

*Town of Goshen
New Hampshire
2020 Annual Town Meeting Minutes*

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 are hereby notified and warned of the Annual Town Meeting will be held as follows:

BALLOT VOTING DAY: You are hereby notified to meet at the Goshen Town Hall, 54 Mill Village Road North Goshen, NH, on Tuesday, March 10, 2020, to act on the election of officers and proposed zoning and excavation amendments. ***THE POLLS WILL BE OPEN FROM 8:00 AM TO 7:00 PM.***

BUSINESS SESSION: You are hereby notified to meet at the Goshen Town Hall, 54 Mill Village Road North Goshen, NH, on Saturday, March 14, 2020, to act upon Articles 2-13, which does not include the election of officers nor zoning and excavation amendments. ***THE BUSINESS SESSION WILL START AT 6:30 PM.***

1. To choose all necessary Town Officers for the ensuing year.
Polls opened at 8:00 a.m. Officials attending were Mary Walter: Moderator, Cindy Williams: Town Clerk/Tax Collector, Christine Smith: Dep. Town Clerk/Dep. Tax Collector, Jane Galpin, Carolyn Handley, Ron Parenteau, Steve Belden: Ballot Clerks, Elaine Bevilacqua, Kathryn Hanson, Andrea Willett: Supervisors of the Checklist, Bruce Nadeau, Robert Bell: Selectmen.

ELECTED OFFICIALS:

Selectperson, 3 Years – Steven Smith
Trustee of Trust Funds, 3 Years – Jessica Dennis
Cemetery Trustee, 3 Years – Christopher Moen
Planning Board Member, 3 Years – Stephen Bursey
Library Trustee, 3 Years – Trisha LaBossiere
Library Trustee, 3 Years – Kimberly Caron
Library Trustee, 2 Years – Eryc Courmac
Zoning Board Member, 3 Years – Ron Parenteau
Moderator, 2 Years – Mary Walter
Budget Committee Member, 3 Years – Stephen Belden
Budget Committee Member, 3 Years – Peta Brennan
Budget Committee Member, 3 Years – Christopher Moen

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

Zoning and Building Ordinances Amendment No. 1
Amend setback requirements for small-detached buildings not larger than 100 sq. ft. in the Zoning and Building Ordinances
Section D.2 (page 7)

Are you in favor of adoption of Amendment No. 1 as proposed by the Goshen Planning Board for the Zoning and Building Ordinances? Amendment No. 1 proposes to reduce the setback requirement from 20 feet to within 10 feet of a lot line for small detached buildings as follows: *Side and Rear Setback: Minimum distance from the lot side lines and lot rear lines to any buildings shall be forty feet (40'), providing, however, the minimum distance from lot side lines and lot rear lines to any small detached building (any building not larger than 100 square feet) shall be ten feet (10') of a lot line.*

69 YES 49 NO

Zoning and Building Ordinances Amendment No. 2
Amend Outdoor Advertising requirements (signage) in the Zoning and Building Ordinances
Section E, subpart 1 (page 21)

Are you in favor of adoption of Amendment No. 2 as proposed by the Goshen Planning Board for the Zoning and Building Ordinances? Amendment No. 2 proposes to increase the current sign size of 20 square feet to allow a larger sign of up to 30 square feet in size by special exception as follows: *A larger sign, of up to thirty (30) square feet in size, may be permitted by special exception, provided that the proposed sign is located on the premises of the business advertised, and is otherwise in compliance with all other restrictions set forth in the ordinance, see also lighting requirements (III.L).*

66 YES 53 NO

Zoning and Building Ordinances Amendment No. 3
Amend Outdoor Advertising requirements (signage) in the Zoning and Building Ordinances
Section E, subpart 2 (page 22)

