

COMMONWEALTH OF MASSACHUSETTS
TOWN OF GOSHEN
WARRANT FOR ANNUAL TOWN MEETING

HAMPSHIRE: ss

Date: May 6, 2019

To: The Constable of the Town of Goshen in said County

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to warn and notify the inhabitants of the Town of Goshen, qualified to vote in town affairs, to meet in the John James Memorial Hall on **Monday, May 20, 2019 at 7:00 p.m** to act on the following articles:

ARTICLE 1: To choose all necessary officers to serve for the ensuing year, or take any other action relative thereto.

ARTICLE 2: To see if the Town will vote to act on the reports of the town officers, or take any other action relative thereto.

ARTICLE 3: To see if the Town will vote to permit the Select Board to set the compensation of Town employees and appointed officials, in accordance with the Town Employee Handbook as established in the Town's personnel policies, or take any other action relative thereto.

ARTICLE 4: To see if the Town will vote to raise and appropriate such sums of money as may be necessary to defray the Town charges from July 1, 2019 through June 30, 2020, and to vote to set all Town budgets, or take any other action relative thereto.

Note: Majority vote is required.

ARTICLE 5: To see if the Town will vote to authorize the chief elected officials to apply for Massachusetts Small Cities Programs, or other Federal, or any State monies, and to expend any monies as received as set forth in the appropriate application, or take any other action relative thereto.

ARTICLE 6: To see if the Town will vote to transfer the sum of \$224,000.00 from Free Cash to the Capital Stabilization Account, or take any other action relative thereto.

Note: Majority vote is required.

Note: To fund the Capital Stabilization account for FY2020 Capital Plan.

ARTICLE 7: To see if the Town will vote to transfer \$23,000.00, from the Audit Stabilization Account to the Audit Expense account, or take any action relative thereto.

Note: 2/3rds vote is required.

Note: For the purpose of completing town audits in FY2020.

ARTICLE 8: To see if the Town will vote to transfer the sum of \$8,000.00 from Free Cash to Audit Stabilization account, or take any action relative thereto.

Note: Majority vote is required.

Note: To begin to replenish the Audit Stabilization account in preparation for annual audits.

ARTICLE 9: To see if the Town will authorize the treasurer, with the approval of the Select Board, to borrow a sum of \$220,000.00, in FY2019, for a period of up to ten (10) years or less, in accordance with the capital plan, to fund the purchase of a Single Axle Secondary Plow/Dump Truck for the Highway Department, or take any other action relative thereto.

Note: 2/3's vote is required.

Note: This purchase was already approved at the May 2018 Annual Town Meeting. This article is to transition procurement strategy from a one time cash expenditure to a 10 year borrowing to enhance cash flow and take advantage of low interest rates. This note refers to articles 9 & 10.

ARTICLE 10: To see if the Town will vote to transfer the sum of \$220,000 from the Highway Department Plow/Dump Truck capital project account to the Capital Stabilization account, or take any action relative thereto. Passage of this Article is contingent upon the approval of Article 9.

Note: Majority vote is required.

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ARTICLE 11: To see if the Town will vote to authorize the Treasurer to expend from Free Cash the sum of \$8,876.25 for the payment of the principal and interest on the 2008 International single axle secondary plow/ dump Truck, or take any other action relative thereto.

International Truck	Principal	Interest	Total Payment
2008	\$8,234.00	\$642.25	\$8,876.25

Note: Majority vote is required.

Note: This is the 3rd of 5 payments. This expenditure is a contractual payment for previously authorized & signed borrowing.

ARTICLE 12: To see if the Town will vote to authorize the Treasurer to expend from the Capital Stabilization Account the sum of \$9,715.50 for the payment of the principal and interest on the 2017 Police Ford Interceptor, or take any other action relative thereto.

Police Ford Interceptor	Principal	Interest	Total Payment
2017	\$9,000.00	\$715.50	\$9,715.50

Note: 2/3rds vote is required.

Note: This is the 3rd of 5 payments. This expenditure is a contractual payment for previously authorized signed borrowing.

ARTICLE 13: To see if the Town will vote to authorize the Treasurer to expend from Free Cash the sum of \$7,500.00, in FY2019, to reimburse the Town of Chesterfield for a 2013 Chevrolet Eldorado pickup truck for use by the Chesterfield-Goshen Emergency Management personnel, or take any other action relative thereto.

Note: Majority vote is required.

Note: This will be a shared Emergency Management vehicle for use by the Towns of Chesterfield.

