
TOWN OF GOFFSTOWN

BOARD OF SELECTMEN MEETING



JANUARY 25, 2016



Town of Goffstown

BOARD OF SELECTMEN

16 MAIN STREET
GOFFSTOWN, NH 03045
497-8990 x100 • FAX 497-8993

Jan. 25, 2016

SELECTMEN MEETING AGENDA

CALL TO ORDER

PLEDGE OF ALLEGIANCE

- 6:00 pm 1. **Acceptance/Correction of minutes:** 1/18/16 public and non-public minutes
- 6:05 pm 2. **Announcements**
- 6:10 pm 3. **Public Comment**
- 6:20 pm 4. **Oath of Office for Firefighter Andy Morgan**
- 6:30 pm 5. **Town Clerk, Moderator, Police & Fire Chiefs, Public Works Director re: internal & external traffic plan for Feb. 9th Primary**
- 7:00 pm 6. **Public Works Director Adam Jacobs re: Road Plan**
- 7:30 pm 7. **Brookfield Investment Group, Inc. re: request to restore lots pursuant to RSA 674:39-aa (Map 4 Lot 20)**
- 7:45 pm 8. **Town Administrator's Report**
 - a. Selectmen Meeting Schedule
 - b. Consensus Folder
 - c. Assessor's Recommendations
 - d. Vote on Conservation Easement (Map 12 Lot 6-3)
 - e. Draft Script for Town Meeting
- 8:00 pm 9. **Selectmen Discussion**
 - a. Committee Reports: Library Trustees; Parks & Rec; Planning Board
 - b. New Business: No submissions
 - c. Old Business: Action Matrix
- 8:15 pm 10. **Public Comment**
- 8:25 pm 11. **Non-Public Session RSA 91-A:3 II RSA 91-A:3 (b) hiring**

ADJOURN by 10:00 pm

The public is cordially invited to attend.

Except for scheduled public hearings all other times on the agenda are approximate.

Any person with a disability who wishes to attend this public meeting and needs to be provided a reasonable accommodation in order to participate, please call the Town Hall (497-8990 x100) at least 72 hours in advance so that arrangements can be made.

Town Administrator's Report

January 25, 2016

CALL TO ORDER

PLEDGE OF ALLEGIANCE

- 6:00 pm 1. **Acceptance/Correction of minutes:** 1/18/16 public and non-public minutes #1
- 6:05 pm 2. **Announcements:**
- a. Reminder – Candidate Filing Period is Weds. Jan. 20th – Fri. Jan. 29th at 5:00 pm. Anyone filing on Fri. Jan. 29th must do so in person
 - b. Supervisor's of Checklist will hold a session on Jan. 30th from 11:00 am – 11:30 am at GHS, Dr. Craig Heiber Auditorium for registering new voters and to make changes in names and/or addresses. **No party affiliations can be made at this session. This is the final session before the Feb. 9th primary.**
 - c. School Deliberative Session is Sat. Jan. 30th at 10:00 AM at GHS, Dr. Craig Heiber Auditorium
 - d. Town Deliberative Session is Weds. Feb.3rd at 7:00 PM at GHS, Dr. Craig Heiber Auditorium
- 6:10 pm 3. **Public Comment**
- 6:20 pm 4. **Oath of Office for Firefighter Andy Morgan**
- 6:30 pm 5. **Town Clerk, Moderator, Police & Fire Chiefs, Public Works Director re: internal & external traffic plan for Feb. 9th Primary**
Discuss preparations for the Feb. 9th Primary.
- 7:00 pm 6. **Public Works Director Adam Jacobs re: Road Plan**
- 7:30 pm 7. **Brookfield Investment Group, Inc. re: request to restore lots pursuant to RSA 674:39-aa (Map 4 Lot 20)** #7
Request is enclosed in your packet at Tab 7. It has been reviewed by Assessor Scott Bartlett and his memo can be found immediately following the request.
Motion needed.
- 7:45 pm 8. **Town Administrator's Report**
- a. Selectmen Meeting Schedule:

Weds.	6:30 pm	EDC	Room 107
Weds.	7:00 pm	Conservation Commission	Room 106
 - b. Consensus Folder:
 - Employee Status Report: Promotion
 - Get Well Card
 - Pole License #10Y for Eversource**Motion needed.**
 - c. Assessor's Recommendations:
 - Intents to Cut: Map 7 Lots 91 & 91A; Map 9 Lot 52
 - Solar Energy Exemptions: Map 12 Lot 21-2; Map 35 Lot 2; Map 37 Lot 50**Motion needed.**
 - d. Conservation Easement:
Vote needed to accept Executory Interest in a Conservation Easement on Map 12 Lot 6-3.
Motion needed.
 - e. Draft Script for Town Meeting #8e
Enclosed at Tab 8e is a draft script for the Deliberative Session for your review.
- 8:00 pm 9. **Selectmen Discussion**
- a. Committee Reports: Library Trustees; Parks & Rec; Planning Board #9a
 - b. New Business: No submissions
 - c. Old Business: Action Matrix
- 8:15 pm 10. **Public Comment**
- 8:25 pm 11. **Non-Public Session RSA 91-A:3 II RSA 91-A:3 (b) hiring**

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In attendance were Chairman Peter Georgantas, Vice Chairman Mark Lemay, Selectman Scott Gross, Selectman Collis Adams, Selectman Allen Brown, Selectman Scott Gross and Town Administrator Sue Desruisseaux.

6:00 PM CALL TO ORDER by Chairman Georgantas.

The Board said the Pledge of Allegiance.

ACCEPTANCE OF MINUTES

Town Administrator Desruisseaux said there are no non-public meeting minutes this week. They didn't have a non-public session. They did have a non-meeting.

Vice Chairman Lemay made a motion to approve the public minutes to the Board of Selectmen's meeting of January 11, 2016. Selectman Adams seconded the motion. VOTE: 4-0-1. Selectman Brown abstained due to his absence from that meeting. All in favor. Motion carries.

ANNOUNCEMENTS

Chairman Georgantas addressed the Town and School openings for the upcoming election. For the Town, we have 2 openings for the Board of Selectmen for 3 years; for the Budget Committee we have 4 openings for 3 years, 2 openings for 2 years, and 2 openings for 1 year; for Cemetery Trustee we have one opening for 3 years and 1 opening for 2 years; for Library Trustee we have 2 openings for 3 years and one opening for 1 year; for Planning Board we have 2 openings for 3 years; for Sewer Commission we have 1 opening for 3 years and 1 opening for 2 years; for Supervisor of the Checklist we have 1 opening for 6 years and 1 opening for 2 years; for Town Moderator there is 1 opening for 2 years; for Trustee of the Trust Funds there is 1 opening for 3 years; and for Zoning Board there are 2 openings for 3 years. On the School side, we have 3 openings for 3 years. Official openings above have been updated from the January 4, 2016 original posting. Future resignations of elected officials may add to candidate openings through the close of the business day, January 19, 2016. Candidate filing opens at the Town Clerk's Office, Wednesday, January 20th, during regular Town Hall business hours, and ends Friday, January 29th at 5 pm. Candidates filing on the last filing day must appear in person.

TOWN ADMINISTRATOR'S REPORT

Selectmen's Meeting Schedule

Town Administrator Desruisseaux said this Wednesday at 6:30 pm is the meeting of the Library Trustees. And Parks & Recreation meets on Wednesday at 7 pm. Selectman Adams said he just got an email from Planning Board Chairman Barbara Griffin who has called an emergency meeting this Thursday, which he cannot attend. It is to discuss the Briarwood Bond release. Selectman Gross said he is set to attend the Parks & Recreation meeting on Wednesday. Vice Chairman Lemay said he is fairly sure he can attend the Planning Board meeting and will confirm with Town Administrator Desruisseaux tomorrow. Town Administrator Desruisseaux said alternate 2 is Selectman Brown.

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Consensus Folder

Chairman Georgantas said there is an employee status report of a retirement and a Special Officer assignment. There is also a Federal Equitable Sharing Agreement and Certification (Police Department).

Selectman Adams made a motion to approve the Consensus folder. Selectman Brown seconded the motion. VOTE: 5-0-0. All in favor. Motion carries.

Assessor's Recommendations

Town Administrator Desruisseaux said there are 2015 Betterment Abatements recommended for Map 24, Lot 43. There are Solar Energy System Exemptions recommended for Map 16, Lot 208. There are Veteran Tax Credits recommended for Map 21, Lot 79, Map 2, Lot 16-10, and Map 2, Lot 16-10. There are two on that lot.

Selectman Brown made a motion to accept the Assessor's recommendations. Vice Chairman Lemay seconded the motion. VOTE: 5-0-0. All in favor. Motion carries.

HUNTER ALDENBERG - EAGLE SCOUT PROJECT

Hunter Aldenberg said he is here regarding an Eagle Scout project. He provided handouts to the Board.

His project is to improve the 60 foot portion at the beginning of the Rail Trail leading up to the abutment that borders the Piscataquog River. It will include installing an aluminum fence into the stone abutment for safety, removal of the existing yellow guardrail, and putting loam and seed on the shoulders of the trail. He will also put gravel nit pack in the center, which is a 10 foot wide portion of the trail. That will extend 60 feet leading to the stone abutment. He addressed pictures of what he was talking about. They will install wooden rail fencing 24 feet down the trail. His plan is to start the project in May and to work on it throughout the summer until it is complete. A company called John White Stone Masonry will provide labor to install the metal fencing into the stone abutment by drilling holes into the granite. At that point we will put the posts in for the aluminum fencing.

David Pierce, 21 Mill Street, said he will be the community sponsor in his role in Friends of the Rail Trail to accept the completed project when it's done. The granite abutments are historical. It's not right for a volunteer to start drilling holes in there. It should be done by a professional fence installer. DPW will contract with that so it will be a Town contract for installing the fencing.

The money will be from the scout to the Town. Selectman Adams clarified there would be a portion of steel fence on top of the abutment. Hunter Aldenberg said it would be aluminum fencing. David Pierce said it would be like at the rotary. Selectman Adams clarified coming off of that, would be sections of wooden fencing. Hunter Aldenberg said yes. David Pierce said the 24 feet approaching the trail tend to have some steep embankments so it serves for protection. It will be the same as what we've been using.

Selectman Adams asked if they have checked with the Division of Historic Resources to make sure they have no problems with it. He thinks it's an historic bridge abutment. David Pierce said

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they have not. Selectman Adams suggested they do so. David Pierce said he knows who to call and will work with Hunter Aldenberg to do that.

Selectman Gross said it seems like a very good project. He walked it a month or two ago. It is ripe for this type of project and he commends him for this type of selection. It will be a really nice addition, especially when you want to watch the Pumpkin Regatta.

Selectman Gross made a motion they approve Hunter Aldenberg's Eagle Scout project proposal. Selectman Adams seconded the motion. VOTE: 5-0-0. All in favor. Motion carries.

PUBLIC COMMENT—There was no public comment.

TOWN ADMINISTRATOR'S REPORT (continued):

Final Annual Warrant—vote on recommendations and identify speaker for each article

Town Administrator Desruisseaux said section 7d of the Selectmen's packets includes the recommendations of the Budget Committee on the Draft Warrant. Now we need the Selectmen's tally on their recommendations.

Article 13 is the Fire Station bond.

Selectman Gross made a motion to recommend Article 13 on the warrant. Selectman Adams seconded the motion. VOTE: 5-0-0. All in favor. Motion carries.

Town Administrator Desruisseaux said Article 14 is the operating budget, amended by \$5,000.

Vice Chairman Lemay made a motion to recommend Article 14 on the warrant. Selectman Adams seconded the motion. VOTE: 5-0-0. All in favor. Motion carries.

Town Administrator Desruisseaux said Article 15 is the Collective Bargaining Agreement with the firefighters.

Selectman Gross made a motion to recommend Article 15 on the warrant. Selectman Adams seconded the motion. VOTE: 5-0-0. All in favor. Motion carries.

Town Administrator Desruisseaux said Article 16 is the Fire Department Capital Reserve Fund.

Vice Chairman Lemay made a motion to recommend Article 16 on the warrant. Selectman Gross seconded the motion. VOTE: 5-0-0. All in favor. Motion carries.

Town Administrator Desruisseaux said Article 17 is the \$280,000 for the harnesses and equipment we added. She added the term "equipment" because, in his presentation at the hearing, the Fire Chief said "and equipment," so she wants to make sure it is broad enough they can get what they need for the Self-Contained Breathing Apparatus and Jaws-of-Life.

Vice Chairman Lemay made a motion to recommend Article 17 on the warrant. Selectman Adams seconded the motion. VOTE: 5-0-0. All in favor. Motion carries.

Town Administrator Desruisseaux said Article 18 is for \$230,000 to purchase a new ambulance, with the money coming from the Special Ambulance Fund.

Selectman Gross made a motion to recommend Article 18 on the warrant. Selectman Adams seconded the motion. VOTE: 5-0-0. All in favor. Motion carries.

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Town Administrator Desruisseaux said Article 19 is \$250,000 for Goffstown's Road Improvement Program.

Selectman Adams made a motion to recommend Article 19 on the warrant. Selectman Brown seconded the motion. VOTE: 5-0-0. All in favor. Motion carries.

Town Administrator Desruisseaux said Article 20 is for \$20,000 for Goffstown Main Street Program.

Selectman Adams made a motion to recommend Article 20 on the warrant. Selectman Gross seconded the motion. VOTE: 5-0-0. All in favor. Motion carries.

Town Administrator Desruisseaux said Article 21 is for \$20,000 for Crispin's House.

Vice Chairman Lemay made a motion to recommend Article 21 on the warrant. Selectman Brown seconded the motion. VOTE: 5-0-0. All in favor. Motion carries.

Town Administrator Desruisseaux said Article 22 is for \$15,000 for Goffstown Waterways Association and Namaske Lake Association to manage milfoil. Selectman Gross said you may see an amendment at the Deliberative Session on Article 22 to include language similar to Article 19, which has to do with being in the operating budget. Some people feel it is an operating expense.

Selectman Adams made a motion to recommend Article 22 on the warrant. Selectman Brown seconded the motion. VOTE: 5-0-0. All in favor. Motion carries.

Town Administrator Desruisseaux said Article 23 is the housekeeping article to adopt RSA 41:9-a, to establish and amend fees as outlined in the statute until rescinded. There is a piece of legislation about recommending authorization articles. In the past there was dissention. Selectman Gross said they are allowed to.

Selectman Gross made a motion to recommend Article 23 on the warrant. Vice Chairman Lemay seconded the motion. VOTE: 5-0-0. All in favor. Motion carries.

Chairman Georgantas said Article 24 would be discussed later.

Town Administrator Desruisseaux said Article 25 is a petitioned article to keep big money out of government. She asked who wants to speak on which articles at the Town Meeting. Selectman Gross said he would speak to Article 13—the Bond. Chairman Georgantas said he would speak to article 14—the budget. Selectman Brown said he would speak to Article 19—the Road Improvement Program. Selectman Gross said he would speak to Article 15—the Collective Bargaining Agreement. Vice Chairman Lemay said he would speak to Article 16—the Fire Department Capital Reserve Fund. He said he would also speak to Article 17—the SCBA and Jaws-of-Life. Selectman Adams said he would speak to Article 18—the new ambulance. Selectman Adams said he would speak to Article 20—Goffstown Main Street Program, and to Article 22—for milfoil. Selectman Gross said he would speak to Article 21—Crispin's House. Chairman Georgantas said he would address Article 23—regarding RSA 41:9-a.

SELECTMEN'S DISCUSSION

Committee Reports:

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Sewer Commission

Selectman Adams said we discussed the article, which we will hear more about later.

Budget Committee

Selectman Gross said the Budget Committee recommended all of the Town articles as well as the two School articles. The Budget Committee commended the Selectmen and Administration for a really good budget. It was fiscally sound and that's why the votes were unanimous.

Planning Board

Selectman Adams said there was a woman there who submitted a petitioned article for sandwich boards in the Commercial and Commercial Industrial Flex zones to be allowed within 10 feet of the property. She owns a nail salon in Goffstown Plaza. There was some discussion and at the end the Board took a vote of 5-0-1 to recommend the proposed change. We talked of a conceptual review hearing for Goffstown Junior Baseball to build a parking lot on the easterly end of the field where the gravel field is. A lot of issues came up—an Eversource easement, Rail Trail, drainage study, and other items. They are in a tough spot. The folks who bought the Villa property refuse to let them use the parking lot. It's a big problem because there is no way they are going to get this through for this year. It was suggested they approach the owners of the Villa property with a \$1 million insurance policy and an offer to lease it for one year. Selectman Gross asked if the Select Board should intervene in a friendly way. We could send a letter explaining we've had a very long history of that parking lot and the Villa assisting with Junior Baseball for parking. We could tell them we'd appreciate their consideration in giving Junior Baseball time to go through these processes. He says that because, hopefully, they want to be a good neighbor. The voters of the community changed the zoning for that parcel. It would be a good gesture to the Town and the people to let them park there another summer. Selectman Adams said that would be good but he suggests first letting Junior Baseball approach them. If it comes back "no" again it may be the proper time. Chairman Georgantas suggested being cautious because they may want something down the road and come back saying they gave us the use of the parking lot. Selectman Adams said it would depend on how the lease is written for that one year. He'll keep tabs on it. Selectman Gross said he doesn't want it to be a quid pro quo. The law allows 25 people to put forth a zoning change to change the zoning of that parcel again. Chairman Georgantas said it is a citizen's right to do that, but as a Board he's not sure they should intervene with a private organization.