Are you in favor of adoption of Amendment No. 3 as proposed by the Goshen Planning Board for the Zoning and Building Ordinances? Amendment No. 3 proposes to amend the existing wording of the Zoning and Building Ordinance for outdoor signage to allow for placement of signage closer to road frontage and to specifically state that signage may not impede traffic as follows: *Signage shall be placed no less than five feet (5') from the property line set back unless affixed to a building and not extending beyond or above the same by more than three feet (3'). At no time may signage impair or impede vision of traffic.*

70 YES 49 NO

Zoning and Building Ordinances Amendment No. 4
Amend Outdoor Advertising requirements (signage) by adding additional regulations in the Zoning and Building Ordinances
Section E, subparts 3 - 6 (new numbers, page 22)

Are you in favor of adoption of Amendment No. 4 as proposed by the Goshen Planning Board for the Zoning and Building Ordinances? Amendment No. 4 proposes to amend the existing wording of the Zoning and Building Ordinance for outdoor signage by adding additional regulations as follows:

- *If signage is intended to face in two directions, signage must be built back-to-back to ensure smallest footprint possible.*
- *Home business signage is subject to provisions of V.E. and A.2.b.ii. Signs must be simple and are not permitted to be illuminated or have sound.*
- *The following signs are prohibited: Neon, tubular gas, animated, flashing, noise making, changeable electronic message boards or signs that have lights of changing degrees of intensity, brightness or color, or intermittently or*

intensely lit signs that could present a potential distraction or safety hazard to passing motorists or pedestrians, except as otherwise provided herein. Temporary seasonal holiday decorations are not considered as part of this regulation.

- *Signage shall be allowed by variance and special exception in accordance with the appropriate requirements for the type of use granted.*
- *Permanent advertising may be allowed only by special exception.*
- *Billboards are prohibited.*
- *Every attempt should be made to preserve the character and charm of the town when considering the design and installation of outdoor signage.*

91 YES 25 NO

Zoning and Building Ordinances Amendment No. 5

Amend Outdoor Advertising requirements (signage) by adding additional regulations in the Zoning and Building Ordinances

Section E, subpart (new number, page 22)

Are you in favor of adoption of Amendment No. 5 as proposed by the Goshen Planning Board for the Zoning and Building Ordinances? Amendment No. 5 proposes to amend the existing wording of the Zoning and Building Ordinance for outdoor signage by adding a regulation that defines grandfathering of existing signs and signs that are no longer in use as follows: *Every sign lawfully in existence at the time of adoption of these regulations may continue in existence and be maintained by the owner of the premises, but may not be changed in any of its dimensions or character or be moved, unless it is made to comply with these regulations. In the event there is a change of ownership of the premises, a change of tenants, or a reconstruction of a sign, then all signs must be brought into compliance with these regulations.*

Any non-conforming signs, the use of which had been discontinued for a period in excess of ninety (90) days, shall not be re-established, restored, or repaired unless it is made to comply with these regulations.

90 YES 26 NO

Excavation Regulations Amendment No. 6

Amend the definition of “operation” by adding a clarification statement

Section III.1, definition of “operation” (page 2)

Are you in favor of adoption of Amendment No. 6 as proposed by the Goshen Planning Board for the Excavation Regulations? Amendment No. 6 proposes to amend the existing wording of the Excavation Regulations for the term “operation” by adding the clarifying statement, *“except those allowed by conditions specifically noted in the permit”* as follows: *“OPERATION” For the purposes of Sections III.4-a.O and P of these regulations, the term “operation” includes the operation of any heavy motorized equipment or vehicles or the use of back-up warning devices or other noise-generating devices. It includes excavation activities, as well as any activity ancillary to excavation, such as land clearing or reclamation, which generates noise from power equipment such as bulldozers or chainsaws, except those allowed by conditions specifically noted in the permit. The term does not include the use of personal passenger vehicles to access or inspect the site or normal conversation.*

79 YES 37 NO

Excavation Regulations Amendment No. 7

Add definition of warm up period

Section III.1 (page 3)