ARTICLE 14: To see if the Town will vote to authorize the treasurer to expend from the Capital Stabilization account, the sum of \$40,000.00 to pay for the replacement of the Town Office server and other Office computer hardware, software licenses and all necessary labor to complete the transitions, or take any other action relative thereto.

Note: 2/3rds vote is required.

Note: We expect to spend approximately \$30,000.00 of this is for the Server replacement and \$10,000 if for Office IT replacements. These actions are necessary to replace old hardware and software that allow for best practice standards that will maintain the town's ability to receive software and hardware maintenance and upgrade patches, on an ongoing basis, to maintain security, licensing and functionality compliance.

ARTICLE 15: To see if the Town will authorize the treasurer, with the approval of the Select Board, to borrow a sum of \$55,000.00 for a period of up to Five (5) years or less, in accordance with the capital plan, to fund the purchase Police Utility AWD vehicle to replace the Ford 2010 Crown Victoria, or take any other action relative thereto.

Note: 2/3rds vote is required.

Note: This is to replace an older police vehicle to continue with the same number of vehicles that the Police Department currently owns. Annual payments will be made from the Capital Stabilization account.

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ARTICLE 16: To see if the Town will authorize the treasurer, with the approval of the Select Board, to borrow a sum of \$33,000.00 for a period of up to Five (5) years or less, in accordance with the capital plan, to fund the purchase a Ford F350 Super Duty ¾ ton pickup truck to replace a 1986 military surplus 1 1/4 ton pickup truck, or take any other action relative thereto.

Note: 2/3rds vote is required.

Note: This is to replace an older pickup truck that is used daily to assist with road maintenance & hauling. Annual payments will be made from the Capital Stabilization account.

ARTICLE 17: To see if the Town will vote to authorize the treasurer to expend from the capital stabilization account, the sum of \$21,000.00, to pay for 3 all band Digital Portable radios, or take any other action relative thereto.

Note: 2/3rds vote is required.

Note: These radios meet the new state standards for communications equipment.

ARTICLE 18: To see if the Town will vote to authorize the treasurer to expend from the fire department vehicle stabilization account, the sum of \$70,000.00, in FY2019, to pay for the replacement of 1987 brush truck, or take any other action relative thereto.

Note: 2/3rds vote is required.

Note: The Fire Department will purchase a "skid" unit to put in back of a new pickup truck to be used as new brush truck. The skid contains the pump, water tank, and hose which sits in the bed of a pickup truck. Any amount over the \$70,000 expenditure above will be paid for by Fire Department Association Funds.

ARTICLE 19: To see if the Town will vote to authorize the treasurer to expend from the Fire Department Vehicle stabilization account, the sum of \$51,000.00, in FY2019, to pay for the replacement of 2007 Fire Department SUV, or take any other action relative thereto.

Note: 2/3rds vote is required.

Note: Replaces 2007 Ford Explorer first responder vehicle which is typically first on the scene.

ARTICLE 20: To see if the Town will vote to authorize the treasurer to expend from the Capital Stabilization account, the sum of \$16,000.00, in FY2019, to pay for a new well for the Fire Department, or take any other action relative thereto.

Note: 2/3rds vote is required.

Note: This replaces a shallow well with non-potable water, that damages equipment, with a drilled artesian well that would provide the fire station with potable water and protect the town's investment in plumbing and equipment.

ARTICLE 21: To see if the Town will vote to authorize the Treasurer, with the approval of the Select Board, to expend from the General Stabilization account the sum of \$40,000.00 for the purpose of demolishing and removing a Town-owned, uninhabitable structure located at 149 South Chesterfield Road; and further to transfer the care, custody and control of 149 South Chesterfield Road from the Tax Title Custodian, held for tax title purposes, to the Board of Selectmen for general municipal purposes and for the purpose of conveyance, on such terms and conditions as the Board of Selectmen deems to be in the best interests of the Town; or take any other action relative thereto.

Note: 2/3's vote is required.

Note: This property was acquired by the Town in December 2015 through a Tax Title process. The Town is in the process of preparing a Request for Proposal (RFP) in the hope that the property can be sold as is to a qualified bidder. In the event the property can be sold as is, funds from the General Stabilization account will not be used. If the Town is not successful in selling the property as is, the building will need to be removed at the Town's expense, and the property would subsequently be sold in order to recoup some or all of the Town's expense.