Selectman Adams said they addressed Briar Woods, and they are holding the emergency meeting for that this Thursday to deal with the bond release.

NEW BUSINESS

Chairman Georgantas said there is no new business, but he wants to remind everyone of the election class at the High School. It is from 9 am -11:30am on January 23. There is a quiz they want you to take online beforehand so you will have an idea what the program is about.

Selectman Gross said he spoke with Cathy Ball. We need an answer quickly. The High School Athletic Director had scheduled a basketball game on Primary Day. It has been cancelled and he is looking to reschedule it for the Monday prior. If we do choose to use the main gym, it would

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have to be rescheduled again. The sooner we know the better it is for them to make those arrangements.

Chairman Georgantas said he scheduled the Town Clerk Cathy Ball, the Fire Chief, the Police Chief, and DPW Director to come in next week to discuss the whole issue. We're all on the same page.

OLD BUSINESS

Action Matrix

Vice Chairman Lemay said there is nothing new regarding Grasmere Town Hall. Assistant Town Administrator Horne was waiting for someone to come in to tend to the compressor downstairs. Chairman Georgantas said we are going to meet with the Sewer Department. Selectman Gross said the next EDC meeting, on February 10th, is the meeting at which they will meet with realtors. Selectman Adams said the subcommittee is still waiting on the study. Chairman Georgantas said they know what the story is regarding the US Postal Service. Selectman Adams said the planning issues will follow when we get beyond the zoning stuff. Chairman Georgantas said they need to get back on track for department head evaluations. We should start scheduling them right after the elections. Town Administrator Desruisseaux said it should be after the Deliberative Session but before elections. We have the public hearing tonight for the Finke easement, and we also meet with the Sewer Commission tonight.

PUBLIC HEARING: ACCEPTING EXECUTORY INTEREST IN A CONSERVATION EASEMENT—Map 12, Lot 6-3 off Montelona Road

Chairman Georgantas said in compliance with RSA 41:14-1 the Selectman announce Public Hearings on January 4, 2016 and January 18, 2016 starting at 6:30 pm at Town Hall, 16 Main Street, Goffstown, NH to accept an executory interest in a Conservation Easement on approximately 60 acres on Map 12, Lot 6-3 on Montelona Road. The Selectman plan to vote on January 25, 2016. Any person with a disability who needs a reasonable accommodation please call Town Hall at 497-8990 ext 100 at least 72 hours in advance for arrangements. This is the second meeting.

Chairman Georgantas opened the public hearing at 6:30 pm.

There was no public comment and the public hearing was closed at 6:31 pm.

SEWER COMMISSIONERS TO DISCUSS POSSIBLE CHANGE IN GOVERNANCE

Sewer Commissioners Robert Trzepacz, Stephen Crean, and Cathy Whootten were present. Chairman Georgantas said we are here to talk about a possible change in governance of the Sewer Commission. There is an article on the ballot for it—Article 24—and it can be taken off if something changes and we decide not to go forward with it. The article is *“to see if the Town will vote to abolish the Sewer Commission effective March 15, 2017.”* That allows a full year to get together and make sure everything is running efficiently.

Commissioner Crean asked what they are hoping to gain by this. Selectman Adams said he met with the Sewer Commissioners Thursday afternoon and told them we had discussed some efficiencies that may be gained from it. They had some concerns and he suggested the Sewer

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Commissioners show up for the meeting tonight. If we think it's the appropriate thing to do, we will. If not, we'll take other actions. Chairman Georgantas said what he read was that the Sewer Commission was formed when we had a road agent and no other professionals on site. Now we have a full staff with an engineer and people at DPW who are doing Sewer Department work. It seems to him to be another layer of governance in between and it would be more efficient to eliminate that layer.

Commissioner Whooten asked the cost of transferring the responsibilities of the Sewer Commission to the DPW. Town Administrator Desruisseaux said it would be transferred to this Board. Chairman Georgantas said DPW would be operating under this Board. Commissioner Whooten asked who would be responsible for Sewer Ordinances. Who would be responsible for attending meetings at the Manchester Waste Water Plant? Who would be responsible for overseeing the grants? Who would be responsible for doing the work we do on a volunteer basis? Who would absorb that at DPW and what would the cost be?

Chairman Georgantas said part of the answer is that the Board of Selectman would decide who would do that. It could be a Board member or someone from DPW. That would be a decision of this Board. It's not uncommon to eliminate middle management and that's what we're doing. We're trying to make it more efficient. Our job as Selectmen is to operate the Town as efficiently as we can. By eliminating another layer of management in between, he thinks they are doing that.

Selectman Gross said he thinks there are greater efficiencies to be gained. This is not the only commission he would consider folding. A lot of these commissions started in the 30's, 40's, and 50's. It was a different era. He thinks we have a dedicated DPW, so we don't have road agents. We have folks in charge of environmental issues. We have the technical expertise within DPW to make this a seamless transition. He's not diminishing what they have done over their many years of service. But sometimes you have to make progressive type changes. He thinks it's a good idea. Regardless of who would be going to the meetings, they would have the ability to attend those meetings. They also keep hearing that, even developers want a greater degree of simplicity. Dealing with the Sewer Commission is another layer they have to go to. He thinks it can be streamlined so they don't have to go to so many.

Selectman Brown said he fails to see where they will save anything. The Sewer Department runs efficiently. If we have DPW run it, are they going to say they need more people? Right now we're not paying for any of this work.

Selectman Gross said when he takes an outsiders look at this, we have personnel at Town Hall so the space is Town Hall space. We provide all of the accounting back up to the Sewer Commission. We already have a town employee who works for Sewer who is dealing with the billing and other issues. We provide the administrative and technical support. We have DPW employees who work for sewer and almost have two different people to report to—the Sewer Commission and their department head, which is then us. He doesn't think it's right for one person to have multiple bosses. Because all these resources are shared, he doesn't think it's such a big change. Administratively, when it comes to developing a budget, this Board develops a \$20 million budget. He doesn't think budget-wise we'll see a lot of difference. In terms of

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keeping up with regulations, etc., we've been dealing with storm water retention and issues, EPA things, etc. On the DPW side we have two engineers. Adam Jacobs is an engineer. The bad thing is it comes across as a slight to these people here, but he doesn't think it's a slight. It's not intended to be a slight. It's intended to be one less thing.

Selectman Adams asked how having a Sewer Commission slows down development projects. Selectman Gross said if a developer comes in to town, they go to the Sewer Commission. If they aren't here, where would they go? Selectman Adams said they would come to the Selectmen. Selectman Gross said if someone wants to do something in Goffstown they potentially have to go to a Sewer Commission, a Conservation Commission, a Planning Board, maybe the Selectmen for an easement issue. There are more things they have to go through. There are a lot of things that we used to do as a Board of Selectmen that our department heads now do. This Board does have the capacity to take on some of those responsibilities.

Vice Chairman Lemay said he agrees with what has been said at the table tonight. Times have changed. Streamlining some of the things we do might make things a little easier. He thinks who we have at the DPW could handle what we have. He's in favor of making the change.

Commissioner Crean said one thing being overlooked is that there is \$2.5 million in the Sewer Fund right now. We've been very conservative with our spending over the years. Between 1992 and today, sewer rates have only gone up about 64%. Taxes have gone up 200-250%. The Sewer Commission has been very efficient. Our job is to protect the rate users as to what happens with that money. What's in the best interest of the rate payer and the tax payer isn't always the same thing. There are constant conflicts into the hundreds of thousands of dollars. For example, when we re-did Pinardville we got ½ million dollars from the federal government. According to their guidelines all we had to do was rip up the street and do trench repair. And that was acceptable. But you'd just have a mess. So we got together with the highway department to come up with something else. So we took the money for the trench overlay and figured out what a total overlay would be. We contributed the money from the trench overlay plus 25% to make the deal a little sweeter and we got the whole project done. It's the same with the drainage. Sewer is usually with the drainage. In Pinardville the drainage was all rotten. You'd be foolish to repair it. So at every point it was negotiated who would pay. The Sewer Department would pay so much and the Town would pay so much. When the \$2.5M is under Selectmen control will you be sticking up for the rate payers and the taxpayers? And will you take that money and put it into other areas? We've talked about the Daniel Plummer Road project. The biggest thing he feels slighted about is that the Board says it's on the warrant and this is the first time we've sat down and talked about it.

Chairman Georgantas said it is on the warrant but doesn't necessarily have to stay there. We are still in the stages where that can come and go. But it's on there for tonight and we're bringing it up for discussion. He's not sure about the question of comingling of the funds. It's still going to be an enterprise fund. Commissioner Crean said, using the sewer and drainage work in Pinardville, you could have said the Sewer was paying for everything. That would be under your purview.

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Chairman Georgantas said we've learned from the Commission how things are supposed to be done. Our DPW has learned from you how things should be done. Why would we change it? If it's a sewer problem, sewer pays for it. If it's a town problem, the town pays for it. We can comingle the projects just like you said you did in Pinardville. Why can't we do that? Commissioner Crean said the 5 of you know how but in a few years there might be different people sitting there.

Selectman Gross said the beauty of it is that, like you and this Board, the members of the community elect us. The rate payers do not solely elect the Sewer Commissioners. All citizens elect the Sewer Commission and the Board of Selectmen. If someone or a Board did something whacky, there is a whole set of checks and balances for things to get verified. The concern of comingling of funds is noteworthy. But the Town has elected us, and the School Board, to oversee and manage the things of the Town and School. The voters would essentially be asking us to pick up another \$2-3 million of responsibility.

Selectman Brown asked if they would next be taking over the water precinct and Manchester water coming into town. Chairman Georgantas said those are set up differently.

Selectman Adams said one thing he heard Thursday was how important it is for people to volunteer so they feel like they belong, are contributing, and they bring their expertise and experience to the community. That stuck with him. As a member of many different boards, he understands it's the lifeblood of the community.

Commissioner Trzepacz said he has 20+ years of wastewater experience. That's what he does day in and day out. That's why he was approached to fill the vacancy on the Sewer Commission. He had never considered serving before. There are a lot of differences between highway engineering and sanitary engineering. There are a lot of nuances that go into a project when you start talking of the pump station infrastructure we have and the age of it. He's been on the Commission about three months and hasn't been in every pump station, but is interested seeing them because he speaks that language. In the course of a project he'd be in a position to advice people on it. If you had to count on that from an outside source you are paying about \$140 per hour, or whatever the billing rates are of a consultant. Selectman Gross asked what would prohibit the Town from having an advisory group. Chairman Georgantas said he doesn't want to get rid of one to start another.

Commissioner Whooten asked how much experience the Selectmen have in dealing with sewer matters. Chairman Georgantas asked her how much experience she had before becoming a Sewer Commissioner. Commissioner Whooten said she had some because of attending Planning Board and different committee meetings and listening to how the sewer operates within those plans. Chairman Georgantas said we do the same things and have the same experience you do. We don't have the experience of Commissioners Crean or Trzepacz. But we are lucky to have people in the town.

Commissioner Crean said he may stick around, but who knows? It's his profession. It's been great having him. He's ushered this in with Jim Bouchard, who Commissioner Trzepacz replaced. All it takes is an election and you don't have the expertise. By turning it over to DPW

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the election isn't going to eliminate the expertise. Cathy Whooten said Commissioner Crean has been on the Commission since 1992. For Commissioner Trzepacz, she's sure he didn't run just for the remainder of this term. She believes he will run for another three years. When you put that together you realize these two people have sewer related knowledge second to none, and they offer it to this town for nothing. As Mike Walton from DPW said, who will he call? Right now she has the choice of calling either Commissioner Trzepacz or Commissioner Crean who are extremely knowledgeable. If that was to change they'd have to call someone on the Board of Selectmen. Those positions change annually. Chairman Georgantas said he's not sure the chain of command would be from Mike Walton to the Board of Selectmen. That would be set up later on, not now. Selectman Brown said you may have to call an outside engineer. The DPW engineers may not have the expertise. Chairman Georgantas said they will never have the expertise unless they get involved in it.

Selectman Gross said he knows what we've had over the last 20 years. But it's an elected board. You are an elected board and have the expertise. You could be replaced with three people who have name recognition but no experience whatsoever who are looking to do exactly what you don't want to see done with \$2.5 million in a fund. Where are the checks and balances there? We've been fortunate to have the expertise we've had on this commission, but there is no guarantee someone won't run with next to no experience. There is no qualifier that requires a level of expertise to run for the position. You just have to be a resident of Goffstown. It is the same with the Selectmen. There is no prerequisite of education or skill level. Commissioner Whooten said it might be better to place an article on the warrant when there wasn't the expertise on the Commission to handle the issues and to support sewer users. Chairman Georgantas said we can't do that. It has to be in before the people run. The time isn't there to put in a warrant article because the people running aren't qualified.

Commissioner Trzepacz said one thing heard this time of year is the wish for better voter turnout and the wish for more people getting involved. What you are doing is contrary to getting people involved. Chairman Georgantas said he understands that. It would be helpful to have people like you on the Planning Board. Sometimes we don't have people with the knowledge that you do. People get in just because of name recognition or not enough people sign up. All of a sudden we have people who have no clue about planning on the Planning Board. When you (Commissioner Whooten) signed up, you had no one run against you. Town Administrator Desruisseaux said she brings her accounting expertise to the table. Commissioner Whooten said she ran against Paul LaPearl and won. Chairman Georgantas said he had a lot of expertise when it came to sewer. Using your own analogies, who would have been a better person to have on the Sewer Commission?

Selectman Gross asked, in towns similar in size to ours, how many have sewer commissions. Commissioner Crean said maybe 60%. He used the Town of Bedford as an example. They went to charter reform. They knocked off the Board of Selectmen, eliminated the Budget Committee, they changed the Planning Board and the ZBA from elected to appointed, and then instituted a 7 member council. They consolidated all the power and gave most of it to a Town Manager. Following your logic, the next step would be to change the Planning Board to an appointed board to be able change the membership when you don't like someone. Commissioner Trzepacz said

GOFFSTOWN BOARD OF SELECTMEN
MEETING OF JANUARY 18, 2016

Rollinsford, Epping, Allenstown, Pembroke, and probably others, have Sewer Commissions. These are just ones he's dealt with.

Selectman Gross said we are the 14th largest municipality in the State of NH and he doesn't feel we've evolved like a 14th largest municipality. We still do a lot of things like we did decades ago, which doesn't work as well. There are two schools of thoughts. One is that government is not intended to be efficient but is intended to be time consuming, etc. The other thought is that if you can streamline things, it helps to expedite things and make them go a little smoother. It's time to make some changes.

Commissioner Trzepacz said there is a metric we've not discussed, and that is how much of the land here is sewerred. That causes a division and is one thing that necessitates a commission because we have a very different population of sewer rate payers versus the whole town. There are specific technical needs there and project accounting needs that go along with it.

Selectman Gross said, regarding cost savings, he was on the Board when the sewer project was done in Pinardville. The Selectman at the time, and the employees at Town Hall and at DPW spent a ton of time and energy and effort into the project. They were the ones who fielded the phone calls from business owners. We had to deal with all of the meetings and dealing with the public, so he doesn't necessarily agree there is a cost savings. There is a Sewer Commission but the Town bore a lot of the costs and a lot of the abuse on that one. Carl Quiram took a pretty good beating on that also. It goes both ways.

Commissioner Crean said everyone took a beating on that one but look what we ended up with compared to what it used to look like. It's beautiful. Everyone chipped in and did their part. It was one of the better success stories. Commissioner Whooten said the Sewer Commission never questioned paying the employees at DPW, but the project was under the eyes of the Sewer Commissioners. Phone calls should have been received at the Sewer Commission Department. Foremost of all, taxpayers realized a great benefit from our doing that because the Town was able to get their drainage system in while the road was open. We tarred that road and sidewalked a sidewalk. We never asked the Town or taxpayers to pay for any of that road paving. If you had to open that road again, and it was because of Carl Quiram looking to save taxpayers dollars, and with the cooperation between the DPW and Sewer Commission, we saved the taxpayers and the sewer payers dollars. We were able to finance \$1.25 million for 20 years at zero percent interest. Why, when you have the expertise sitting in front of you, and we've been able to accomplish what we've been able to accomplish, would you in 15 minutes say we disappear for inefficiencies she has yet to hear. She'd like to hear about those inefficiencies. Chairman Georgantas said he'd like to see the paperwork that says the Sewer Commission paid for all that pavement from sidewalk to sidewalk. That's not what Commissioner Crean said. Commissioner Crean said the Town paid \$80,000 and the Sewer Commission paid \$320,000, give or take \$10,000. Chairman Georgantas said the Selectman will discuss it and figure out what they are going to do. He thanked the Sewer Commissioners for coming in.