Are you in favor of adoption of Amendment No. 7 as proposed by the Goshen Planning Board for the Excavation Regulations? Amendment No. 7 proposes to amend the existing wording of the Excavation Regulations by adding the definition for a warm up period and how to obtain permission to use a warm up period to the statement regarding start up times in section O as follows: *The warm up period is the 15 minutes immediately preceding, the by established town regulation, or by permitted exemption, start time of excavation activities. See section III.4-a. Operation Standards section P for additional guidelines.*

75 YES 40 NO

**Excavation Regulations Amendment No. 8
Clarification of warm up activities
Section III.4-a, O (page 13)**

Are you in favor of adoption of Amendment No. 8 as proposed by the Goshen Planning Board for the Excavation Regulations? Amendment No. 8 proposes to amend the existing wording of the Excavation Regulations by adding regulations that define what actions may occur during a warm up period in section O as follows: *Warm up activities are limited to the warm up of equipment engines only and may be conducted as long as the equipment is located in such a location/position that noise from this preparatory activity will not be noticeable to abutters and neighbors.*

79 YES 34 NO

**Excavation Regulations Amendment No. 9
Amends days of permitted excavation
Section III.4-a, P (page 13)**

Are you in favor of adoption of Amendment No. 9 as proposed by the Goshen Planning Board for the Excavation Regulations? Amendment No. 9 proposes to amend the existing wording of the Excavation Regulations by excavation activities to occur on Columbus Day, no other holidays are affected by this change. This change is proposed in section P as follows: *No "operation" as defined in Section III.1 of these regulations shall take place on Saturdays, Sundays, or legal state and federal holidays; with the exception of Columbus Day. Columbus Day is excluded from this list of holidays and work may be performed on this day.*

80 YES 27 NO

Moderator Mary Walter calls meeting at 6:30 p.m. She explained that the Selectmen are not here. Two are sick and one is scheduled for surgery and cannot be sick, so their doctors advised them not to come. Technically they don't have to be here, they are only here to answer questions on the budget. This is your town meeting that is run by the moderator. We have the budget committee here so we should be fine. The moderator moved the last 2 petition warrant articles to the front and told everyone that they would be ballot votes.

Article 12 Ambulance Contract

To see if the Town of Goshen will vote to enter into a three (3) year contract with the Town of Newport for the provision of emergency ambulances services. The cost of this service to the Town of Goshen will be as follows; for the calendar years 2020 \$44,484 (prorated based on the number service days), for 2021 \$45,819, and \$47,194 for the years 2022, and to furthermore authorize the Selectboard to enter into such an agreement as may be necessary for these services and to raise and appropriate the sum of \$44,484 (prorated based on the number service days) for the first year of these services. (Petition) (Majority vote required) Not Recommended by the Selectboard and Budget Committee.

Barbara Paronto, chairperson of the Budget Committee explained that when this petition was raised it was to make sure that signing the contract with Newport was legal because the selectmen met as a quorum at an unposted Selectmen's Meeting. Then the Budget Committee found out by passing the funds in the Ambulance line item and passing this petition, it would double the amount that we would be raising and appropriating. The Budget Committee voted not to recommend. Now because of the move to the beginning of the evening, if we pass this petition we can change the amount to \$1.00 in the regular Ambulance line item and we will be back in compliance.

Moderator asked for a motion to move, it was seconded. Moderator asked if anyone wanted a paper ballot, no one did.

ARTICLE PASSED UNANIMOUSLY

Article 13 Cemetery (Petition)

The undersigned registered voters of the Town of Goshen Petition the Selectmen to include the following article in the Town Warrant.

"To raise and appropriate the sum of \$3,500.00 pursuant to NH RSA 289:4 to reimburse former Cemetery Commissioner Ronald Kempton for the cost to remove four pine trees that were located on Town land adjacent to the Old North Cemetery, located on the corner of Brook Road and Province Road, or about November 24, 2018 and to ratify and approve for the Town of Goshen that the tree removal was necessary to protect the gravestones in Old North Cemetery and to direct the Town of Goshen to dismiss with prejudice the lawsuit filed by the Town against Raymond Wentzell." Not recommended by Selectboard and Budget Committee. (Majority vote required) (Petition)

Motion to move the article forward, Jim Walter. Seconded by Tim Meyette.