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ARTICLE 22: To see if the Town will vote to appropriate or reserve from the Community Preservation annual revenues, in the amounts recommended by the Community Preservation Committee, for community preservation projects, and other expenses in fiscal year 2020, with each item to be considered a separate appropriation:

Appropriations:

From FY 2020 estimated revenues for Committee Administrative Expenses \$ 5,000

Reserves:

From FY 2020 estimated revenues for Historic Resources Reserve \$16,000

From FY 2020 estimated revenues for Community Housing Reserve \$16,000

From FY 2020 estimated revenues for Open Space Reserve \$16,000

From FY 2020 estimated revenues for Budgeted Reserve \$74,000

Or take any other action relative thereto.

Note: Total appropriation reflects 90% of the expected 100% state match.

ARTICLE 23: To see if the Town will vote to approve the transfer of funds from the Williams-Boltwood House Restoration account, originally approved by the May 17, 2010 Annual Town Meeting in the amount of \$73,746.00, to the Historical Resources Reserve and Budget Reserve, as originally appropriated from each fund, or take any other action relative thereto.

Note: Due to the complicated and lengthy circumstances involving the transfer of ownership and clear title (which never occurred), it is the recommendation of the CPC that the funds be returned to their original sources.

ARTICLE 24: To see if the Town will vote pursuant to M.G.L. c.44, §54E½, as most recently amended, to set Fiscal Year 2019 spending limits for the Revolving Funds as follows. Or, take any other action relative thereto.

Program or Purpose	FY 2019 Spending Limit
FRTA	\$20,000
Highland Ambulance Fuel Reimbursement Account	\$12,000
Animal Control Revolving Fund	\$7,500
Board of Appeals Revolving Fund	\$6,000
Electrical Inspector Revolving Fund	\$5,000

ARTICLE 25: To see if the Town will vote to transfer the sum of \$1,138.29, in FY2019, from Free Cash to the account known as "Bills of Prior Years" for the purpose of payment of a bill from the following account: Animal Control Officer Expense, or take any other action relative thereto.

Note: A 4/5ths vote is required for a bill of a prior year at an ATM.

Note: For mileage reimbursement.

ARTICLE 26: To see if the Town will vote to authorize the Select Board to enter into a ten (10) year contract, commencing on July 1, 2020 with the qualified vendor selected by MassDEP, through a competitive bid process, for recycling processing services for the Town, for funding for these services and subject to the Select Board's determination that the contract is in the best interests of the Town and to take any vote or votes or any action relative thereto.

Note: Majority vote is required.

Note: Current 10 year contract will be ending and this will replace that contract. This article authorizes the Select Board to enter into a contract of more than three years.

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ARTICLE 27: To see if the Town will vote to authorize the Hampshire Regional School District Administration to enter into a five year contract consisting of a three year base with the option to renew two additional years to provide bus transportation to Hampshire Regional High School, Chesterfield Goshen Regional School, Southampton Public Schools, Westhampton Public Schools, Williamsburg Public Schools, and Vocational Transportation.

Note: Majority vote is required.

Note: This will replace a 5 year contract, of the same type, that is ending. If the School District is unsatisfied for any reason after three years they do not have to renew. This helps to keep prices down but also lets us get out after three years as the school district has the choice to renew, not the bus company, for the 2 additional years.

ARTICLE 28: To see if the Town will vote to approve a borrowing by the Chesterfield-Goshen Regional School Committee of \$440,000 to pay for the cost of a new roof at New Hingham Regional Elementary School, including payment of all costs incidental and related thereto; provided, however, that such approval shall be expressly contingent upon approval by the Town at an election of a Proposition 2½, so-called, debt exclusion question, authorizing the Town to raise the amounts necessary to pay the interest and principal on such borrowing outside the limits of Proposition 2 ½; and, further, pursuant to the provisions of M.G.L. c.71, §16(d), to disapprove the Chesterfield-Goshen Regional School Committee's May 1, 2019 vote to approve a borrowing of up to \$800,000 for replacement of such roof; or take any other action related thereto.

Note: Majority vote is required.

Note: The Finance Committee, Capital Planning Committee, and Select Board support Article 28.

Note: If this borrowing were authorized, Goshen's share of a new shingle roof would be \$220,000. Estimates for this option are not based on actual bids but are based on an architect's estimate of probable cost. The Regional School District Committee has voted to authorize a borrowing up to \$800,000 for roof replacement purposes. Approval of this article would simultaneously reject the Chesterfield-Goshen School Committee's vote. Any new borrowing by the District would have to be authorized by the Regional School District School Committee. If Article 28 is approved by Town Meeting, it is the Town's intent to make a motion to pass over Article 29.