7:04 pm Vice Chairman Lemay made a motion to enter into non-public session per RSA 91-A:3 II (b) hiring and (e) legal. Selectman Brown seconded the motion. Roll Call Vote:

GOFFSTOWN BOARD OF SELECTMEN
MEETING OF JANUARY 18, 2016

Chairman Georgantas-aye; Vice Chairman Lemay-aye; Selectman Adams-aye; Selectman Brown-aye; Selectman Gross-aye. VOTE: 5-0-0. All in favor. Motion carries.

7:50 pm Vice Chairman Lemay made a motion to exit non-public session. Selectman Gross seconded the motion. VOTE: 5-0-0. All in favor. Motion carries.

Selectman Brown made a motion to seal the non-public minutes. Selectman Gross seconded the motion. Roll call vote: Chairman Georgantas-aye; Vice Chairman Lemay-aye; Selectman Adams-aye; Selectman Brown-aye; Selectman Gross-aye. VOTE: 5-0-0. All in favor. Motion carries.

Vice Chairman Lemay made a motion to approve the Police Chief's recommendation of a Conditional Offer of Employment to fill the vacant dispatcher position at the compensation level discussed. Selectman Brown seconded the motion. VOTE: 5-0-0. All in favor. Motion carries.

Vice Chairman Lemay made a motion to approve the Town Administrator's recommendation to promote an internal candidate to Tax Collector at the compensation level as discussed. Selectman Brown seconded the motion. VOTE: 5-0-0. All in favor. Motion carries.

Selectman Gross made a motion to authorize the Town Administrator to process payment to the developer of Black Brian Woods in an amount to be determined by the Planning Board in consultation with the Department of Public Works. Selectman Brown seconded the motion. VOTE: 5-0-0. All in favor. Motion carries.

Selectman Adams made a motion to not place the article to abolish the Sewer Commission on the warrant. Selectman Brown seconded the motion.

Selectman Adams stated that efficiencies were not identified, allegations of slowing down the development process were speculative, and we should maintain the long history of volunteerism in this community. Sewer design and development were not within the realm of current Public Works operations. Vice Chairman Lemay said he thought it would put too much work on Public Works. Selectman Gross thought the article may have a negative impact on the warrant. Selectman Brown stated that it would send the wrong message regarding volunteerism.
VOTE: 5-0-0. All in favor. Motion carries.

8:05 pm Selectman Adams made a motion to adjourn. Selectman Brown seconded the motion. VOTE: 5-0-0. All in favor. Motion carries.

Gail Labrecque
Recording Secretary

Subject to approval by the Board of Selectmen.

REQUEST FOR APPOINTMENT WITH SELECTMEN

Please Print

Date Submitted: January 20, 2016 Monday Meeting Requested: January 25, 2016

Requestor Name: Brookfield Investment Group, Inc.

Address: _____

Phone: _____ Cell: _____ Email: _____

Agenda Item: Request to restore lots pursuant to RSA 674-39-aa

Brief Summary of Agenda Item: Request to restore Tax Map 4, Lot 20 to three (3) lots of record for taxation and land use purposes.

What action is requested by the Board of Selectmen on this item? Restore Tax Map 4, Lot 20 to three (3) lots of record.

Who will be speaking on the item? Daniel D. Muller, Jr., Esquire

Speaker's contact information (if different from requestor): Cronin Bisson & Zalinsky, P.C.
722 Chestnut Street, Manchester, New Hampshire 03104

How much time will be needed to present? 5-10 minutes

Have additional documents been submitted for this item? Yes No

If yes, what has been submitted? Letter with exhibits, including extra copies of plans, explaining history of property and basis for request.

Staff: If this is a non-public session, then please indicate category:

- Non-Public Session: RSA 91-A:3 II
 - (a) personnel (compensation, discipline);
 - (b) hiring;
 - (c) adversely effect reputation of someone other than a board member;
 - (d) land & real estate;
 - (e) legal claims pending;
 - (i) thwart deliberate acts intended to result in widespread or severe damage to property, injury or loss of life

The deadline for agenda requests is noon on Thursday prior to the Board of Selectmen Meeting. If you have additional background information, please attach to this form. Do not submit this request until all background information is attached.

To be Completed by Administration

You are scheduled for _____ Selectmen Meeting from _____ to _____ p.m.



Cronin
Bisson &
Zalinsky P.C.
Attorneys at Law

722 Chestnut Street | Manchester, NH 03104

p. 603.624.4333 | f. 603.623.5626

www.cbzlaw.com

Daniel D. Muller, Jr.
Admitted in NH

January 20, 2016

Town of Goffstown Board of Selectmen
16 Main Street
Goffstown, New Hampshire 03045

Re: Restoration of Lots - Tax Map 4, Lot 20, Goffstown, New Hampshire

Dear Honorable Selectmen:

Our firm represents Brookfield Investment Group, Inc. ("Brookfield"), the record owner of property identified in the Town's assessing records as Tax Map 4, Lot 20. Tax Map 4, Lot 20, which as discussed in more detail below, consists of three lots of record, but has been treated as a single lot, at least, for taxation and now land use purposes by the Town. Brookfield seeks to restore these lots to their pre-merger status pursuant to RSA 674:39-aa.

Brookfield is the record of owner of the land constituting Tax Map 4, Lot 20 by virtue of a Warranty Deed dated February 4, 2000 and recorded in the Hillsborough County Registry of Deeds at Book 6206, Page 1806, a copy of which is attached as Exhibit "A." The 2000 deed describes three separate tracts of land. The deed first separately describes two tracts of land, which together contain approximately 50 acres of land and references a 1940 deed from Etta S. Hart as the source of the grantor's title to the same. The first of these two tracts is shown as Tract I on the plans attached hereto as Exhibit "B." The second of these two tracts is shown as Tract II on the same plan and is the parcel along the 4th and 5th Range Lines extending from Mountain Road. Finally, the deed describes an approximately ten acre parcel of land historically known as the John G. Dodge field and references a separate 1940 deed from Ada Thorp as the source of title to the same. This tract is shown as Tract III on Exhibit "B." All three tracts have distinct chains of titles, which Brookfield's surveyor, Michael Dahlberg has traced back to the 18th century, as evident from the Boundary Research Plan included as a part of Exhibit "B."

There is no record of a notice of voluntary merger on record at the Hillsborough County Registry of Deeds for the three tracts, or any portion thereof. Neither Brookfield nor any of its predecessors-in-title have taken any overt action showing that they intended to merge the lots. The tracts historically had been undeveloped. In April 2013, Brookfield requested a driveway access across to Tract II for the benefit of Tract I. In responding to said request, the Town expressly acknowledged that Tax Map 4, Lot 20 consists of three separate lots of record and granted Brookfield the right, subject to certain conditions, to construct a driveway across Tract II for the purpose of accessing Tract I from Mountain Road. Exhibit "C." Brookfield later applied for and obtained a building permit to construct a three-bedroom single family home to be accessed from Lesnyk Road on Tract III. Exhibit "D." The foundation for the home has been constructed. The improvements for the single-family home on Tract III do not encumber any of

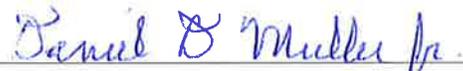
Town of Goffstown Board of Selectmen
January 20, 2016
Page 2

the other tracts. *Cf.*, Roberts v. Town of Windham, 165 N.H. 186 (2013) [Common development over series of tracts showed intent to merge.]. The issue of merger arose when Brookfield filed a subdivision application with respect to Tract III, rather than the entirety of Tax Map 4, Lot 20. Notwithstanding the Town's admission in April 2013 that the property consisted of three separate lots, the Planning Board refused to accept the application showing only a portion of Tax Map 4, Lot 20 and advised Brookfield to address the status of the lots. While one of Brookfield's predecessors-in-title had the entire tax lot, save Tract II, surveyed and had the survey recorded, Brookfield's predecessor-in-title did so after the Town had already merged the lots. Moreover, notwithstanding the survey, Brookfield's predecessor-in-title described the tracts separately rather than describing the same as a single tract when conveying the same to Brookfield. Town of Newbury v. Landrigan, 165 N.H. 236 (2013) [Unambiguous metes and bounds description prevails over "meaning and intending" clause relative to describing property conveyed.]. Neither Brookfield nor its predecessors-in-title have removed the stonewalls and similar monuments which have historically marked the bounds of the different tracts. In short, the tracts retain their historical characteristics and have been always considered to be separate parcels of land.

In sum, as the three tracts have been involuntarily merged, Brookfield respectfully requests that the Board restore the merged Tax Map 4, Lot 20 to three lots of record for taxation and land use purposes pursuant to RSA 674:39-aa.

If you have any questions or concerns, please feel free to contact me at 624-4333.

Sincerely yours,
CRONIN BISSON & ZALINSKY P.C.

By: 
Daniel D. Muller, Jr.

DDM:
Enclosures
cc: Brookfield Investment Group, Inc.

Exhibit A

WARRANTY DEED

John S. Kearns of 133 Dudley Street, Cambridge, Middlesex County, Massachusetts 02140-2444 grants to Brookfield Investment Group, Inc., a New Hampshire corporation with a principal place of business at 7 Old Farm Road, Bedford, Hillsborough County, New Hampshire 03110 with WARRANTY COVENANTS,

A certain tract or parcel of land situate in Goffstown, Hillsborough County, New Hampshire, bounded and described as follows, to wit:

Beginning at the southeast corner of land owned by William T. Warren now or formerly;

thence westerly by land of said Warren, and land formerly owned by Huse and Stevens of Manchester in said County of Hillsborough, to George Eaton's land;

thence southerly by said Eaton's land to land formerly of Peter E. Hadley, 2nd;

thence easterly by said Hadley's land to the southeast corner of the within described tract;

thence northerly by the said Hadley's land to the bound first mentioned.

Also another tract of land situate in said Goffstown and bounded as follows, to wit:

on the east by the Highway that leads from D.A.F. Carr's to Peter E. Hadley's;

thence on the south by land of said Hadley;

on the west by land of William P. Warren;

on the north by land formerly of Jefferson Jones' heirs.

The whole of said tracts containing fifty acres more or less and being the same premises described in the deed of Etta S. Hart to Charles S. Kearns dated December 3, 1940 and recorded in the Hillsborough County Registry of Deeds at Book 1013, Page 44.

Also, a certain tract of land situated in the Town of Goffstown bounded and further described as follow, to wit:

Beginning at the northeast corner of said lot cornering on the highway leading from Goffstown Village to residence of Sumner M.

BK 6206 PG 1806

Patten and land formerly of Sevilla Harriman;

thence westerly by said highway to land of Lewis E. Holden;

thence southerly by land of Lewis E. Holden to land of Etta M. Hart;

thence easterly by said Hart land to land formerly of Sevilla Harriman;

thence northerly by said Harriman land to the place of beginning.

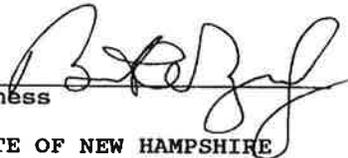
The same containing about ten acres, be the same more or less and is known as the John G. Dodge field. And, being the same premises described in the deed of Ada M. Thorp, et al to Charles Kearns dated April 26, 1940, recorded in Hillsborough County Registry of Deeds at Book 1005, Page 238.

Grantor acquired the real estate described in this deed under the will of Charles S. Kearns (Hillsborough County Probate Court #95415).

Meaning and intending to describe the same premises shown as Map 4, Lot 20 on a plan recorded in the Hillsborough County Registry of Deeds on February 4, 2000 as Plan No. 30319, entitled, "Boundary Survey of Land of Dr. John Kearns, Project Location: Lesnyk & Mountain Roads, Goffstown, NH, Map 4, Lot 20, Date: April 11, 1988, Job No. 8-87/158, Survey by Richard D. Bartlett, L.L.S., 9 Winthrop St., Concord, N.H. 03301 (603) 225-2291."

There are no rights of homestead in the property.

4 IN WITNESS WHEREOF, I have hereunto set my hand and seal this day of February, 2000.

Witness 


John S. Kearns

STATE OF NEW HAMPSHIRE
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 4th day of February, 2000, by John S. Kearns.


Justice of the Peace/Notary Public
Commission Expires:

BK6206PG1807

STATE OF NEW HAMPSHIRE

DEPARTMENT OF REVENUE ADMINISTRATION

REAL ESTATE TRANSFER TAX

***1 THOUSAND 4 HUNDRED AND 25 DOLLARS

MO. DAY YEAR 02/04/2000 416295 \$ ****1425.00

VOID IF ALTERED

Exhibit B

Map 4 Lot 20
 Brookfield Investment Group
 7 Old Farm Road
 Bedford, NH 03110

Map 4 Lot 19
 Karen F. Kelley
 Erik & Amy L. Fardy
 14 Lesnyk Road
 Goffstown, NH 03045

Map 4 Lot 17
 Joseph & Lisa Langenberger
 172 Mountain Road
 Goffstown, NH 03045

Brookfield Investment Group
 | 6206-1806, Feb. 4, 2000 3 Tracts
 John S. Kearns
 | Probate #95415
 Charles S. Kearns
 | 1015-44 2 tracts, Dec. 3, 1940
 Ada Thorp
 | Probate
 John G. Dodge
 | 441-126, May 22, 1877
 Alfred Story, Admin. Est. William P. Warren
 | 259-62, Jan. 1, 1850
 Ephraim Warren
 | 249-96, Jan. 7, 1833
 Moses Poor
 | 178-284, Nov. 24, 1831
 George Poor

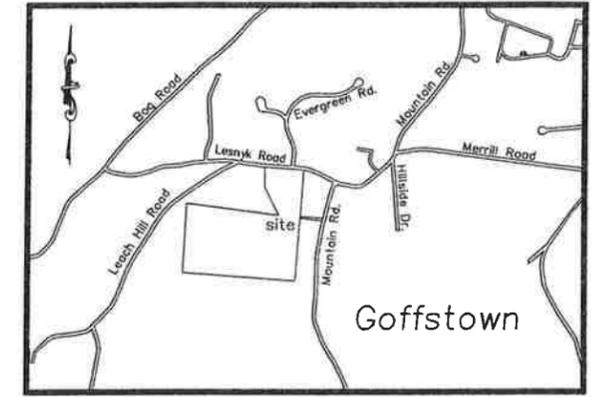
Map 4 Lot 17A
 Joseph & Lisa Langenberger
 172 Mountain Road
 Goffstown, NH 03045

Joseph & Lisa Langenberger
 | 7859-2847,
 Joseph Langenberger
 | Several conveyances
 Maurice Riel, et al
 | Several conveyances
 Willis Harriman
 | 1007-159, Sept. 3, 1940
 Servilla Harriman
 | 605-407, Oct. 18, 1901
 Frank Barone
 | 551-200, April 20, 1895
 William H. & Martha B. Weeks
 | 473-304, April 23, 1892
 Eliphalet Richards, 2nd
 | 473-414, March 27, 1884
 Harriett Lyman, et al Heirs Jefferson Jones
 | Probate
 Jefferson Jones
 | 213-449, Nov. 15, 1841
 David Steele
 | 186-136, Jan. 14, 1836
 Josiah Forsaith (& Jonathan Butterfield)
 | 125-86, Sept. 3, 1819
 Daniel Butterfield
 | 89-353, March 20, 1811
 John Butterfield, Jr.
 | 4-204, June 29, 1776
 Phebe Butterfield
 | 1-246, Feb. 26, 1772
 Heirs of John Butterfield
 | Probate
 John Butterfield
 | Lot 4, 5th Range, circa 1749
 Proprietors of Goffstown, NH

See Bk. 186 Pg. 136, Jan. 14, 1836
 Josiah Forsaith to David Steele
 Reserves to Peter Butterfield a lane on the "Hadley Line"
 to drive his cattle with the caveat that Peter Butterfield
 construct and maintain a fence along the line.

See Bk. 213 Pg. 449, Nov. 15, 1841
 David Steele to Jefferson Jones
 Excepting the Lane I gave to Peter Butterfield
 This legal description clearly excludes the lane from
 parcel being conveyed. Part of Lot 4, 5th Range
 This deed states that Peter Butterfield did build
 a wall on the north side of the lane

From 1841 forward to this date the deeds in
 this chain all call for the southerly boundary
 to be along the land of WHH Hart



Locus Plan
 N.T.S.

