson. No Discussion. Question called.

Vote to raise 49,612 for Sanitation: (Majority Vote Required)

ARTICLE PASSES

6. To see if the Town will vote to raise and appropriate the following sums of money for Health and Welfare: (Majority Vote Required)

<u>Account No</u>	<u>Selectmen</u> <u>Recommends</u>	<u>Budget Committee</u> <u>Recommends</u>
4411	Health Administration	800
4415	Pest Control.....	545
4415	Sullivan County Hospice	250
4145	Lake Sunapee Home Health	2,277
4415	Newport Senior Center.....	300
4415	West Central Services.....	908
4415	Community Alliance.....	100
4415	SWCS.....	600
4415	Sullivan County Nutrition	530
4415	Turning Point Network.....	350
4415	Newport Food Pantry	1,000
4442	Direct Assistance.....	<u>22,205</u>
	Total	29,865

Article moved by Dennis Parmalee. Seconded by Sherri Moen. Bob Johnson makes a motion to add 3036 to account # 4411 making the total of 3836 for Health Administration. The purpose of this increase is to purchase 2 AED's to be placed in town. Seconded by Nickole Johnson. Bob Johnson explains that an AED (Automatic External Defibrillator) would save the life of someone experiencing a sudden cardiac event. Four or Five years ago there was grant money available to towns for this purchase, however that is no longer the case. His intent if this amendment passes is to be able to purchase the AED's from the State and also purchase cases for them that when activated will automatically call 911. John Hopkins, Health and Welfare Director states that Direct Assistance is down 15,000 from last year and they are doing as well as they can, State Law says that if a family qualifies they must be assisted. Vote on Amendment.

AMENDMENT PASSES

Diane Carroll makes a motion to reduce account #4442 by 3,036 making the total amount for this article 29,865. Seconded by Jim Carroll. Vote on Amendment.

AMENDMENT PASSES

Vote to raise 29,865 for Health and Welfare: (Majority Vote Required)

ARTICLE PASSES

7. To see if the Town will vote to raise and appropriate the following sums of money for Cultural, Recreation and Conservation: (Majority Vote Required)

<u>Account No</u>	<u>Selectmen</u> <u>Recommends</u>	<u>Budget Committee</u> <u>Recommends</u>
4450	Library	20,454
4583	Patriotic Purposes	300
4619	Conservation	<u>1,000</u>
	Total	21,754

Article moved by Dennis Parmalee. Seconded by Jack Warburton. Mary Walter asks Cyndi Phillips, Librarian, to explain why the Library budget has increased 8,300 over the past 3 years. Cyndi Phillips states that the internet service usage has increased significantly, as well as more programs are being offered to the public. Vote on article.

Vote to raise 21,754 for Cultural, Recreation and Conservation: (Majority Vote Required)

ARTICLE PASSES

9. **To see if the town will vote to raise and appropriate the sum of Twenty Seven Thousand Dollars (\$27,000.00) for the purpose of purchasing a police vehicle for the police department and of this total to authorize the withdrawal of the sum of Sixteen Thousand Dollars (16,000.00) from the police cruiser capital reserve fund with the balance of Eleven Thousand Dollars (\$11,000.00) to be raised by taxes. (Majority vote required).**

Article moved by Dennis Parmalee. Seconded by Nickole Johnson. Barbara Paronto wants people to know that the Budget Committee does not recommend this article and that the Selectmen did recommend it. Ed Andersen, Jr. explains that the current cruiser has transmission and brake problems and right now in its present condition is not safe to drive. He is looking into a 2010 Ford Explorer with a V-6. He understands that times are tough right now but felt the people should be the ones to decide based on the original plan to trade every 6 years. Trade in value for the Crown Vic is about 2,000. There was discussion about repair costs versus trade in value towards new purchase. Nickole Johnson calls the question. Debate stopped.

Vote to raise the sum of Twenty Seven Thousand Dollars (\$27,000.00) for the purpose of purchasing a police vehicle for the police department and of this total to authorize the withdrawal of the sum of Sixteen Thousand Dollars (16,000.00) from the police cruiser capital reserve fund with the balance of Eleven Thousand Dollars (\$11,000.00) to be raised by taxes. (Majority vote required).

ARTICLE FAILS

10. **To see if the town will vote to authorize the Board of Selectmen to enter into a Eighty Four (84) month lease/purchase agreement to lease/purchase for a 2010 Caterpillar, 402E Backhoe Loader for the highway department and to raise and appropriate the sum of Thirteen Thousand Three Hundred Two Dollars (\$13,302.00) for the first years payment, with the entire sum to be raised from taxation. "The agreement contains a non-appropriation escape clause". (Majority vote required).**

Article moved by Adam Howard. Seconded by Bob Johnson. Adam Howard feels that this machine is only 8 years old with 48,000 hrs. on it, half of which are probably idol hrs. and that with very little work and new rear tires it would last many more years. The average life span for a piece of equipment like this is at least 10 years. Fred Smith asks why do you want 2 loaders. Courtney Heath explains that they would be able to use the old one at the Transfer Station. Steve Smith asked if this was a want or a need. Mr. Heath responded that it was in the middle. Question was called. Debate stopped.