ARTICLE 29: To see if the Town will vote pursuant to M.G.L. c.71, §16(d) to approve the Chesterfield-Goshen School Committee's May 1, 2019 vote to borrow \$800,000 for the purpose of replacing the roof at the New Hingham Regional Elementary School, including payment of all costs incidental and related thereto; provided, however, that such approval shall be expressly contingent upon the approval by the Town at an election of a Proposition 2½, so-called, debt exclusion question, authorizing the Town to raise the amounts necessary to pay the interest and principal on such borrowing outside the limits of Proposition 2½, or take any other action related thereto.

Note: Majority vote is required.

Note: Due to the many competing fiscal demands facing the Town, Article 29 is NOT recommended or supported by the Finance Committee, Capital Planning Committee, or the Select Board.

Note: Goshen's estimated share would be \$400,000 for a metal roof. Estimates for this option are not based on actual bids but are based on an architect's estimate of probable cost. If Article 28 passes, it is the Town's intent to make a motion to pass over this article. If Article 29 is moved, and the article fails, such vote shall constitute a disapproval of the Regional School District School Committee vote.

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ARTICLE 30: Local Option Adult Use Marijuana Excise Tax:

To see if the Town will vote to accept the provisions of M.G.L. c.64N, § 3(a), as recently amended by Section 13 of Chapter 55 of the Acts of 2017, and to authorize the Town to impose a 3 percent local sales tax upon the sale or transfer of marijuana or marijuana products by a marijuana retailer operating within the Town to anyone other than a marijuana establishment, or take any other action relative thereto.

Note: 2/3's vote is required.

Note: This is to ensure the town's ability to collect local sales taxes if a retail dispensary is duly authorized and licensed at a future date.

ARTICLE 31: To see if the Town will vote to amend its General By-laws and include thereof:

No person shall inhale, ingest, or otherwise use or consume marijuana or THC (as defined in M.G.L. c. 94C, § 1, as amended) while in or upon any street, sidewalk, public way, footway, passageway, stairs, bridge, park, playground, beach, recreation area, boat landing, public building, schoolhouse, school grounds, cemetery, parking lot, or any area owned by or under the control of the Town; or in or upon any bus or other passenger conveyance operated by a common carrier; or in any place accessible to the public. Whoever is found in violation of this by-law shall, when requested by an official authorized to enforce this by-law, state their true name and address to such official.

This By-law may be enforced through any lawful means in law or in equity including, but not limited to, enforcement or complaint pursuant to M.G.L. c.40, § 21, or by noncriminal disposition pursuant to M.G.L. c. 40, § 21D, or any police officer. The fine for violation of this By-law shall be three hundred dollars (\$300) for each offense. Any penalty imposed under this By-law shall be in addition to any civil penalty imposed under M.G.L. c. 94C, § 32L

This By-law shall not alter or affect the jurisdiction of the Board of Health under the provisions of M.G.L c.111, §31 or any other applicable law, including but not limited to the regulation of combustion and inhalation of tobacco and non-tobacco products in workplaces and public spaces in the Town

Note: Majority vote is required

Note: This by-law would prohibit the public consumption of Marijuana or Tetrahydrocannabinol (THC) as prescribed above.

ARTICLE 32: To see if the Town will vote to delete in theTown of Goshen Zoning By-Law Section IV(D) "**TEMPORARY MORATORIUM ON THE SALE AND DISTRIBUTION OF RECREATIONAL MARIJUANA**" in its entirety and replace with Section IV(D) "**MEDICAL/ADULT USE MARIJUANA**", establishing standards for the siting of Medical Marijuana Treatment Centers and Marijuana Establishments in the Town of Goshen, or take any other action relative thereto.

Note: 2/3's vote is required.

Note: The complete text of the proposed Zoning By-Law may be found in the Town Clerk's office, on the Town website and as a handout at the Annual Town Meeting.

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Hereof fail not and make due return of this warrant with your doings thereon to the Town Clerk at the time and place of said meeting.

And you are directed to serve this warrant by posting attested copies thereof publicly Seven days, at least, before said meeting.

Given under our hands this 10th day of May 2018.

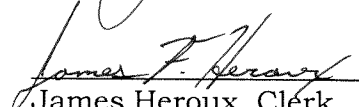
SELECT BOARD OF GOSHEN:



Angela Otis, Chair



Wayne Glaser, Vice Chair



James Heroux, Clerk

I have posted attested copies as directed.

Constable

Date: Month/Day/Year

Return of Service:

Constable

Date: Month/Day/Year