- Notes**
- The purpose of this plan is to show boundary research information for three tracts of land owned by Brookfield Investment Group in Goffstown, N.H. as shown and no other purpose.
 - Owner of Record: Brookfield Investment Group
 7 Old Farm Road
 Bedford, NH 03110
 HCRD Book 6206 Page 1806 Tracts I, II & III
 - This plan is the result of an actual field survey made on the ground in April of 2011 by this office.
 - 1 Foot = 0.3048 Meters, 1 Acre = 0.4047 Hectares

- Reference Plans**
- Boundary Survey of Land of Dr. John Kearns, Lesnyk & Mountain Roads Map 4 Lot 20, Dated: April 11, 1988 by Richard D. Bartlett, LLS HCRD Plan #30319 4 sheets.
 - Town of Goffstown Lotting Map from Hadley's History and NH Archives.
 - Plat of Beth W. Baker Land, Goffstown, N.H. Dated: April 2, 1974. by Robert B. Todd, LLS HCRD Plan #8781
 - Land of Donald Normandeau, n/s Mountain Road, Goffstown, N.H. Dated: 8-93 by H.A. Amsden & Sons. HCRD Plan # 26477.
 - Land of Donald A. Normandeau, w/s Mountain Road, Goffstown, N.H. Dated: 10-91 by A.F. Scilione. HCRD Plan # 25588.
 - Land of Donald A. Normandeau, Mountain Road, Goffstown, N.H. Dated: 09-79 by John T. Hills Eng. Inc. HCRD Plan # 12582.

Map 4 Lot 14
 Barbara Mace
 171 Mountain Road
 Goffstown, NH 03045

HCRD Book 6206 Page 1806 Tract III
 Brookfield Investment Group

HCRD Book 6206 Page 1806 Tract I
 Brookfield Investment Group

HCRD Book 6206 Page 1806 Tract II
 Brookfield Investment Group

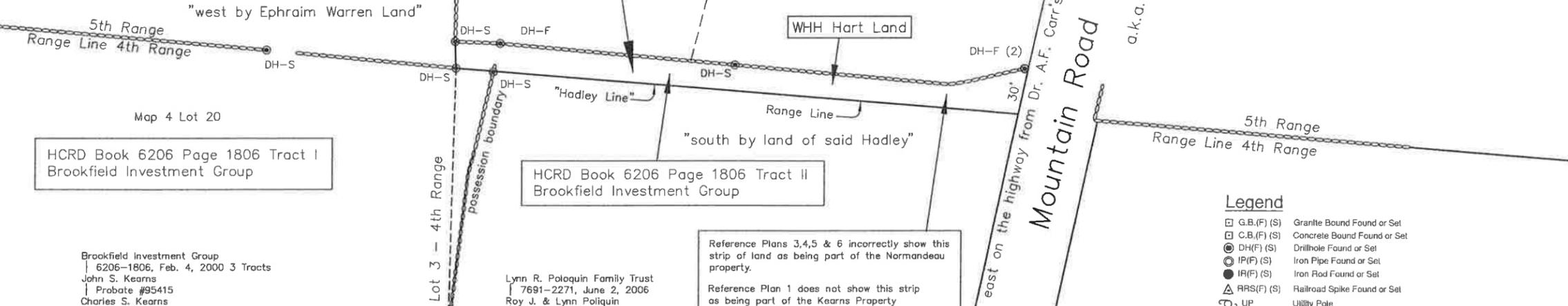
Reference Plans 3,4,5 & 6 incorrectly show this strip of land as being part of the Normandeau property.

Reference Plan 1 does not show this strip as being part of the Kearns Property

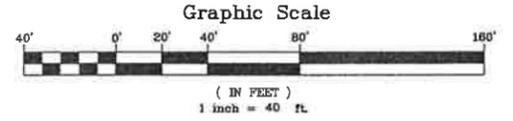
Lynn R. Poloquin Family Trust
 | 7691-2271, June 2, 2006
 Roy J. & Lynn Poliquin
 | various conveyances
 Roy J. Poliquin
 | 5470-1500, 9-10-93
 Donald & Ruth Normandeau
 | 5353-1593, Jan. 10, 1992
 Donald Normandeau
 | 2422-513, Oct. 10, 1975
 Lucy M. Baker
 | Probate
 Beth Ward Baker
 | Probate #80269
 Josephine Hadley
 | Probate
 Charles C. Hadley
 | Probate
 Peter Hadley, 2nd
 | Probate
 Peter Hadley
 | Probate
 Ebenezer Hadley
 | Probate
 Martha Hadley Admin. Estate of Joseph Hadley
 | 5-405, April 30, 1771, Lot 4 4th Range
 Heirs of Robert Gilchrist
 | Lot 4, 4th Range
 Abraham Merrill
 | Lot 4, 4th Range, circa 1749
 Proprietors of Goffstown, NH

Map 4 Lot 16-3
 Lynn R. Poloquin Family Trust
 190 Mountain Road
 Goffstown, NH 03045

Brookfield Investment Group
 | 6206-1806, Feb. 4, 2000 3 Tracts
 John S. Kearns
 | Probate #95415
 Charles S. Kearns
 | 1015-44 2 tracts, Dec. 3, 1940
 Etta S. Hart
 | 661-528, June 3, 1908
 Elizabeth T. Hart
 | Probate
 W.H.H. Hart
 | 385-532 2 Tracts, April 26, 1869
 E.A. Straw
 | 346-419 2 tracts, July 25, 1863
 Thomas R. Butterfield
 | 237-181 Tr II April 23, 1846
 Peter Butterfield
 | 184-490 May 11, 1835
 Jonathan Butterfield & Josiah Forsaith
 | 125-86, Sept. 3, 1819
 Daniel Butterfield
 | 89-353, March 20, 1811
 John Butterfield, Jr.
 | 4-204, June 29, 1776
 Phebe Butterfield
 | 1-246, Feb. 26, 1772
 Heirs of John Butterfield
 | Probate
 John Butterfield
 | Lot 3, 4th Range, circa 1749
 Proprietors of Goffstown, NH



- Legend**
- G.B.(F) (S) Granite Bound Found or Set
 - C.B.(F) (S) Concrete Bound Found or Set
 - ⊙ DH(F) (S) Drillhole Found or Set
 - ⊙ IP(F) (S) Iron Pipe Found or Set
 - ⊙ IR(F) (S) Iron Rod Found or Set
 - △ RRS(F) (S) Railroad Spike Found or Set
 - ⊕ UP Utility Pole
 - ⊙ Well



Map 4 Lot 15
 Donald & Ruth Normandeau
 187 Mountain Road
 Goffstown, NH 03045

Certification
 I certify that this Survey Plat is not a subdivision pursuant to this title and that the lines of streets or ways shown are those of public or private streets or ways already established and no new ways are shown (RSA 676:18).

Michael Dahlberg
 Michael Dahlberg
 Licensed Land Surveyor
 1-12-16
 Date

Brookfield Investment Group
 Goffstown, New Hampshire

Boundary Research Plan
 Mountain Road
 for a portion of
 Assessors Map 4 Lot 20
 Goffstown, New Hampshire

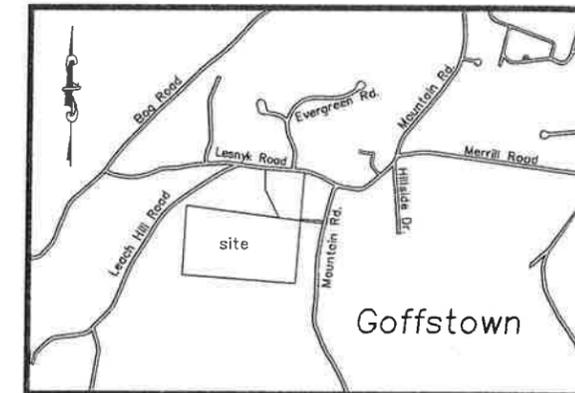
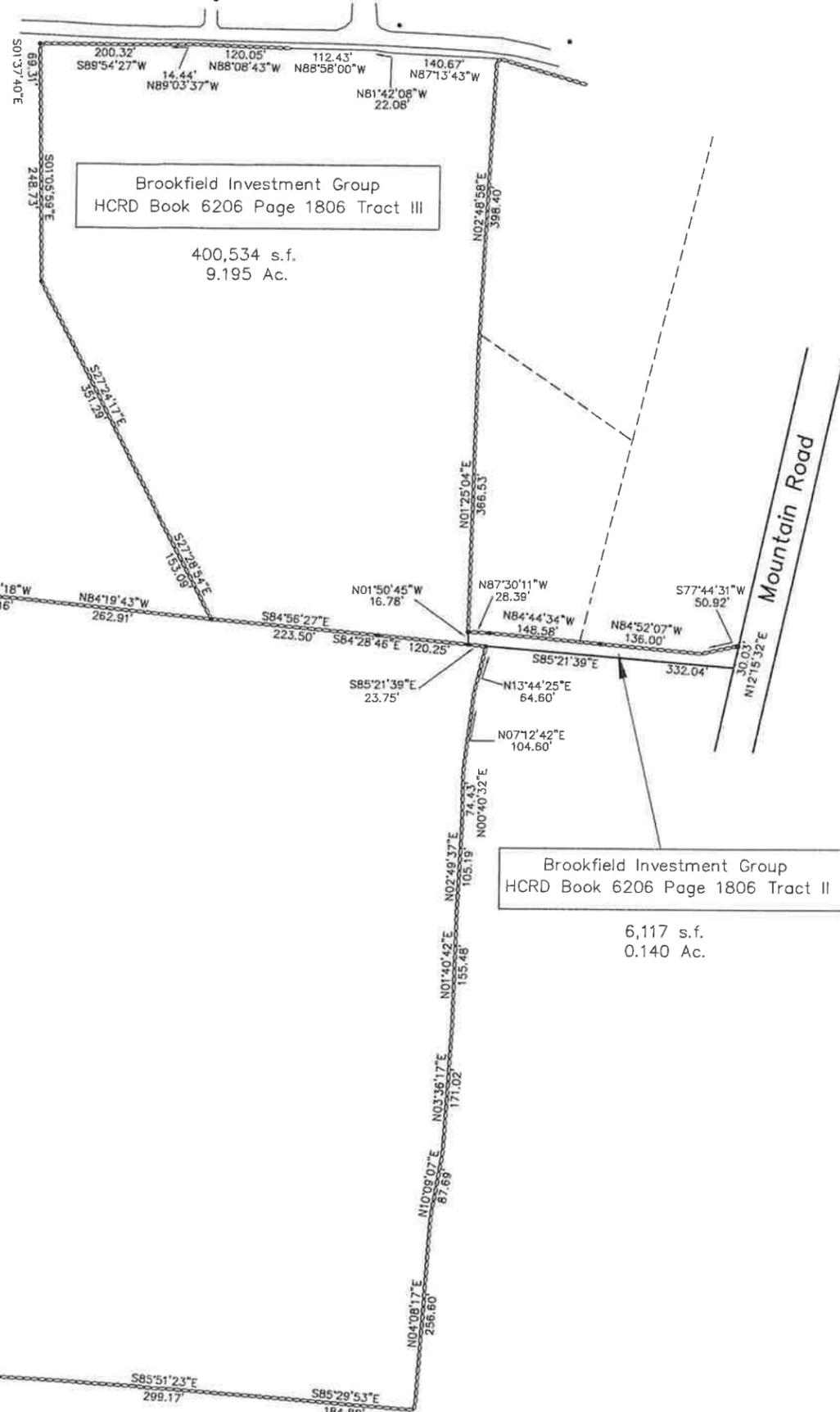
Scale: 1" = 40' January 12, 2016 Sheet 1 of 2

Dahlberg Land Services, Inc.
 Land Surveyors 603-529-3833
 Boundary Consultants 84 Oak Hill Road
 Septic System Designers Weare, New Hampshire

Legend

- G.B.(F) (S) Granite Bound Found or Set
- C.B.(F) (S) Concrete Bound Found or Set
- DH(F) (S) Drillhole Found or Set
- IP(F) (S) Iron Pipe Found or Set
- IR(F) (S) Iron Rod Found or Set
- △ RRS(F) (S) Railroad Spike Found or Set
- UP Utility Pole
- Well

Lesnyk Road



Locus Plan
N.T.S.

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3. Plat of Beth W. Baker Land, Goffstown, N.H. Dated: April 2, 1974. by Robert B. Todd, LLS HCRD Plan #8781
4. Land of Donald Normandeau, n/s Mountain Road, Goffstown, N.H. Dated: 8-93 by H.A. Arnsden & Sons. HCRD Plan # 26477.
5. Land of Donald A. Normandeau, w/s Mountain Road, Goffstown, N.H. Dated: 10-91 by A.F. Sciliano. HCRD Plan # 25588.
6. Land of Donald A. Normandeau, Mountain Road, Goffstown, N.H. Dated: 09-79 by John t. Hills Eng. Inc. HCRD Plan # 12582.

Brookfield Investment Group
HCRD Book 6206 Page 1806 Tract I

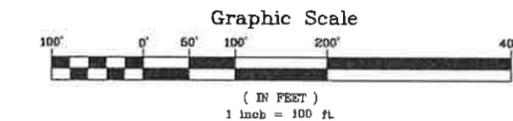
1,918,515 s.f.
44.0 Ac.

Brookfield Investment Group
HCRD Book 6206 Page 1806 Tract II

6,117 s.f.
0.140 Ac.

Brookfield Investment Group
HCRD Book 6206 Page 1806 Tract III

400,534 s.f.
9.195 Ac.



Certification

I certify that this Survey Plot is not a subdivision pursuant to this title and that the lines of streets or ways shown are those of public or private streets or ways already established and no new ways are shown (RSA 676:18).

Michael R. Dahlberg
Licensed Land Surveyor Date 1-12-16



Brookfield Investment Group
Goffstown, New Hampshire

Boundary Plan
Mountain Road
for a portion of
Assessors Map 4 Lot 20
Goffstown, New Hampshire

Scale: 1"= 100' January 12, 2016 Sheet 2 of 2

Dahlberg Land Services, Inc.
Land Surveyors 603-529-3833
Boundary Consultants 84 Oak Hill Road
Septic System Designers Weare, New Hampshire

Exhibit C



Town of Goffstown

TOWN OFFICES

16 MAIN STREET • GOFFSTOWN, NH 03045

April 29, 2013

Brookfield Investment Group Inc.
C/O Ed Monty
7 Old Farm Road
Bedford, NH 03110

RE: Map 4 Lot 20 Driveway Access Request out to Mountain Road

Dear Ed:

This letter is to confirm that per our discussion on Friday April 19, 2013 at Town Hall, it is the Planning Department's and Engineering Department's determination that Map 4 lot 20 in the Town's assessing records is indeed three separate tracts of land in accordance with the description in your current property deed and that these tracts in fact have been held under separate ownership from time to time historically and that these tracts were only merged on the tax maps for taxation purposes. We have based this information on the survey plan prepared by Dahlberg Land Services dated April 12, 2013 for this property. It is also our determination of the you are allowed to have access to Tract 1 shown on said plan (which tract has no apparent street frontage), through Tract 2 as shown on said plan, as has historically been the case for driving cattle, extending out from Mountain Road and connecting into Tract 1 by way of openings in the rock walls along the property boundaries.

Be advised that this small strip of land (Tract 2) does not technically meet our setback and width regulations for providing driveway access, however, because this strip was historically used for access to this rear tract, and because it is the only real evidence of legal access historically dedicated to this lot, we will allow a driveway access to be built through Tract 2 to access Tract 1.

The Goffstown Development Regulations require additional widths, driveway materials, shoulder materials, and debris/vegetation clear access when the driveway is more than 300 feet long. Due to the length and narrowness of Tract 2, This driveway would not meet some of the criteria in the Development Regulations, however in discussing this with the Fire Department, this driveway will be allowed as long as this driveway does not encroach on neighboring properties, and is not to be considered a "road" and this driveway would only be access for one single family residence on Tract 1 at a maximum allowable density/intensity of use. If further density is desired on this lot, any and all applicable Development Regulations pertaining to



Town of Goffstown

TOWN OFFICES

16 MAIN STREET • GOFFSTOWN, NH 03045

driveways will apply. In that case, a roadway will need to be extended from another street in order to provide appropriate access and street frontage to any future lots.

It is also our determination that if there are wetland crossings needed for this driveway access, that the appropriate wetland permits be obtained through NHDES, whether this driveway be for logging purposes or other purposes, that the appropriate permit be pulled prior to obtaining a driveway permit from the Town.

If you have any questions, please do not hesitate to contact any of us.

Sincerely,

Brian K. Rose, AICP
Planning and Zoning Administrator

Meghan Theriault
Town Engineer

William Connor
Fire Prevention Officer

TOWN OF GOFFSTOWN, N.H.
DEPARTMENT OF PUBLIC WORKS & HIGHWAYS

4-20
OK-7

NEW CONSTRUCTION - DRIVEWAY PERMIT

Brookfield Investment

7 Old Farm Rd.

Bedford, NH 03110

Permit # DW13-03
Road: Mountain Rd.
Date: 3/1/13
Tel: 472-2829
E-mail: _____
Map: 4 Lot: 20

Permission to construct one driveway, entrance, exit, approach adjoining Mountain Rd. (street name) and to the specifications as described below, is hereby granted. Failure to adhere to the standards and engineering drawings previously submitted and failure to complete construction of said facility within one calendar year of the date of this permit shall render this instrument null and void. Facilities constructed in violation of these conditions shall be corrected immediately upon notification by a Department representative or the costs of removing said facility shall be fully borne by the owner. **Upon completion of the driveway, the DPW must be contacted for a final inspection at 497-3617 ext 227.**

LOCATION: Permit requires the following items to be met:

- Max driveway grade = 10%.
- Max driveway width = 22 feet (including 5 foot flares).
- Driveway shall intersect street at 90 degrees (no less than 60 degrees).
- 200 foot sight distance in both directions shall be met.
- Driveway over 300 feet in length must be built to NFPA standards and meet approval of the Goffstown Fire Department. *see attached Htr - single family home*
- Driveway culvert required with either mortared or precast headwalls or flared end sections. *OK*
SIZE: 12 TYPE: HDPE
- Pave driveway apron to property line.
- Install and maintain erosion control as needed or required to protect roadside swales/closed drainage. *stone check dams possibly to prevent silt to roadway culvert + abutments pond.*
- Additional Requirements:
Stabilized Construction Entrance Required + Must Maintain. NHDES wetlands Permit may be required before construction.