Vote to authorize the Board of Selectmen to enter into a Eighty Four (84) month lease/purchase agreement to lease/purchase for a 2010 Caterpillar, 402E Backhoe Loader for the highway department and to raise and appropriate the sum of Thirteen Thousand Three Hundred Two Dollars (\$13,302.00) for the first years payment, with the entire sum to be raised from taxation. "The agreement contains a non-appropriation escape clause". (Majority vote required)

ARTICLE FAILS

- 11. To see if the Town will vote to raise and appropriate the sum of One Hundred Sixteen Thousand Dollars (\$116,000.00) for the purpose of building a bridge on Cross Road near the Brook Road intersection and of this total to authorize the withdrawal of the sum of Eighty Two Thousand Dollars (\$82,000.00) from the construction and reconstruction of bridges capital reserve fund, with the balance of Thirty Four Thousand Dollars (\$34,000.00) to be raised by taxation. (Majority vote required).**

Article moved by Dennis Parmalee. Seconded by Bob Johnson.

Courtney Heath, Highway Road Agent explained that it went out to bid to a half a dozen contractors and only one was interested. He also explained that it was a steel and concrete bridge. There were concerns that it hadn't been researched enough. Alan Greenhalgh felt it could be done for half the money and asked Shaun Carroll to speak. Mr. Carroll said his company would help the town out, if the town bought the beams and guardrail stock he could donate some of the excavation, help get the beams at a fair market price, supply the equipment and what it would take to install the beams, and could guarantee it for no more than \$50,000. The town would need to obtain the permits for Wetlands and DES. He would use Michie Corp. to supply the engineered decking for the bridge/concrete slabs. He would use CW Sleeter for the guardrail/web beams. Barbara Paronto wanted to say that this article was discussed and is approved by the Budget Committee and the Selectmen. Courtney Heath stated that they would be engineered and State approved stamped plans. Diane Carroll asked if this was due to flooding. Courtney said the bridge has been on the "red list" for more than 10 years. The bridge was damaged in the flood of 2005. Mary Walter asked where did the FEMA money go. Jim Carrick explained that the first time FEMA came we did get money and the money went as far as it could go, but the 2nd time FEMA came they said it didn't qualify. Courtney stated that we would need to get beams, guardrails and permits for a cost above the offer of \$50,000 and that there is enough in the Reserve Fund for that. Nickole Johnson expressed the concern that even though we appreciate the offer she feels that because we have gone to court with Mr. Carroll so many times it might not look real good if we accept this favor and were still going through litigation. Alan Greenhalgh stated that as an owner of a business, businesses give back to the town, it's what they do. We should let bygones be bygones and except this offer. Mary Walter said that rather than defeat this article, because there is enough money in the fund it would be better to amend this article by \$34,000. Mary Walter made a motion to modify the article reducing the amount by \$34,000, so that the only money that would be needed would come from the Capital Reserve Fund. Motion seconded by Lilyan Wright. Vote on amendment

AMENDMENT PASSES

Question called by Trisha LaBossiere. Vote to end discussion. Discussion ended.

Vote to raise the sum of Eighty Two Thousand Dollars (\$82,000.00) for the purpose of building a bridge on Cross Road near the Brook Road intersection and of this total to authorize the withdrawal of the sum of Eighty Two Thousand Dollars (\$82,000.00) from the construction and reconstruction of bridges capital reserve fund. (Majority vote required).

ARTICLE PASSES

- 8. To see if the Town will vote to raise and appropriate the following sums of money to be placed in established Capital Reserve Funds: (Majority vote required).**

<u>Account No</u>	<u>Selectmen Recommends</u>	<u>Budget Committee Recommends</u>
Highway Heavy Equipment (1994).....	1,500	1,500
Construction & Reconstruction of Bridges (1992)	0	0
New Highway Truck (1990).....	2,500	2,500
Police Cruiser (1978)	0	0
Personal Firefighters Equipment (1994)	0	0
Property Revaluation (2002)	0	0
Town Technology (2005)	1,000	1,000
Town Printing Equipment (2005).....	250	250
Fire Truck (1994).....	10,000	10,000
Town Buildings, Painting (2006)	250	250
Paving Repair Existing Paved Roads (2007)	1,250	1,250
Fire Department Sport Utility Truck (2008)	5,000	5,000
Water Supply (2009)	1,250	1,250
Welfare (2008)	<u>0</u>	<u>0</u>
Total	23,000	23,000

Article moved by Bob Johnson. Seconded by Dennis Parmalee. Barbara Paronto explained when the budget committee and the selectmen were reviewing the Capital Reserve Funds, knowing that they had some big ticket items, one being the bridge and second being the cruiser, not knowing if they would pass, they took all the other warrant articles and cut them in half from their normal amounts. Those that they planned to expend from were zeroed out. If you want to return them to their usual amounts, you need to double what is shown, then reinstate for the bridge and the cruiser or leave it as written. Barbara read what the amounts were from last year totaling 52,500. Question was called. Debate was stopped.