Lisa Wellman-Ally, the attorney who was representing Ronald Kempton explained when Mr. Kempton was a Cemetery Trustee he became concerned about the condition of the trees and as a result hired Raymond Wentzell to cut down and remove the trees. The town has now sued Mr. Wentzell for the removal of those trees and asserting damages of approximately \$ 44,000.

Mr. Wentzell has now brought a party action against Mr. Kempton stating he did not have the authority as a cemetery trustee to engage in those services. The purpose of this article is for the town to approve the removal of those trees that happened back in 2018 and to allow this town to dismiss the lawsuit against Mr. Wentzell which will then result in the dismissal of the lawsuit with Mr. Kempton and say it was necessary for the trees to be cut.

Raymond Wentzell stated that he has worked for the Town of Goshen in the past and has worked for every town around here. All they would ever require of him was his opinion for removing the trees and what the price would be. He said its always been that simple and it still is. All the cemetery departments give me the authority and Ron did in good faith, he's one of the best people in this town and he was trying to help the town. There were branches that were dead way at the top and some of the headstones were from the Revolutionary War. If any one of the trees had fallen in there it would have destroyed headstones and they are hard to replace. Ron was trying to help.

Christopher Moen stated that they do have 3 members on the Cemetery Committee and that the other 2 members were not even aware this would happen nor were the selectmen. Ron took it upon himself to do this. He should not be able to act on his own without a majority vote.

Barbara Paronto wanted to make 2 points. The condition of the trees is in dispute, one side says they were a threat to the cemetery and the other side says they were healthy. She didn't think we could solve that question tonight. The second point she wanted to bring up is she didn't believe litigation should be settled at town meetings, that's what the courts were for. It's a sensitive topic because even though Mr. Kempton was doing it from the goodness of his heart that doesn't mean it was right.

Jan Parmalee stated Mr. Wentzell should have known that he needed to submit a bid and have proof of insurance before any work was done. Mr. Kempton has hired other people before and had been told numerous times by myself and Chris and the selectmen that he could not be hiring people especially without insurance.

Barbara Paronto said if this article passes the cost of clean up in the cemetery will fall on the town.

Raymond Wentzell said that in the past he worked for Mr. Nelson and he wouldn't go to any other person, and that yes, he did have a million dollar insurance policy.

Steven Whitley, town council for Goshen explained he was not going to get into the town strategy of who has done what and wasn't going to get into the attorney client communications.

He said there were 2 disputes.

- 1. The health of the trees. The Town takes the position that they were healthy when they were cut based on a certified arborist reviewing the stumps and the logs that were left.**
- 2. The other item in dispute is the amount Mr. Kempton paid to Mr. Wentzell. The Town believes it was \$1,400 as opposed to \$3,500 that is in the petition. So there are 2 things a court would in all likelihood rule on, those 2 factual disputes. The Selectboard is not here to speak to this article but if it passes the Board would withdraw this lawsuit and those factual disputes would not be answered.**

Mr. Kempton's lawyer stated he did not want the town to reimburse him the amount, if they did he would just pay it back to the town. This to him is not about getting any money it's about dismissing the lawsuit and dealing with what he did as being the best for the town and should not be punished for it.

On a motion by Fred Smith and seconded by Jim Walter to change amount to \$1.00

MOTION TO AMEND ARTICLE

The undersigned registered voters of the Town of Goshen Petition the Selectmen to include the following article in the Town Warrant.