Permission to construct driveway granted by: *Megh Lut* Date: 4/30/13
Town Engineer/Assistant Town Engineer

3/31/14 - Extend driveway permit for 1 year to 4-30-15
Upon receipt of this Driveway Permit you may inquire at the Building Dept. for a Building Permit.

FINAL APPROVAL *Megh Lut* Date: 7/27/15 (inquire at Building Dept. for C/O)

DEPT. PUBLIC WORKS COPY () BUILDING INSPECTOR COPY () APPLICANT COPY
Effective 7/19/05
Revised 8/4/10

** If driveway is extended (only apron was built) a modification permit will be needed + wetlands permit.*

Exhibit D

Town of Goffstown
603-497-8990 x112

BUILDING PERMIT

PAID
10/29/15

Date 10/27/2015 Permit Number 2728

Applicant BROOKFIELD INVESTMENT GROUP Address 48 NORMAND RD GOFFSTOWN NH 03045
(No.) (Street)

Permit to 3 BEDROOM SINGLE FAMILY HOUSE ()
(Type of Improvement) (No.)

At (Location) 21 LESNYK RD

Map & Lot 4-20
Remarks BUILDING \$393.36 ELECTRICAL \$143.04 PLUMBING \$143.04

IMPACT FEES: SCHOOL \$6,353 ROAD \$786 RECREATION \$1,000 PUBLIC SAFETY \$732 = \$8,871

Owner BROOKFIELD INVESTMENT GROUP TOTAL FEES: **\$679.44**
Address 48 NORMAND RD GOFFSTOWN NH 03045 Building Dept. by M TESSIER/ML

THIS PERMIT CONVEYS NO RIGHT TO OCCUPY ANY STREET, ALLEY OR SIDEWALK OR ANY PART THEREOF, EITHER TEMPORARILY OR PERMANENTLY. ENCROACHMENTS ON PUBLIC PROPERTY, NOT SPECIFICALLY PERMITTED UNDER THE BUILDING CODE, MUST BE APPROVED BY THE JURISTITION. STREET OR ALLEY GRADES AS WELL AS DEPTH AND LOCATION OF PUBLIC SEWERS MAY BE OBTAINED FROM THE DEPARTMENT OF PUBLIC WORKS. THE ISSUANCE OF THIS PERMIT DOES NOT RELEASE THE APPLICANT FROM THE CONDITIONS OF ANY APPLICABLE SUBDIVISION RESTRICTIONS.

MINIMUM OF THREE CALLED INSPECTIONS REQUIRED FOR ALL CONSTRUCTION WORK: 1. FOUNDATIONS OR FOOTINGS 2. PRIOR TO COVERING STRUCTURAL MEMBERS (READY FOR LATH OR FINISH COVERING). 3. FINAL INSPECTION BEFORE OCCUPANCY.	APPROVED PLANS MUST BE RETAINED ON JOB AND THIS CARD KEPT POSTED UNTIL FINAL INSPECTION HAS BEEN MADE. WHERE A CERTIFICATE OF OCCUPANCY IS REQUIRED, SUCH BUILDING SHALL NOT BE OCCUPIED UNTIL FINAL INSPECTION HAS BEEN MADE.	WHERE APPLICABLE SEPARATE PERMITS ARE REQUIRED FOR ELECTRICAL, PLUMBING AND MECHANICAL INSTALLATIONS
POST THIS CARD SO IT IS VISIBLE FROM THE STREET		
BUILDING INSPECTIONS		

Note: The administrative agency responsible for performing inspections has, to the best of its ability, verified governing code compliance for this project. However, issuance of a Certificate of Occupancy or Compliance does not relieve the contractor of any obligations as outlined under NH RSA 155-A:2 VII for governing code compliance issues that may be discovered after the issuance date of this document.

WORK SHALL NOT PROCEED UNTIL THE INSPECTOR HAS APPROVED THE VARIOUS STAGES OF CONSTRUCTION	PERMIT WILL BECOME NULL AND VOID IF CONSTRUCTION WORK IS NOT STARTED WITHIN SIX MONTHS OF DATE THE PERMIT IS ISSUED AS NOTED	INSPECTIONS INDICATED ON THIS CARD CAN BE ARRANGED FOR BY TELEPHONE.
--	---	--

TOWN OF GOFFSTOWN, N.H.
DEPARTMENT OF PUBLIC WORKS & HIGHWAYS

NEW CONSTRUCTION - DRIVEWAY PERMIT

Brookfield Investment

48 Norman Rd.

Goffstown, NH 03045

Permit # DW15-11
Road: Lesnyk Rd.
Date: 8/25/15
Tel: 472-2829
E-mail: _____
Map: 4 Lot: 20

Permission to construct one driveway, entrance, exit, approach adjoining Lesnyk Rd. and to the specifications as described below, is hereby granted. Failure to adhere to the standards and engineering drawings previously submitted and failure to complete construction of said facility within one calendar year of the date of this permit shall render this instrument null and void. Facilities constructed in violation of these conditions shall be corrected immediately upon notification by a Department representative or the costs of removing said facility shall be fully borne by the owner. **Upon completion of the driveway, the DPW must be contacted for a final inspection at 497-3617 ext 227.**

LOCATION: Permit requires the following items to be met:

- Max driveway grade = 10%.
- Max driveway width = 22 feet with 5 foot flares.
- Driveway shall intersect street at 90 degrees (no less than 60 degrees).
- Trim brush as need to achieve 200 foot sight distance in both directions.
- N/A Driveway over 300 feet in length must be built to NFPA standards and meet approval of the Goffstown Fire Department.
- Driveway culvert required with either mortared or precast headwalls or flared end sections.
SIZE: _____ TYPE: _____

The contractor shall install swales and driveway culverts as needed to establish proper drainage for the lot, as required by the surrounding grades and approved by the town.

- Pave driveway apron to property line.
- Install and maintain erosion control as needed or required to protect roadside swales/closed drainage.
- Must be 10 feet from property boundry.
- Additional Requirements: If the front stone wall is removed a property pin will need to be installed at the swing tie location along Lesnyk Road as shown on plan 30319

Permission to construct driveway granted by: [Signature] Date: 10/2/15
Town Engineer/Engineering Technician

Upon receipt of this Driveway Permit you may inquire at the Building Dept. for a Building Permit.

FINAL APPROVAL _____ Date: _____ (inquire at Building Dept. for C/O)

() DEPT. PUBLIC WORKS COPY () BUILDING INSPECTOR COPY () APPLICANT COPY
Effective 7/19/05
Revised 10/25/05



The State of New Hampshire
Department of Environmental Services



Thomas S. Burack, Commissioner

**APPROVAL FOR CONSTRUCTION
OF INDIVIDUAL SEWAGE DISPOSAL SYSTEM (ISDS)**

AS AUTHORIZED BY THE NH DEPARTMENT OF ENVIRONMENTAL SERVICES, WATER DIVISION PURSUANT TO RSA 485-A, WATER POLLUTION AND WASTE DISPOSAL AND ENV-WQ 1000, SUBDIVISION AND INDIVIDUAL SEWAGE DISPOSAL SYSTEM DESIGN RULES.

APPLICATION APPROVAL DATE: 10/8/2015

APPROVAL NUMBER: eCA2015100832

I. PROPERTY INFORMATION

Address: LESNYK ROAD
GOFFSTOWN NH 03045
Subdivision Approval No.: 5 PLUS ACRES
Subdivision Name: N/A
County: HILLSBOROUGH
Tax Map/Lot No.: 4/20
Registry Book/Page No.: 6206/1806
Probate Docket No.:

III. APPLICANT INFORMATION

Name: ALDEN M BEAUCHEMIN
Address: 32 BEACON ST
CONCORD NH 03301

IV. DESIGNER INFORMATION

Name: ALDEN M BEAUCHEMIN
Address: 32 BEACON ST
CONCORD NH 03301
Permit No.: 00973

II. OWNER INFORMATION

Name: BROOKFIELD INVESTMENT GROUP, INC.
Address: 48 NORMAND ROAD
GOFFSTOWN NH 03045

V. SPECIFIC TERMS AND CONDITIONS: Applicable to this Approval for Construction

A. TYPE OF SYSTEM: ENVIROSEPTIC

B. NO. OF BEDROOMS: 3

C. APPROVED FLOW: 450 GPD

D. OTHER CONDITIONS AND WAIVERS:

1. This approval is valid for 4 years from date of approval, per Env-Wq 1003.02.
2. No waivers have been approved.

Eric J. Thomas
Subsurface Systems Bureau

DES Web Site: www.des.nh.gov

P.O. Box 95, 29 Hazen Drive, Concord, New Hampshire 03302-0095

Telephone: (603) 271-3503 Fax: (603) 271-6683 TDD Access: Relay NH 1-800-735-2964

TITLE LXIV PLANNING AND ZONING

CHAPTER 674 LOCAL LAND USE PLANNING AND REGULATORY POWERS

Regulation of Subdivision of Land

Section 674:39-aa

674:39-aa Restoration of Involuntarily Merged Lots. –

I. In this section:

(a) "Involuntary merger" and "involuntarily merged" mean lots merged by municipal action for zoning, assessing, or taxation purposes without the consent of the owner.

(b) "Owner" means the person or entity that holds legal title to the lots in question, even if such person or entity did not hold legal title at the time of the involuntary merger.

(c) "Voluntary merger" and "voluntarily merged" mean a merger under RSA 674:39-a, or any overt action or conduct that indicates an owner regarded said lots as merged such as, but not limited to, abandoning a lot line.

II. Lots or parcels that were involuntarily merged prior to September 18, 2010 by a city, town, county, village district, or any other municipality, shall at the request of the owner, be restored to their premerger status and all zoning and tax maps shall be updated to identify the premerger boundaries of said lots or parcels as recorded at the appropriate registry of deeds, provided:

(a) The request is submitted to the governing body prior to December 31, 2016.

(b) No owner in the chain of title voluntarily merged his or her lots. If any owner in the chain of title voluntarily merged his or her lots, then all subsequent owners shall be estopped from requesting restoration. The municipality shall have the burden of proof to show that any previous owner voluntarily merged his or her lots.

III. All decisions of the governing body may be appealed in accordance with the provisions of RSA 676.

IV. Any municipality may adopt local ordinances, including ordinances enacted prior to the effective date of this section, to restore previously merged properties that are less restrictive than the provisions in paragraph I and II.

V. The restoration of the lots to their premerger status shall not be deemed to cure any non-conformity with existing local land use ordinances.

VI. Municipalities shall post a notice informing residents that any involuntarily merged lots may be restored to premerger status upon the owner's request. Such notice shall be posted in a public place no later than January 1, 2012 and shall remain posted through December 31, 2016. Each municipality shall also publish the same or similar notice in its 2011 through 2015 annual reports.

Source. 2011, 206:4, eff. July 24, 2011.



Town of Goffstown

TOWN OFFICES
16 MAIN STREET • GOFFSTOWN, NH 03045

January 21, 2016

Town of Goffstown Board of Selectmen
16 Main Street
Goffstown, NH 03045

RE: Restoration of Lots – Tax Map 4, Lot 20, Goffstown, NH

Dear Board:

I have been asked by Sue Desruisseaux to review Brookfield Investment Groups' request for "Restoration of Involuntarily Merged Lots" under RSA 674:39-a received from Daniel D. Muller, Jr., dated January 20, 2016.

Based on my review it is my recommendation that the Board partially approve the request and restore the merged Tax Map 4, Lot 20 to two lots of record for purposes of taxation and land use purposes.

Further it is my recommendation that based on the plan dated January 12, 2016 submitted and certified by Michael R Dahlberg the three tracts be identified as shown below:

Tract I & II	44.14 Acres	Map 4, Lot 20-1
Tract III	9.20 Acres	Map 4, Lot 20

My review of this issue included a review of the packet submitted by Daniel D Muller, Jr., the Planning Board file, the Assessing file, the property owner's deed Book 6206, Page 1806, and the two deeds previous to this deed, Book 1013, Page 44, Etta S. Hart to Charles S. Kearns (Tracts I & II) and Book 1005, Page 238, Ada M. Thorp, John T. Dodge, etal to Charles Kearns (Tract III), and the Building file.

I agree with Mr. Muller's statement that "Neither Brookfield nor any of its predecessors-in-title have taken any overt action showing that they intended to merge the lots." I did discover three proposed or conceptual sub-division plans, one from the predecessor, Mr. Kearns, one from Brookfield and one for 34 Daniel Plummer, LLC; however, none of these plans received final approval. The plan submitted by Mr. Kearns in 1989 did receive preliminary approval; however, it was never signed or recorded. I searched the Hillsborough County Registry of Deeds website for a plan under the name of Kearns and did not find a sub-division plan. The only plan found was plan #30319 dated April 1, 1988 and recorded February 4, 2000. I have attached a copy of this four-page plan. A search of Hillsborough County's deeds under the name of John Kearns as Grantor in Goffstown only shows Book 6206, Page 1806, the deed to Brookfield.



Town of Goffstown

TOWN OFFICES
16 MAIN STREET • GOFFSTOWN, NH 03045

Plan #30319 adds to the confusion concerning this land. The plan is titled "Boundary Survey of Land of Dr. John Kearns." The plan does not show a distinct boundary line between Tract I and Tract III (the plan shows a stone wall with three small gaps); it also does not even show Tract II. However, the plan does not actively "merge" the two main lots either. I do not consider this plan as evidence that it was the intent of the owner to merge these two tracts of land.

Tract II, also referred to as "the Lane" in Book 213, Page 449, raises additional issues. It appears that this strip of land was reserved for the use of Butterfield "to drive his cattle;" Butterfield was the owner of the land-locked, Tract I, until the mid-1850's. While no predecessors-in-title took overt action to merge this lane with the larger tract, it appears evident that it was the intent of this lane to be used in conjunction with the larger tract.

In a letter dated April 29, 2013 (see Exhibit C of Mr. Muller's packet) Brian Rose, Goffstown Planning and Zoning Administrator and Meghan Theriault, Goffstown Town Engineer, made the determination that "Map 4, Lot 20 in the Town's assessing records is indeed separate tracts of land..." The letter goes on to state in reference to Tract II (the lane) that "because it is the only real evidence of legal access historically dedicated to this lot, we will allow a driveway access to be built through Tract 2 to access Tract 1."

The most compelling evidence submitted by Mr. Muller can be found in Exhibit B of his packet. The plan entitled "Boundary Research Plan" dated January 12, 2016 and certified by Michael R. Dahlberg clearly shows the three tracts of land with extensive deed research indicating the chain of title back as far as 1749. This plan clearly shows Tract I and Tract III as separate parcels of land. It also shows Tract II as a separate parcel; however, as noted on the plan, the intent of Tract II was to be used for access to Tract I.

Based on my review it is my recommendation that Tract I and Tract II remain as one lot and unmerged from Tract III. I spoke with Daniel Muller, Brookfield's attorney. After consulting with his client he told me they had no objection to my recommendation to unmerge Tract III from the other two tracts and leave Tract I and Tract II as one lot. Further it is my recommendation that the Board order me as the Town Assessor to create a new lot, Map 4, Lot 20-1, as described above and change Map 4, lot 20 as indicated above.

Very truly yours,

Scott W. Bartlett, CNHA
Town of Goffstown Assessor
Enc.

KNOW ALL MEN BY THESE PRESENTS.

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That I, **Etta S. Hart** of Goffstown, County of Hillsborough and State of New Hampshire,

for and in consideration of the sum of One Dollar and other valuable considerations to me in hand before the delivery hereof well and truly paid by **Charles S. Kearns** of said Town, County and State.

the receipt whereof, I do hereby acknowledge, have ~~given~~ granted, bargained, and sold, and by these presents do give, grant, bargain, sell, alien, enfeoff, convey and confirm unto the said **Charles S. Kearns**, his

A certain tract or parcel of land situate in said Goffstown and bounded and described as follows, to wit:- Beginning at the southeast corner of land owned by William T. Warren now or formerly; thence westerly by land of said Warren, and land formerly owned by Huse and Stevens of Manchester in said County of Hillsborough, to George Eaton's land; thence southerly by said Eaton's land to land formerly of Peter E. Headley, 2nd; thence easterly by said Hadleys land to the southeast corner of the within described tract; thence northerly by the said Hadleys land to the bound first mentioned. Also another tract of land situate in said Goffstown and bounded as follows, to wit:- on the east by the Highway that leads from D. A. F. Carr's to Peter E. Hadley's; thence on the south by land of said Hadley; on the west by land of William P. Warren; on the north by land formerly of Jefferson Jones' heirs, the whole of said tracts containing fifty acres more or less and being the same premises described in the deed of Elizabeth T. Hart, et als to Etta S. Hart dated June 3rd 1908 and recorded in Hillsborough County Registry of Deeds Vol. 661, Page 528.

