

**Town of Goshen**  
**Minutes of Public Hearing**  
**March 08, 2017**

Present: Robert Bell, Chip Ball, Doug O'Clair, Bea Jillette, Peta Brennan, John Scranton, Pricella Greenhalgh., Barbara Paronto.

The meeting was brought to order at 6:40 p.m.

Bob Bell opened the Public hearing that is required for accepting unanticipated funds. The town received funds for \$10,607.30 as reimbursed for legal expenses for a court case Town of Goshen VS Edna Reality Investment Corp. The findings of the court awarded the town attorney fees and a fine of \$4,300.00 was assessed against Edna Reality Investment Corp. The town in attempting to settle this matter waive the \$4300.00 fine because they only wanted to make the town whole again for the cost of this issue.

The \$10,607.30 money was deposited into the Town's general fund as required by law. This money can be used to reduce taxes, fix road, and other, Any purpose the town votes to use it for.

Doug stated money came from the legal budget and should come back to the legal fund. Chip agreed. Barbara also stated she felt it should go back to the legal budget. Action would need to be taken at town meeting to do this. Peta thought it should also be put back into the legal fund account if it can be deducted from the existing legal budget at town meeting. She also stated maybe it should just stay in the general fund therefore it could be used for any unanticipated expenses that may come up.

Bea asked how the Selectmen choose to take someone to court and is there a protocol. Bob stated they went through a lot of steps. The tenant that was living there was operationing a business of cleaning out places and reselling the contents. This operation was at 2185 Brook Road. The board received numerous written and verbal complaints regarding this matter. Some residents were putting pressure on the Selectmen to do something about this. The Tenant was spoken to by the Health Officer and Fire Department regarding having the place cleaned up. Nothing was being done. The selectmen started the process by serving a violation notice by Health Officer, John Hopkins 11/01/2014. This was done after all the other attempts failed. This notice of volition the is public info if someone wants to see a copy. A 2<sup>nd</sup> notice was given on the 11/5/201. The Selectmen continued to contact the individual and the landlord with no progress. Residents continued to complain about the property. On March 24, 2015 a legal notice signed by the selectmen and served to the tenant and landlord that said let's get this place cleaned up with a time line, the RSA'S's were listed. April 14-2015 the attorney for the landlord, the town's attorney and Selectmen held a meeting to reach an agreements with the tenant and landlord to clean it up in 30 days. The operation continued will beyond 30 days. The selectmen turned the matter over to the town's attorney stating a lot of time had gone by and the residents continued to complain. The Attorney filed an action with the superior court June 2, 2015 for violation of town ordinances and operating an illegal junk yard. Case went to court and trail with testimony by all parties including the

tenant. On December 6, 2016 the Court (Judge Tucker) issued a ruling for the legal cost of \$10,607.30 plus \$4,300.00 in fines.

Bob recommended anyone interested in more detail listen to the court recording. The town has ordered one.

Doug stated selectmen don't go looking for violations they have to come from complaints.

Public Hearing was adjourned at 7:15 pm.

DRAFT