"To raise and appropriate the sum of **\$1.00** pursuant to NH RSA 289:4 to reimburse former Cemetery Commissioner Ronald Kempton for the cost to remove four pine trees that were located on Town land adjacent to the Old North Cemetery, located on the corner of Brook Road and Province Road, or about November 24, 2018 and to ratify and approve for the Town of Goshen that the tree removal was necessary to protect the gravestones in Old North Cemetery and to direct the Town of Goshen to dismiss with prejudice the lawsuit filed by the Town against Raymond Wentzell." Not recommended by Selectboard and Budget Committee. (Majority vote required) (Petition)

AMENDMENT PASSES

Moderator calls for a ballot vote.

AMENDED ARTICLE PASSES

28 YES 13 NO

Article 03A General Government

To see if the town will vote to raise and appropriate the sum of \$308,177 for General Operations. (Majority vote required)

	Recommendations	
	Selectborad	Budget Committee
Executive	\$49,152	\$49,152
Election, Reg. & Vital Statistics	\$31,728	\$31,728

Financial Administration	\$45,014	\$45,014
Revaluation of Property	\$5,000	\$5,000
Legal Expense	\$8,000	\$8,000
Personnel Administration	\$40,326	\$40,326
Planning & Zoning	\$3,360	\$3,360
General Government Building	\$26,631	\$26,631
Cemeteries	\$9,400	\$9,400
Insurance	\$88,442	\$88,442
Advertising & Regional Assoc.	\$1,124	\$1,124

ARTICLE PASSES

Article 03B Public Safety

To see if the town will vote to raise and appropriate the sum of \$168,771 for Public Safety Operations. (Majority vote required)

	Recommendations	
	Selectborad	Budget Committee
Police	\$63,312	\$63,312
Ambulance	\$43,459	\$43,459
Fire	\$58,000	\$58,000
Building Inspection	\$1,000	\$1,000
Emergency Management	\$3,000	\$3,000

Motion to move the article Dan Peterson, seconded by Sherri Moen

Motion by Alicea Bursey to amend the article and bring the Ambulance line item to \$1.00

Motion to move Amendment by Chris Moen, seconded by Steve Smith

To see if the town will vote to raise and appropriate the sum of **\$125,313** for Public Safety Operations. (Majority vote required)

	Recommendations	
	Selectborad	Budget Committee
Police	\$63,312	\$63,312
Ambulance	\$1	\$1
Fire	\$58,000	\$58,000
Building Inspection	\$1,000	\$1,000
Emergency Management	\$3,000	\$3,000

AMENDMENT PASSES

AMENDED ARTICLE PASSES

Article 03C Highway

To see if the town will vote to raise and appropriate the sum of \$210,120 for Highway operations. (Majority vote required)

	Recommendations	
	Selectborad	Budget Committee
Highway Administration	\$95,220	\$95,220
Highway & Streets	\$114,400	\$114,000
Street Lighting	\$500	\$500

ARTICLE PASSES

Article 03D Sanitation

To see if the town will vote to raise and appropriate the sum of \$72,055 for Transfer Station Operations. (Majority vote required)

	Recommendations	
	Selectborad	Budget Committee
Solid Waste Administration	\$30,035	\$30,035
Solid Waste Disposal	\$40,805	\$40,805
Sewage Disposal	\$1,215	\$1,215

ARTICLE PASSES

Article 03E Health

To see if the town will vote to raise and appropriate the sum of \$8,672. for Health Services. (Majority vote required)

	Recommendations	
	Selectborad	Budget Committee
Health Administration	\$800	\$800
Pest Control	\$400	\$400
Lake Sunapee Region VNA & Hospice	\$2,249	\$2,249
Newport Senior Center	\$300	\$300
West Central Services	\$1,252	\$1,252
SWCS	\$838	\$838
Sullivan County Nutrition	\$370	\$370
Turning Point Network	\$350	\$350
Newport Food Pantry	\$1,000	\$1,000
Pathways	\$613	\$613
CASA	\$500	\$500