Tract I

Tract II

* * * * *
* U.S. REV. *
* STAMPS *
* \$.55 *
* Cancelled *
* * * * *

TO HAVE AND TO HOLD the said granted premises, with all the privileges and appurtenances to the same belonging to him the said grantee and his heirs and assigns, to them and their only proper use and benefit forever. And I the said grantor and my heirs, executors and administrators do hereby covenant, grant and agree, to and with the said grantee and his heirs and assigns, that until the delivery hereof I am the lawful owner of the said granted premises, and am seized and possessed thereof in my own right in fee simple; and have full power and lawful authority to grant and convey the same in manner aforesaid; that the said premises are free and clear from all and every incumbrance whatsoever;

and that I will and my heirs, executors and administrators shall and will warrant and defend the same to the said grantee and his heirs and assigns against the lawful claims and demands of any person or persons whatsoever.

And I, Etta S. Hart, have no husband in consideration aforesaid, do hereby relinquish my right of -- in the before-mentioned premises.

And we and each of us do hereby release all rights of Homestead, secured to us, or either of us, by Chapter 214 of the Public Laws of New Hampshire, or any other statutes of said State.

IN WITNESS WHEREOF I have hereunto set my hand and seal this 3rd day of December in the year of our Lord, 1940
Signed, sealed and delivered in the presence of :

Carl B. Pattee Etta S. Hart seal

STATE OF NEW HAMPSHIRE, Hillsborough, ss. Dec. 3rd A.D. 1940
Personally appeared the above named Etta S. Hart and acknowledged the foregoing instrument to be her voluntary act and deed. Before me, Carl B. Pattee JUSTICE OF THE PEACE

HILLSBOROUGH, SS.— Received and recorded, 8-30 A.M. January 17, 1941 and examined by *Mary E. Brigham* Deputy REGISTER.

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days' written notice of the undersigned's intention to terminate the main lease or to accept a surrender thereof, and that the undersigned, at Shell's request made at any time during said thirty days period, will lease said premises to Shell for the then balance of the term of the main lease at the same monthly rental and in all other respects upon the same terms and conditions as are set forth in the main lease which terms and conditions the undersigned agrees to furnish in said notice.

Dated --

- L.S.

HILLSBOROUGH, SS. Rec'd and recorded 2-20 P.M. August 2, 1940.

Examined by Walter Bellamy Register.

Thorp et al
to
Kearns

* * * * *
* U.S. REV. *
* STAMP *
* \$. 50 *
* Cancelled *
* * * * *

KNOW ALL MEN BY THESE PRESENTS That we, Ada M. Thorp of Manchester, County of Hillsborough and John T. Dodge of Tilton, County of Belknap and Jennie D. Jones, Mabel E. Dodge, Gladys D. Duncan, Leon T. Dodge of Alton, County of Belknap and James H. Dodge of Dover, County of Strafford and State of New Hampshire. For and in consideration of the sum of One Dollar and other valuable consideration to me in hand before the delivery hereof well and truly paid by Charles Kearns of the Town of Goffstown, County of Hillsborough and said State, the receipt whereof we do hereby acknowledge, have granted, bargained and sold and by these presents do give, grant, bargain, sell, alien, enfeoff, convey and confirm unto the said Charles Kearns, his heirs and assigns forever.

Tract III

A certain tract of land situated in the Town of Goffstown bounded and further described as follows, to wit: Beginning at the northeast corner of said lot cornering on the highway leading from Goffstown Village to residence of Sumner M. Patten and land formerly of Sevilla Harriman; thence westerly by said highway to land of Lewis E. Holden; thence southerly by land of Lewis E. Holden to land of Etta M. Hart; thence easterly by said Hart land to land formerly of Sevilla Harriman; thence northerly by said Harriman land to the place of beginning. The same containing about ten acres, be the same more or less and is known as the John G. Dodge field. Our right, title and interest in the above was inherited by us from the estate of Lucy Dodge, widow of John G. Dodge, the former owner of said field.

TO HAVE AND TO HOLD the said granted premises, with all the privileges and appurtenances to the same belonging to him the said grantor and his heirs and assigns, to them and their only proper use and benefit forever. And we the said grantors and our heirs, executors and administrators do hereby covenant, grant and agree, to and with the said grantee and his heirs and assigns that until the delivery hereof we are the lawful owners of the said premises, and am seized and possessed thereof in our own right in fee simple; and have full power and lawful authority to grant and convey the same in manner aforesaid; that the premises are free and clear from all and every incumbrance whatsoever; and that we will and our heirs, executors, and administrators, shall warrant and defend the same to the said grantee and his heirs and assigns, against the lawful claims and demands of any person or persons whomsoever.

And we, Crofton E. Thorp, husband of Ada M. Thorp, and Katherine - Dodge, wife of John T. Dodge, and Raymond C. Duncan, husband of Gladys D. Duncan and Marie B. Dodge wife of James H. Dodge, in consideration aforesaid, do hereby relinquish our right of dower and curtesy (and We Jennie D. Jones and Mabel E. Dodge have no husbands and

Douglas & Linda Forburg
RFD #5 Goffstown, NH 03045
Map 4, Lot 76
V. 2495 P. 525

David S. & Mary Kay Kaczmarek
Lesnyk Rd, Goffstown, NH 03045
Map 4, Lot 87-1
V. 2765 P. 047

Ernie E. & Susan A. Gerges
Checkerbury Lane, Goffstown, NH 03045
Map 4, Lot 87-2
V. 2830 P. 399

Thomas & Barbara Lally
Lesnyk Rd, Goffstown, NH 03045
Map 4, Lot 87-3
V. 2220 P. 298

Thomas E. & Barbara J. Lally
RFD #5, Goffstown, NH 03045
Map 4, Lot 77
V. 2220 P. 298

Charles S. Kearns
RFD #5
Goffstown, NH 03045
Map 4, Lot 20
V. 1003 P. 239
V. 1013 P. 44

David B. Jr. & Karen B. McGreer
Lesnyk Rd., RFD #5, Goffstown, NH 03045
Map 4, Lot 19
V. 3082 P. 128

Linda Butler
RFD #5
Goffstown, NH 03045
Map 4, Lot 21
V. 3600 P. 522

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT IMMEDIATE SUPERVISION.

Richard D. Bartlett 175 2/1/00
SIGNATURE LICENSE NO. DATE

CERTIFICATION FOR N.S.A.-878.18, III. I CERTIFY THAT THIS SURVEY PLAN IS NOT A SUBDIVISION PURSUANT TO THIS TITLE AND THAT THE LINES OF STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED AND THAT NO NEW WAYS ARE SHOWN.

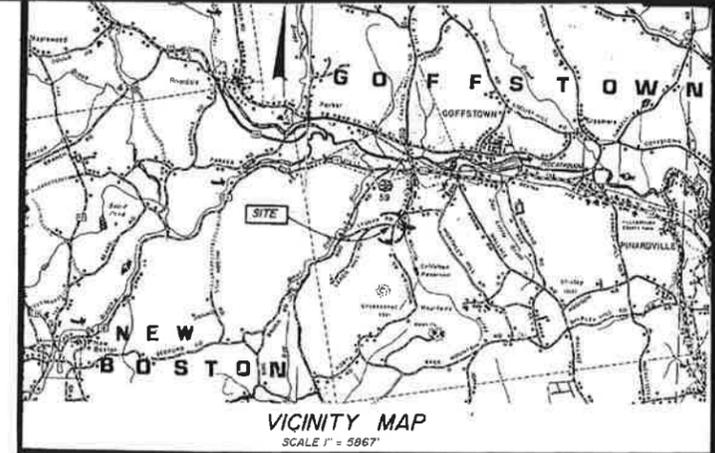
2/1/00 *Richard D. Bartlett*
DATE LICENSED LAND SURVEYOR

I HEREBY CERTIFY THAT I HAVE FILED A COPY OF THIS PLAN WITH THE PLANNING BOARD OF THE CITY OF CONCORD IN ACCORDANCE WITH N.S.A.-878.18 (IV).

2/1/00 *Richard D. Bartlett*
DATE LICENSED LAND SURVEYOR

MATCH

LINE



LEGEND

- SOIL BOUNDARY
- IRON PIPE
- DRILL HOLE
- UTILITY POLE
- STONEWALL
- DRAINAGE DITCH
- WET AREA
- EDGE OF PAVEMENT
- EDGE OF WOODS
- L.P.
- D.H.

NOTES

- Survey by Total Station on 11/10/87 Thru 3/1/88. Control Traverse Error of closure is 1 in 16,287.
- Bearings by Magnetic Meridian.
- Owner of Record Dr. John S. Kearns. See H.C.R. Probate Records # 95415 Estate of Charles S. Kearns. Total Area of Tract 53.13 AC.
- Zoned - Residential - 1, Building Set Back Lines, Front 25', Rear 30' & Side 15'. Also Zoned Conservancy B Open Space, Building Set Back Lines, Front 50', Rear 30' & Side 35'.

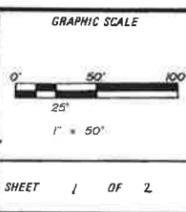
REFERENCES

- Land of Henry Hunter, Goffstown, NH. Scale 1" = 40' dated March 27, 1974, prepared by John T. Mills and recorded at H.C.R.D. as Plan No. 74-4.
- Land of Donal Prince Goffstown, NH. Scale 1" = 100' dated October 1949, recorded at H.C.R.D. as Plan No. 187.
- Plot of Beth W. Baker Land, Goffstown, NH. Scale 1" = 200' dated April 2, 1974, prepared by Robert B. Todd and recorded at H.C.R.D. as Plan No. 7758.
- Land of Donald A. Normandeau Goffstown, NH. Scale 1" = 200' dated September 6, 1975 prepared by John T. Mills and recorded at H.C.R.D. as Plan No. 12082.
- Plot of Phillip Karanikas Land Goffstown, NH. Scale 1" = 50' dated April 24, 1974 prepared by Robert B. Todd and recorded at H.C.R.D. as Plan No. 10918.
- Subdivision Plan of Land belonging to Harold Butler Goffstown, NH. Scale 1" = 50' dated 1/16/78, prepared by George F. Keller and recorded at H.C.R.D. as Plan No. 8000.

SOIL TYPES

SYMBOL	DESCRIPTION	NHSPCC GROUP #
CpD	Chaffield-Holt-Canton complex	2
LvB	Lislester-Walpole complex stony	5
MID	Montauk stony fine sandy loam	5
PfE	Parkton stony fine sandy loam	3
SsB	Schieffele fine sandy loam	3

NO.	DATE	REVISIONS



BOUNDARY SURVEY OF LAND OF DR. JOHN KEARNS
PROJECT LESNYK & MOUNTAIN ROADS
LOCATION GOFFSTOWN, NH Map 4 Lot 20
DATE: APRIL 14, 1998 JPB NO. 8-87-15.8
SURVEY BY RICHARD D. BARTLETT L.L.S.
9 WINTHROP ST., CONCORD, N.H. 03301 • (603) 225-2281

**BOUNDARY SURVEY OF LAND
OF DR. JOHN KEARNS**

PROJECT: LESKEY & MOUNTAIN ROADS
LOCATION: GORFSTOWN, NH. MAP # LOT 20

DATE: APRIL 14, 1998
JOB NO. 159

SURVEY BY RICHARD D. BARTLETT, L.L.S.
9 WINTHROP ST., CONCORD, N.H. 03301 • (603) 225-2291

NO.	DATE	REVISIONS

SHEET 2 OF 2

GRAPHIC SCALE
0' 50' 100'

F. 50'

I HEREBY CERTIFY THAT I HAVE FILED A COPY OF THIS PLAN WITH THE CLERK OF COURTS OF THE STATE OF NEW HAMPSHIRE IN THE COUNTY OF GORFSTOWN, NH. AND THAT THE PLAN IS NOT A SUBDIVISION SUBJECT TO THIS TITLE AND THAT THE LOTS, SQUARES AND WAYS SHOWN ARE THOSE OF RECORD OR WAYS SHOWN IN WAYS ALREADY ESTABLISHED AND THAT NO NEW WAYS ARE SHOWN.

DATE: 2/15/98
LICENSED LAND SURVEYOR
RICHARD D. BARTLETT, L.L.S.

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION.

DATE: 2/15/98
LICENSED LAND SURVEYOR
RICHARD D. BARTLETT, L.L.S.

CONCORD, N.H. 03301

David A. Normandeau
RFD # 5 Mountain Road
Gorftown, NH 03045
Map # Lot 16-1
V. 2422 P. 513

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION.

DATE: 2/15/98
LICENSED LAND SURVEYOR
RICHARD D. BARTLETT, L.L.S.

CONCORD, N.H. 03301

John Ann Garamella
RFD # 5 Mountain Road
Gorftown, NH 03045
Map # Lot 16-1
V. 3338 P. 438

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION.

DATE: 2/15/98
LICENSED LAND SURVEYOR
RICHARD D. BARTLETT, L.L.S.

CONCORD, N.H. 03301

David A. Normandeau
RFD # 5 Mountain Road
Gorftown, NH 03045
Map # Lot 16
V. 2422 P. 513

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION.

DATE: 2/15/98
LICENSED LAND SURVEYOR
RICHARD D. BARTLETT, L.L.S.

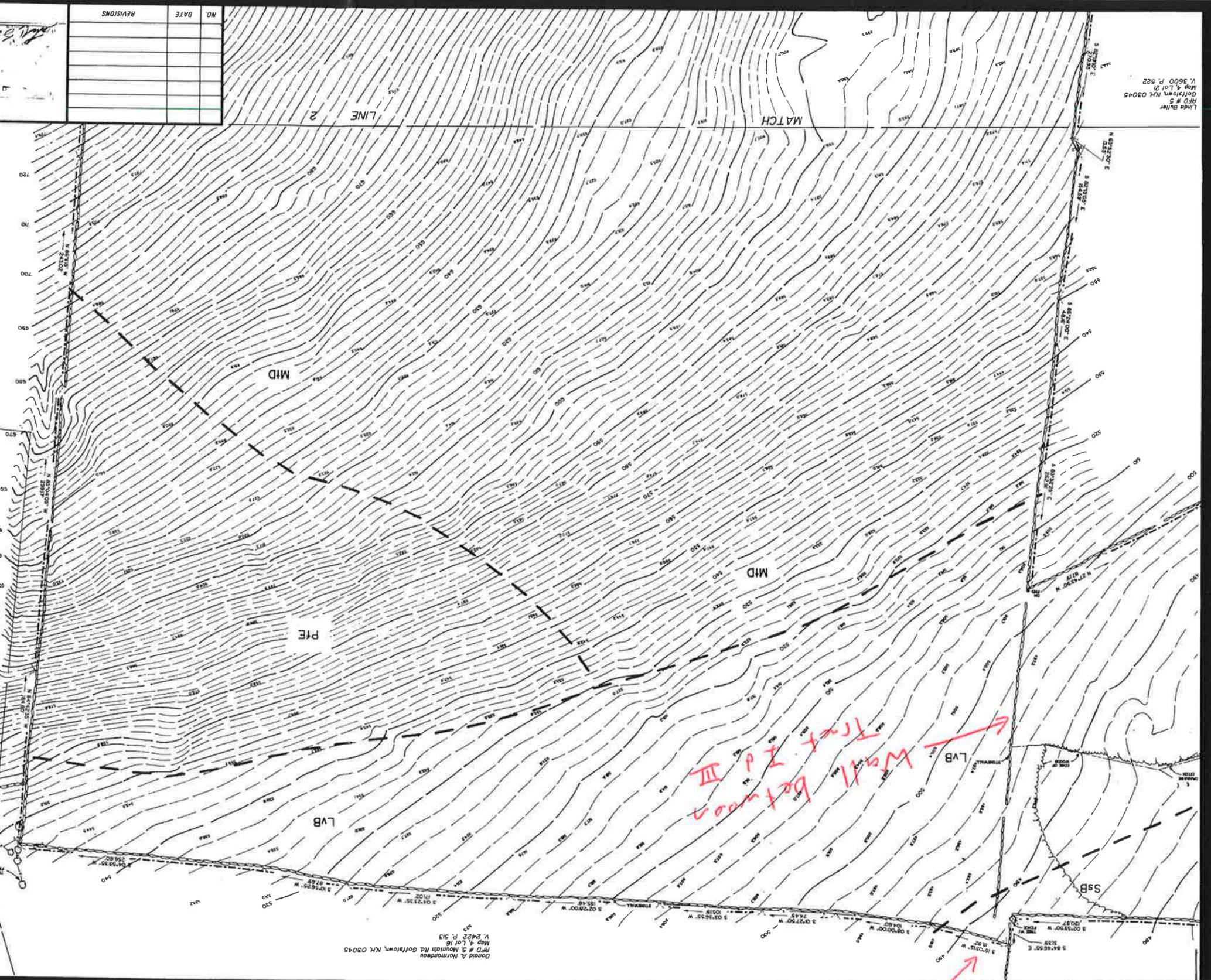
CONCORD, N.H. 03301

John Ann Garamella
RFD # 5 Mountain Road
Gorftown, NH 03045
Map # Lot 16-1
V. 3338 P. 438

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION.