Vote to raise 23,000 to be placed in established Capital Reserve Funds: (Majority vote required)

ARTICLE PASSES

12. **To see if the town will vote to establish a new capital reserve fund for the purpose of developing the Town Master Plan as required by state statute and to provide technical and professional services by the town land use boards (Planning and Zoning Board of Adjustment) to be known as The Land Use Capital Reserve Fund, to raise and appropriate the sum of Five Hundred Dollars (\$500.00) to be placed in this fund: and to designate the Board of Selectmen and Planning Board Chairman as Agents to expend such funds for said purpose. (Majority vote required). Recommended by the Board of Selectmen and Budget Committee).**

Article Moved by George Russell. Seconded by Robert Bell. Jean Barrett makes a motion to removed the words, "and to designate the Board of Selectmen and Planning Board Chairman as Agents to expend such funds for said purpose." Seconded by Fred Smith. Mary Walter and Lilyan Wright express their opinions as to why they feel the selectmen and planning board should be able to expend this money. Vote on amendment.

AMENDMENT FAILS

Motion by Mary Walter to change the name to Master Plan Capital Reserve Fund. She also wanted to know how much the total bill will be for this Master Plan. Allen Howe replied 14,000 would be the total cost including updating. Vote on amendment.

AMENDMENT PASSES

Vote to establish a new capital reserve fund for the purpose of developing the Town Master Plan as required by state statute and to provide technical and professional services by the town land use boards (Planning and Zoning Board of Adjustment) to be known as Master Plan Capital Reserve Fund, to raise the sum of Five Hundred Dollars (\$500.00) to be placed in this fund: and to designate the Board of Selectmen and Planning Board Chairman as Agents to expend such funds for said purpose. (Majority vote required). Recommended by the Board of Selectmen and Budget Committee)

ARTICLE PASSES

13. **To see if the Town will vote to raise and appropriate the sum of Twenty Two Thousand Dollars (\$22,000.00) for the disposal and trucking fees at the Transfer Station and with said funds to come from the Transfer Station Special Revenue Fund". (Majority vote required).**

Article moved by Nickole Johnson. Seconded by Lilyan Wright. Question called.

Vote to raise the sum of Twenty Two Thousand Dollars (\$22,000.00) for the disposal and trucking fees at the Transfer Station and with said funds to come from the Transfer Station Special Revenue Fund". (Majority vote required)

ARTICLE PASSES

14. **(Petitioned) To See if the Town will vote to raise and appropriate the sum of Seven Thousand Five Hundred Dollars (7,500.00) for the purpose of paving and repairing existing century roads. (Majority vote required). Recommended by the Board of Selectmen and Budget Committee.**

Article moved by Bob Johnson. Seconded by John Scranton. Lars Nelson states that this is for the Mill Village Cemetery. The last time it was paved was in the late 60's. The pavement is all broken up and there have been 4 major wash outs in the last 2 years. It's a liability and needs to be done. Mary Walter makes a motion to amend the article to withdraw the money from "Fund Balance" instead of being raised from taxes. Fund Balance is the amount of money every year after your accounts have been closed out from all your records and expenses. Seconded by Alan Greenhalgh. Mary Walter explains Fund Balance. Vote on Amendment.

AMENDMENT PASSES

(Petitioned) To See if the Town will vote to raise the sum of Seven Thousand Five Hundred Dollars (7,500.00) from Fund Balance for the purpose of paving and repairing existing century roads. (Majority vote required). Recommended by the Board of Selectmen and Budget Committee.

ARTICLE PASSES

16. To take up any other business as may legally come before this meeting.

Barbara Paronto makes a motion to revisit article #8. Seconded by Dennis Parmalee. Barbara Paronto gives a brief explanation why she would like to see it reconsidered. Vote on motion to reconsider.

MOTION FAILS

Rita Purmort asks why it costs over 11,000 to heat the highway garage. Jim Carrick explains that there were problems with bills from previous years not being paid and that the selectmen are looking into heat loss.

MEETING ADJOURNED AT 12:13 A.M.

VOTED TO RAISE AND APPROPRIATE THE SUM OF 883,902.00

Respectfully submitted,

Cindy L. Williams, Town Clerk