ARTICLE PASSES

Article 03F Welfare

To see if the town will vote to raise and appropriate the sum of \$5,000 for Welfare Recommended by Selectboard and Budget Committee. (Majority vote required)

ARTICLE PASSES

Article 03G Cultural Recreation

To see if the town will vote to raise and appropriate the sum of \$35,621 for Cultural Recreation. Recommended by the Selectboard and Budget Comm. (Majority vote required)

ARTICLE PASSES

Article 03H Conservation

To see if the town will vote to raise and appropriate the sum of \$750 for Conservation. Recommended by the Selectboard and Budget Comm. (Majority vote required)

ARTICLE PASSES

Article 03I Debt Service

To see if the town will vote to raise and appropriate the sum of \$100 for Debt Service. Recommended by Selectboard and Budget Committee. (Majority vote required)

ARTICLE PASSES

Article 04 CRF

To see if the Town will vote to raise and appropriate the sum of \$60,000 to be added to the following Capital Reserve Funds:

Personal Fire Fighters Personal Equipment	\$20,000
Property Revaluation	\$10,000
Fire Dept Vehicles	\$15,000
Gravel	\$15,000

Recommended by the Selectboard and Budget Committee. (Majority vote required)

ARTICLE PASSES

Article 05 Digital Tax Mapping

To see if the town will vote to raise and appropriate the sum of \$12,500 for the purpose of purchasing of Digital Tax Map Conversion. Recommended by the Selectboard and Budget Committee. (Majority vote required)

ARTICLE PASSES

Article 06 Plow Dump Truck Lease

To see if the Town will vote to raise and appropriate \$27,400 for the 2019 Plow / Dump Truck lease payment; the annual payment required by the lease which was authorized at the 2019 Annual Town Meeting. Recommended by the Selectboard and Budget Committee. (Majority vote required)

ARTICLE PASSES

Article 07 Backhoe Lease

To see if the Town will vote to raise and appropriate \$12,445 for the 2017 Backhoe Loader lease payment; the annual payment required by the lease which was authorized at the 2016 Annual Town Meeting. Recommended by the Selectboard and Budget Committee. (Majority vote required)

ARTICLE PASSES

Article 08 Grange Grant

To see if the town will vote raise and appropriate the amount of \$40,000 for the construction and installation for the Grange Septic System located at Mill Village Road (204-003-000) and to further to fund this appropriation by authorizing the Selectmen to accept and expend the RURAL DEVELOPMENT GRANT for \$40,000. Recommended by the Selectboard and Budget Committee. (Majority vote required)

ARTICLE PASSES

Article 09 Lempster Coach Rd Bridge

To see if the town will vote to raise and appropriate the sum of \$75,000 for repairs on Lempster Coach Road Bridge and authorize the withdrawal of \$75,000 from the Unassigned Fund Balance. No amount to be raised from taxation. Recommended by the Selectboard and Budget Committee. (Majority vote required)

ARTICLE PASSES

Article 10 Rand Pond Road Repairs

To see if the town will vote to raise and appropriate the sum of \$80,000 for repairs on Rand Pond Road and authorize the withdrawal of \$80,000 from the Unassigned Fund Balance. No amount to be raised from taxation. Recommended by the Selectboard and Budget Committee. (Majority vote required)

ARTICLE PASSES

Article 11 Transfer Station Offset

To see if the town will vote to raise and appropriate the sum of \$20,000 for the purpose of operating the Transfer Station with said funds to come from the Transfer Station Special Revenue Fund. Recommended by the Selectboard and Budget Committee. (Majority vote required)

ARTICLE PASSES

Article 14 To take up any other business as may legally come before this meeting.

Chief Edward Andersen spoke to the residents about the current Coronavirus outbreak (COVID-19).

Meeting adjourned at 7:32 P.M.

VOTED TO RAISE AND APPROPRIATE THE SUM OF \$1,137,638.00

Respectfully submitted,

**Cindy L. Williams
Goshen Town Clerk**