DATE: 2/15/98
LICENSED LAND SURVEYOR
RICHARD D. BARTLETT, L.L.S.

CONCORD, N.H. 03301

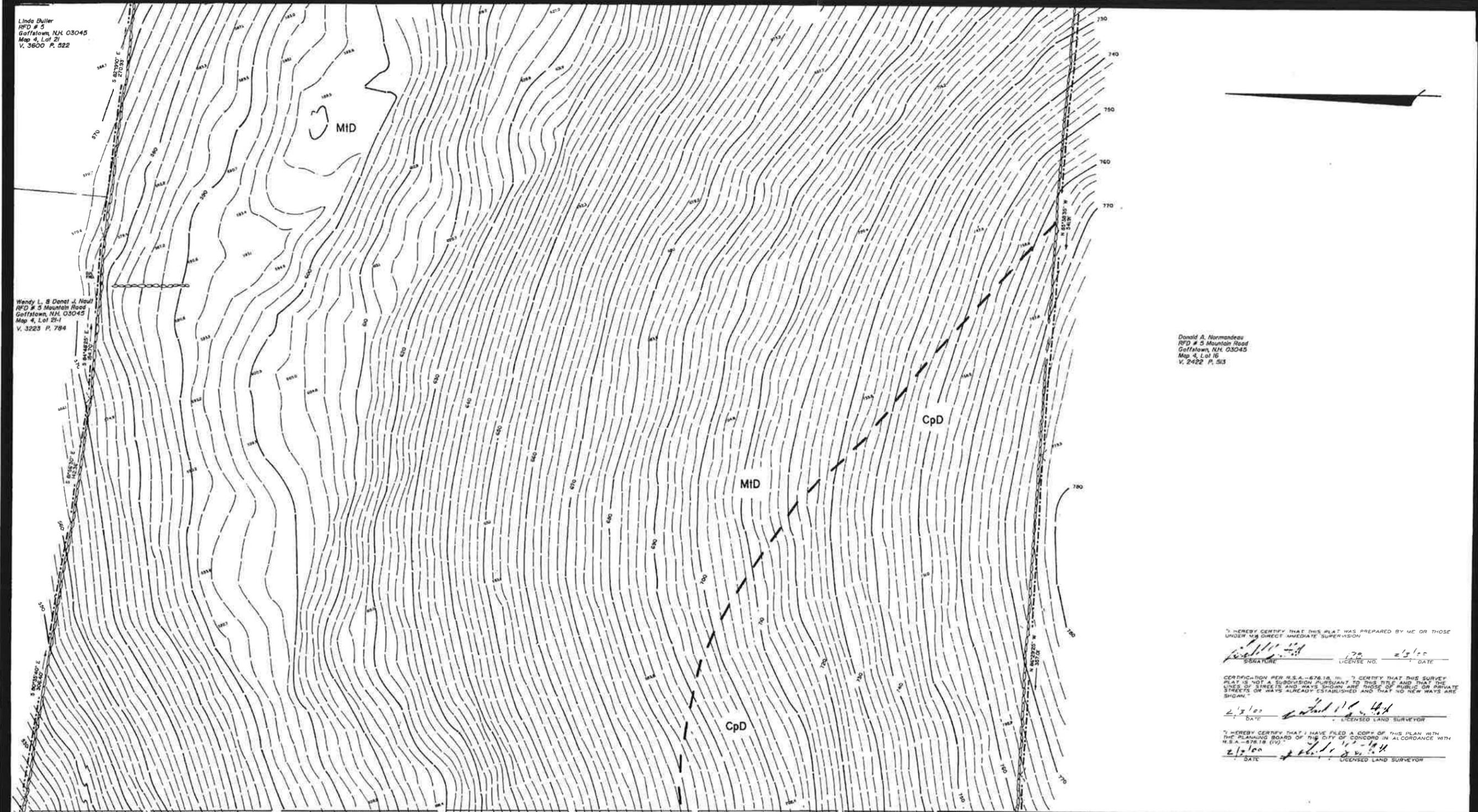


Wall between Tract I & III

Tract II

MATCH

LINE



Linda Duller
 RFD # 3
 Goffstown, NH 03045
 Map 4, Lot 21
 V. 3600 P. 522

Wendy L. & Donal J. Nault
 RFD # 3 Mountain Road
 Goffstown, NH 03045
 Map 4, Lot 21
 V. 3225 P. 784

Donald A. Normandeau
 RFD # 3 Mountain Road
 Goffstown, NH 03045
 Map 4, Lot 16
 V. 2422 P. 513

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR THOSE UNDER MY DIRECT IMMEDIATE SUPERVISION
 SIGNATURE: *[Signature]* LICENSE NO. 70 DATE: 2/3/00

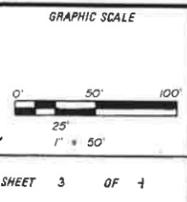
CERTIFICATION PER N.S.A. - 676:18, III - I CERTIFY THAT THIS SURVEY PLAN IS NOT A SUBDIVISION PURSUANT TO THIS TITLE AND THAT THE LINES OF STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED AND THAT NO NEW WAYS ARE SHOWN.
 DATE: 2/3/00 LICENSED LAND SURVEYOR: *[Signature]*

I HEREBY CERTIFY THAT I HAVE FILED A COPY OF THIS PLAN WITH THE PLANNING BOARD OF THE CITY OF CONCORD IN ACCORDANCE WITH N.S.A. - 676:18 (IV).
 DATE: 2/3/00 LICENSED LAND SURVEYOR: *[Signature]*

MATCH

LINE 3

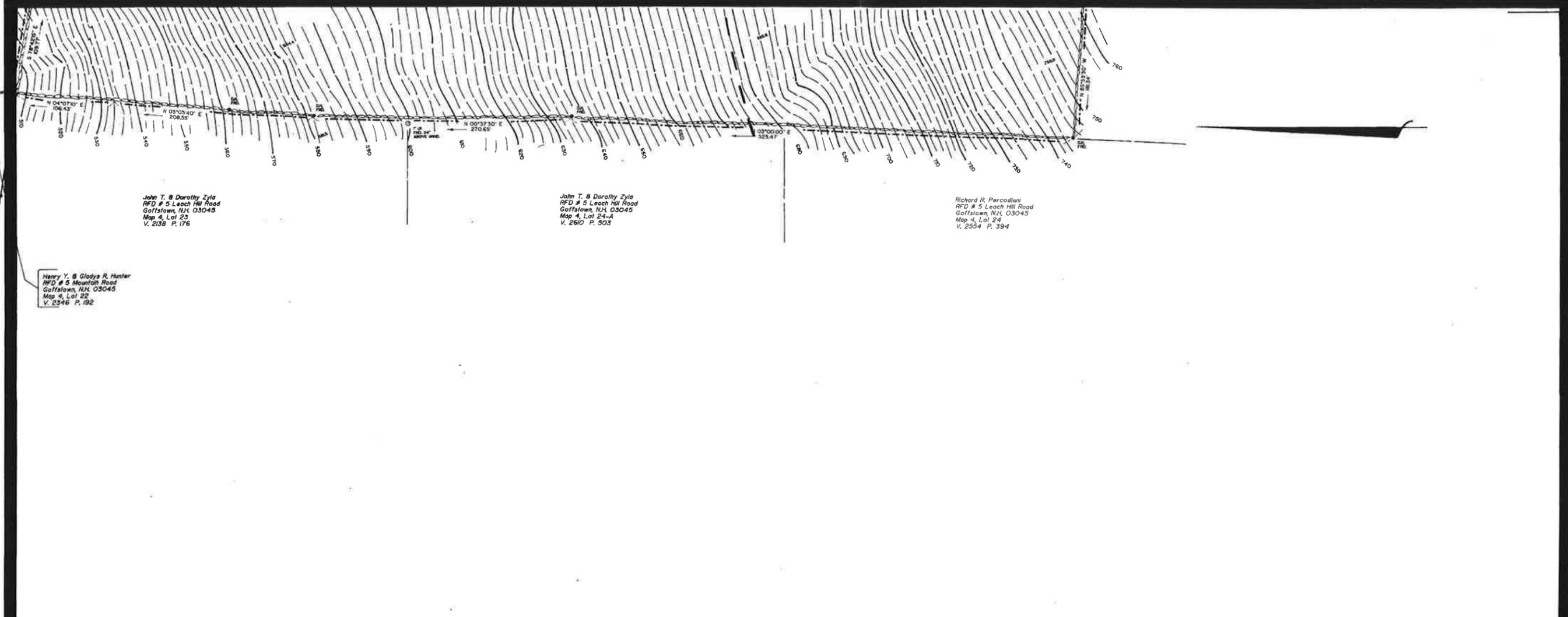
NO.	DATE	REVISIONS



BOUNDARY SURVEY OF LAND OF DR. JOHN KEARNS

PROJECT: LESNKY B MOUNTAIN ROADS
 LOCATION: GOFFSTOWN, NH, Map 4, Lot 20
 DATE: APRIL 11, 1988 JOB NO. 7-87
 15-B

SURVEY BY RICHARD D. BARTLETT, L.L.S.,
 8 WINTHROP ST., CONCORD, N.H. 03301 • (603) 225-2291



John T. & Dorothy Zyle
 RFD # 5 Leach Hill Road
 Goffstown, NH 03045
 Map 4, Lot 23
 V. 2138 P. 176

John T. & Dorothy Zyle
 RFD # 5 Leach Hill Road
 Goffstown, NH 03045
 Map 4, Lot 24-A
 V. 2610 P. 503

Richard R. Percodiani
 RFD # 5 Leach Hill Road
 Goffstown, NH 03045
 Map 4, Lot 24
 V. 2554 P. 394

Henry Y. & Gladys R. Hunter
 RFD # 5 Mountain Road
 Goffstown, NH 03045
 Map 4, Lot 22
 V. 2546 P. 192

I HEREBY CERTIFY THAT THIS PLAT WAS PREPARED BY ME OR THOSE UNDER MY DIRECT IMMEDIATE SUPERVISION
[Signature] 178 2/8/00
 SIGNATURE LICENSE NO. DATE
 CERTIFICATION PER R.S.A. 467:18, II. I CERTIFY THAT THIS SURVEY PLAT IS NOT A SUBDIVISION PURSUANT TO THIS TITLE AND THAT THE LINES OF STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED AND THAT NO NEW WAYS ARE SHOWN.
 2/1/00 178 2/8/00
 DATE LICENSED LAND SURVEYOR
 I HEREBY CERTIFY THAT I HAVE FILED A COPY OF THIS PLAT WITH THE PLANNING BOARD OF THE CITY OF CONCORD IN ACCORDANCE WITH R.S.A. 467:18 (2).
 2/1/00 178 2/8/00
 DATE LICENSED LAND SURVEYOR

NO.	DATE	REVISIONS



GRAPHIC SCALE

BOUNDARY SURVEY OF LAND OF DR. JOHN KEARNS

PROJECT LESISKY & MOUNTAIN ROADS
 LOCATION GOFFSTOWN, NH, Map 4 Lot 20

DATE: APRIL 11, 1988 JOB NO. 7-87
 15 B

SURVEY BY RICHARD D. BARTLETT L.L.S.
 9 WINTHROP ST. • CONCORD, N.H. 03301 • (603) 225-2291

SHEET 4 OF 4

8e

TOWN DELIBERATIVE SESSION
AGENDA FOR 2/3/16

MODERATOR ROD STARK – CALL TO ORDER

COLOR GUARDS by Police Explorers

PLEDGE OF ALLEGIANCE

MODERATOR ROD STARK:

- INTRODUCTION OF HEAD TABLE – Town Clerk Cathy Ball, Scribe Gail Labrecque, Assistant Town Moderator Fred Plett, Chairman Peter Georgantas, Vice Chairman Mark Lemay, Sel. Collis Adams, Sel. John Allen Brown, Selectman Scott Gross, Town Administrator Sue Desruisseaux, and Assistant Town Administrator Derek Horne.
- RECOGNITION OF DIGNITARIES WHO MAY BE IN THE AUDIENCE: Budget Committee Members: Elected Members – Chairman Elizabeth Dubrulle, Vice Chairman Joe Spoerl, Dave French, Dave Pierce, Lee Sperry, Liz Mitchell, Bryan Fournier, Ruth Gage, Michael Smith, Angela MacKenzie, Craig Campbell, Dennis Lynch. Goffstown Village Water Rep. – Richard Fletcher. School Board Rep. – Dian McCarthy; Selectmen rep. – Peter Georgantas.
State Representatives: Rick Christie, Barbara Griffin, David Pierce, Claire Rouillard, Nick Zaricki, John Burt
State Senator: Lou D'Allesandro
- RECOGNITION OF RICK WILHELMI TO PRESENT THE ROBINSON CULLEROT VOLUNTEER AWARD
- MODERATOR'S OPENING STATEMENT & RULES OF PROCEDURE

As you probably know, at the 1996 Town Meeting, the Town of Goffstown voted to adopt what is known as "Senate Bill 2" (which has since been codified and is also known now as RSA 40:12 & 13). This act is otherwise referred to as the "STANDARDIZED OFFICIAL BALLOT REFERENDUM SYSTEM." It is under this system which the Town of Goffstown in general, and this meeting in particular, will conduct its business.

I would like to take a few minutes to explain to you some of the features of this system as well as the rules of engagement for tonight's meeting:

1. No smoking on school grounds.
2. All speakers must use microphones and state his or her name. Please spell your last name.
3. To assist in standing votes, you have been given a voting card which you should display during a standing vote. If you have not signed this card, please do so. You will be asked to return these cards to the checklist table if you leave before the meeting ends.
4. The most important thing for you to know is that we will not be voting to pass or defeat any Warrant Article at tonight's meeting. All Warrant Articles will be on the Town's Official Ballot, which will be voted upon at the second session of this town meeting.

Voting will take place on March 8, 2016 here in the high school and at the Bartlett Elementary School in Pinardville.

5. At tonight's meeting, Articles 13 through 26 will be open for discussion, debate and amendment. If an amendment is properly offered, it will be discussed, debated and voted upon. If an amendment to any particular Warrant Article is adopted by this meeting, the Article, as amended, will appear on the Official Ballot for voting on March 8, 2016.
6. With respect to amendments, please keep in mind that the purpose of the Warrant is to simply place the "subject matter" before the voters. Senate Bill 2, by allowing amendments, allows the same range of possible amendments which voters have always had under the traditional town meeting system. Amending appropriation articles up or down is permitted. Details as to how a warrant article subject matter is to be treated, or the addition or deletion of terms and conditions to the article, can be accomplished through amendments as long as they relate to the general subject matter of the article. Substantive amendments not relating to the article's subject matter will be ruled out of order and will not be accepted by the moderator.
7. Further, with respect to amendments, as in the past, all amendments must be presented to the moderator in writing. Forms are available in the hall for this purpose. Proposed amendments must be moved to the floor and seconded before any discussion of the proposed amendment will be allowed. Following the discussion on the proposed amendment, a vote will be taken on the amendment. Following the vote on the amendment, discussion will resume on the main article. At the conclusion of the discussion on the main article, there will be no vote on the article. We will simply begin consideration of the next article.
8. The "previous question" is a procedure which will apply to the conduct of this meeting. After an article, or a proposed amendment to an article, has been discussed, a voter may move the previous question. This motion is not debatable. A "yes" vote on the previous question means there will be no further discussion on the main article or proposed amendment, as the case may be. A simple majority vote is required to pass the previous question and thus end the debate.
9. In 2011, the legislature amended RSA 40:13 to prevent the practice of amending an article to eliminate all words but "to see". Please do not offer amendments which attempt to do this because they are not allowed and will not be accepted by the moderator.
10. Five registered voters may request, in writing, prior to a voice or standing vote on a proposed present at the meeting when the vote is taken. Once a voice vote has been taken or a standing vote is underway, a written request for a written secret ballot may not be made. This request must be made in writing by seven registered voters who are present at the meeting. Forms are available for this purpose.
11. If we have a written ballot, you need to show your voting card. The card will be initialed by the ballot clerk as you are handed your ballot.
12. All written ballots which are cast must be whole. If a cast ballot is torn, ripped or crumpled up, it will not be counted. You may fold your ballot if you wish, but please do no more.

13. In the case of a tie vote, it is recognized by voting authorities, most notably Roberts Rules of Order, that the moderator protects his impartial position by exercising his voting right only when the vote would affect the outcome, in which case he can either vote, and thereby change the result, or he can abstain. Since a majority is necessary to pass a motion, the motion fails if the result of the vote is a tie. In my 32 years on moderating town meetings, there has been only dead even tie - that was on the article to raze and sell the building I was born in, the Moore General Hospital.
14. A motion to reconsider can only be made by a person who voted with the prevailing side. It may be seconded by anyone. It is debatable and requires a simple majority for passage.
15. A motion to restrict reconsideration may be made with respect to any vote taken at this meeting, or any warrant article previously considered at the meeting. This motion is not debatable and requires a simple majority for passage.
16. Finally, please note that I will not tolerate derogatory comments to be made about any speaker or person in this hall - so please be civil.

ARTICLE 13

Moderator: Reads ARTICLE 13 (BOND FOR FIRE STATION 18) and recognizes SELECTMAN SCOTT GROSS

Sel. Gross: "I move ARTICLE 13 to the floor."

Vice Chr. Lemay: "Second"

Sel. Gross: The Town recognizes the need to rehab and expand the fire stations. In 2014 there was a bond article for \$4.5 million to address all three fire stations and while it passed by simple majority it did not pass by the required super majority of 3/5. This year's bond proposal is for \$2.3 million to address the needs at the Church Street Fire Station only.

In 2016 the town will retire two bonds by making the last bond payments totaling \$255,449 (ARRA South Mast Road Drainage Note and the initial Landfill Closure Bond). If this article passes, the first bond payment estimated at \$177,265 would be due in 2017 which is less than the amount budgeted in 2016 thus not creating a spike in the property tax rate.

Fire Chief Richard O'Brien will now present an overview of the improvements and expansion of the Church Street Fire Station.

Both the Budget Committee and Selectmen unanimously recommend passage of this article.

Moderator: Opens it to the floor for discussion.

Sel. Gross: "Move to restrict reconsideration of ARTICLE 13."

Vice Chr. Lemay: "Second"

ARTICLE 14

Moderator: Reads ARTICLE 14 (OPERATING BUDGET) and recognizes SELECTMAN SCOTT GROSS

Chr. Georgantas: "I move ARTICLE 14 to the floor."

Vice Chr. Lemay: "Second"

Chr. Georgantas: The Operating Budget consists of three funds:

- General Fund;
- Sewer Fund; and
- EMS Fund.

Only the General Fund impacts your property tax rate as the other two funds are paid for by user fees, and grants.

What is the increase in the General Fund?

The General Fund will increase 2.13% or \$371,070. While there are increases and decreases throughout the budget account lines, the major increases are as follows:

- Capital Improvements Budget increase of \$139,034
- Benefits (employee insurance) increase of \$133,785
- Elections (4 elections in 2016) increase of \$41,212

How does this impact my property tax rate?

If this article passes, we estimate an increase of 27 cents per thousand on the tax rate. (*However, if revenues are higher than projected, the rate would be less.*) A home assessed at \$250,000 would pay an additional \$67.50 in property taxes in 2016.

Both the Budget Committee and Selectmen unanimously recommend passage of this article.

Moderator: Opens it to the floor for discussion.

Chr. Georgantas: "Move to restrict reconsideration of ARTICLE 14."

Vice Chr. Lemay: "Second"

ARTICLE 15

Moderator: Reads ARTICLE 15 (CBA FIREFIGHTERS) and recognizes SEL. GROSS.

Sel. Gross: "I move ARTICLE 15 to the floor."

Chr. Georgantas: "Second"

Sel. Gross: This Collective Bargaining Agreement is with the Professional Firefighters for a 3 year term. The increase cost for each year is stated in the article. This CBA replaces a 9 step matrix which had two 8% steps and 4% steps with a 20 step matrix of 2% steps which is more sustainable. To be eligible for a step increase it requires one year of service and passing a performance evaluation. The longevity formula is replaced with a flat rate not calculated into overtime. There are several changes in regards to health insurance. The CBA offers two new lower cost plans – a high deductible plan and an Access Blue SOS plan, and eliminates the Blue Choice plan in 2017. It also changes the formula for employee contribution which increases the employee share incrementally over the term of the contract. Finally and very importantly, there is language to reopen the contract to avoid the Cadillac Tax under the Affordable Care Act. The Dental Plan coverage was increased from \$750 per member to \$1,250 per member. Life Insurance is still the base salary but the cap has been increased from \$50,000 to \$100,000 of coverage. Vacation time has been increased to the same as non-union employees, and we have calculated the cost of each additional vacation week.

While the town will experience a savings each year in health insurance, we are only allowed to calculate the savings in the first year of the contract by law.

FIRE UNION - ESTIMATED COSTS OF CBA

	2016	2017	2018
Wage Adjustment (Steps)	\$19,120.92	\$27,627.60	\$18,203.64
Wage Adjustment (Holiday)	\$1,149.12	\$1,326.96	\$1,013.28
Wage Adjustment (Longevity)	\$2,970.00	\$1,200.00	\$800.00
Add'l Vacation	\$10,142.65	\$3,323.88	\$1,061.34
TOTAL WAGE ADJUSTMENT:	\$33,382.69	\$33,478.44	\$21,078.26
Medicare rate x increase in wages	\$336.98	\$437.24	\$290.25
NHRS rate x increase in wages	\$6,776.80	\$8,793.07	\$5,836.93
Health & Dental Ins. Adjustment (3/4 yr for 1 st year)	-\$5,884.73	-\$9,798.78	\$10,043.08
STD Disability Adjustment on Increase	\$67.94	\$88.15	\$58.51
LTD Disability Adjustment on Increase	\$81.34	\$105.54	\$70.06
Life Insurance Adjustment on increase; base salary with cap of \$100k	\$335.28	\$76.56	\$52.80
WARRANT ARTICLE COSTS:	\$35,097	\$33,181	\$17,344

Moderator: Opens it to the floor for discussion.

Sel. Gross: "Move to restrict reconsideration of ARTICLE 15."

Chr. Georgantas: "Second"

ARTICLE 16

Moderator: Reads ARTICLE 16 (Fire Apparatus CRF) and recognizes VICE CHAIRMAN LEMAY.

Vice Chr. Lemay: "I move ARTICLE 16 to the floor."

Sel. Gross: "Second"

Vice Chr. Lemay: The Fire Department Apparatus Capital Reserve Fund was established in 2008 for the purpose of helping defray the single-year impact of the replacement cost of fire apparatus, which can run between \$500,000 and \$1 million. This Capital Reserve Fund helps to spread that cost over multiple years. This fund can also provide the Town leverage, in the form of a local match, when seeking grants to replace apparatus. This was the case in 2010, when the Fire Department was able to accept an Assistance to Firefighters Grant to replace the town's obsolete ladder trucks with one Tower/Ladder. In that instance, the required match dollars came from this fund. The Fund currently has approximately \$343,000 and the Town is seeking to add \$225,000 for future fire apparatus purchases. Funding for this article is proposed to come from the unassigned fund balance, with no amount to be raised by taxation. Both the Board of Selectmen and Budget Committee recommend passage of this article.

Moderator: Opens it to the floor for discussion.

Vice Chr. Lemay: "Move to restrict reconsideration of ARTICLE 16."

Sel. Gross: "Second"

ARTICLE 17

- Moderator: Reads ARTICLE 17 (SCBAs & JAWS OF LIFE) and recognizes VICE CHAIRMAN LEMAY.
- Vice Chr. Lemay: "I move ARTICLE 17 to the floor."
- Sel. Adams: "Second"
- Vice Chr. Lemay: Passage of this article would allow for the replacement of 38 obsolete Self Contained Breathing Apparatus. Last year the town was able to purchase the cylinders for the SCBAs through the budget process. This year we need to complete the project by purchasing the NFPA Compliant SCBAs, 25 additional face pieces, 3 firefighter locating receivers, and 2 RIT Packs for \$240,000. This article also includes the replacement of a Hydraulic Rescue Tool (Jaws of Life) with modern rescue equipment which is able to manage "modern" vehicle construction. It is battery operated and has increased reliability during an emergency; cost \$40,000. This article will be funded by the unassigned fund balance, thus having no impact on the tax rate.
- Moderator: Opens it to the floor for discussion.
- Vice Chr. Lemay: "Move to restrict reconsideration of ARTICLE 17."
- Sel. Adams: "Second"
-

ARTICLE 18

- Moderator: Reads ARTICLE 18 (AMBULANCE)
- Sel. Adams: "I move ARTICLE 18 to the floor."
- Vice Chr. Lemay: "Second."
- Sel. Adams: This article seeks to fund the replacement of a 2005 Road Rescue Ambulance (Ambulance #3). New vehicle would increase the reliability of the mechanical, electrical and body issues. This ambulance would be funded from the EMS Special Fund which is supported by user fees, thus having no impact on the property tax rate. Both the Selectmen and Budget Committee unanimously support this article.
- Moderator: Opens it to the floor for discussion.
- Sel. Adams: "Move to restrict reconsideration of ARTICLE 18."
- Vice Chr. Lemay: "Second"

ARTICLE 19

Moderator: Reads ARTICLE 19 (ROAD IMPROVEMENT PLAN)

Sel. Brown: "I move ARTICLE 19 to the floor."

Sel. Adams: "Second"

Sel. Brown: Currently, we have a total of about \$845,000 in the proposed 2016 Budget for road improvements. This article seeks to add \$250,000 to the road plan budget for a total of \$1,095,000 which is still far below previous funding levels. At peak funding level in 2009 the town budgeted \$2,596,397 for road improvements.

ROAD PROGRAM

2002-2016

Budget Year	Operating Budget			Special Article	TOTAL
	Resurfacing	Reclamation	Crack Sealing	Road Program	
2016	\$375,000	\$450,000	\$20,000	\$250,000	\$1,095,000
2015	\$373,940	\$450,000	\$26,879	\$0	\$850,819
2014	\$373,940	\$450,000	\$26,879	\$0	\$850,819
2013	\$361,994	\$1,000,000	\$26,096	\$0	\$1,388,090
2012	\$351,450	\$500,000	\$25,336	\$0	\$876,786
2011	\$509,543	\$1,000,000	\$24,598	\$499,524	\$2,033,665
2010	\$325,000	\$1,899,414	\$23,883	\$0	\$2,248,297
2009	\$312,259	\$2,261,627	\$22,511	\$0	\$2,596,397
2008	\$312,259	\$2,000,000	\$22,511	\$0	\$2,334,770
2007	\$312,259	\$211,150	\$22,511	\$1,473,665	\$2,019,585
2006	\$303,164	\$205,000	\$21,855	\$1,821,000	\$2,351,019
2005	\$294,334	\$199,000	\$21,218	\$1,865,000	\$2,379,552
2004	\$295,470	\$192,940	\$20,600	\$1,810,490	\$2,319,500
2003	\$295,470	\$192,940	\$20,600	\$1,810,490	\$2,319,500
2002	\$281,400	\$183,750	\$20,000	\$1,764,850	\$2,250,000

Moderator: Opens it to the floor for discussion.

Sel. Brown: "Move to restrict reconsideration of ARTICLE 19."

Sel. Adams: "Second"

ARTICLE 20

Moderator: Reads **ARTICLE 20** (Goffstown Main Street Program) and recognizes **SEL. ADAMS**

Sel. Adams: "I move **ARTICLE 20** to the floor."

Sel. Brown: "Second"

Sel. Adams: **GOFFSTOWN MAIN STREET PROGRAM**

Goffstown Main Street Program's mission is to provide support, advice, and promotion to current and potential business owners and residents of the designated Main Street area using the National Main Street Center's 4-Point Approach. The 4-Point Approach revolves around principles of effective design, promotion, economic restructuring, and organization as the keys to economic revitalization of the historic downtown. Many of you are familiar with the special events sponsored by Main Street including the St. Patrick's Day Dance with Silent Auction, Old Home Day, Concerts on the Common, Giant Pumpkin Regatta, Friday Night Under the Lights, and Art Showoffs. These events bring business to the Village Area as well as fostering a sense of community. Passage of this warrant article would provide \$20,000 towards their 2016 Budget of \$71,750. This article is recommended unanimously by the Selectmen and Budget Committee.

Moderator: Opens it to the floor for discussion.

Sel. Adams: "Move to restrict reconsideration of **ARTICLE 20.**"

Sel. Brown: "Second"

ARTICLE 21

Moderator: Reads **ARTICLE 21** (Crispin's House) and recognizes **SEL. GROSS.**

Sel. Gross: "I move **ARTICLE 21** to the floor."

Sel. Brown: "Second"

Sel. Gross: **CRISPIN'S HOUSE** has provided services to youth and families of Goffstown for over 25 years, providing positive program opportunities to help kids make positive choices. The total budget is about \$85,890. The warrant article covers only \$20,000. The organization works hard to raise the remaining funds through fund raising activities, community involvement and grants. The newest program is in the area of Suicide Prevention, a growing concern in our community, and they work in collaboration with Makin' Happen of Greater Manchester and the National Alliance on Mental Illness. This article is recommended unanimously by the Selectmen and Budget Committee.

Moderator: Opens it to the floor for discussion.

Sel. Gross: "Move to restrict reconsideration of **ARTICLE 21.**"

Sel. Brown: "Second"

ARTICLE 22

- Moderator: Reads ARTICLE 22 (MILFOIL) and recognizes SEL. ADAMS.
- Sel. Adams: "I move ARTICLE 22 to the floor."
- Sel. Gross: "Second"
- Sel. Adams: "This article seeks to assist the Goffstown Waterway and Namakse Lake Associations with managing the milfoil in the upper portion of Piscataquog River, Glen Lake, and Namaske Lake. There are Long-Term Variable Milfoil Management Plans for each lake developed by the NH Department of Environmental Services which has also provided grants to these associations for herbicide treatments. The town funding assists these associations in meeting their match to these grants. This article is recommended unanimously by the Selectmen and Budget Committee."
- Moderator: Opens it to the floor for discussion.
- Sel. Adams: "Move to restrict reconsideration of ARTICLE 22."
- Sel. Gross: "Second"

ARTICLE 23

Moderator: Reads ARTICLE 23 (FEES) and recognizes CHARIMAN GEORGANTAS

Chr. Georgantas: "I move ARTICLE 23 to the floor."

Sel. Gross: "Second"

Chr. Georgantas: "This article seeks to adopt RSA 41:9-a, which will standardize the process for establishing and amending fees. The RSA requires a public hearing with 7 day notice published in a newspaper. "

RSA 41:9-a Establishment of Fees. –

I. A town may, by majority vote at any annual or special meeting, authorize the board of selectmen to establish or amend fees, as provided in this section. Such a vote shall continue in effect until rescinded.

II. Following such vote, the board of selectmen, without further vote of the town, may establish or amend fees or charges for the following purposes:

(a) The issuance of any license or permit which is part of a regulatory program which has been established by vote of the town.

(b) The use or occupancy of any public revenue-producing facility, as defined in RSA 33-B:1, VI, the establishment of which has been authorized by vote of the town.

III. Such fees or charges shall not exceed, in the case of licenses or permits, an amount reasonably calculated to cover the town's regulatory, administrative and enforcement costs.

IV. Prior to the establishment or amendment of any such fees, the selectmen shall hold a public hearing, notice for which shall be given at least 7 days prior to the hearing by posting in 2 public places in the town and by publication in a newspaper of general circulation in the town. The notice shall include the proposed schedule of fees.

V. This section shall not be deemed to prohibit a town from delegating authority over specific fees to another official or official body of the town. This section shall not supersede other provisions of law concerning the establishment or amount of specific types of fees.

Source. 1989, 38:1, eff. June 11, 1989.

Moderator: Opens it to the floor for discussion.

Chr. Georgantas: "Move to restrict reconsideration of ARTICLE 23."

Sel. Gross: "Second"

9a

THIS IS AN UNOFFICIAL SUMMARY OF THE MEETING. PLEASE NOTE THE MINUTES ARE THE OFFICIAL RECORD OF THE MEETING.

Date: January 22, 2016
To: Sue Desruisseaux, Town Administrator
From: Patty Gale, Planning & Zoning Assistant
RE: January 21, 2016 Planning Board Meeting

Present were: Barbara Griffin, Chairman, Philip D'Avanza, James Raymond, Michael Conlon, Tim Redmond, Collis Adams, Kimberly Peace and Patty Gale, Planning & Zoning Assistant.

Meeting convened at 6:10 p.m. All members present were voting members.

Board will vote on the Minutes of January 14, 2016 at the next meeting.

Blackbriar Woods, LLC, Release of Maintenance Bond Request for Fieldstone Drive, Map 9 Lots 33-7, 46 & 60:

The Board briefly reviewed the request for full release of the Maintenance Bond for Blackbriar Woods, LLC. After a roll call vote of all in favor, the Planning Board went into Non-public pursuant to RSA 91-A: 3II (e) Legal at 6:20 pm to discuss a possible legal matter.

At 6:40 p.m., after a roll call vote of all in favor, the Planning Board exited non-public, and chose not seal the minutes.

Tim Redmond motioned to release the full amount of the two year maintenance bond held in a cash account, in the amount of \$84,180.00, for Fieldstone Drive, Map 8 Lots 33-7, 46 & 60, to Blackbriar Woods, LLC. The motion was seconded by Phil D'Avanza and voted 7-0-0, all in favor.

The meeting adjourned at 6:45 pm.