



Town of Winchester  
1 Richmond Road Winchester, NH 03470

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**Minutes of the  
Board of Selectmen Meeting  
Wednesday  
September 5, 2018**

**Board members present:** Ben Kilanski, Jack Marsh, Herbert Stephens, Roberta Fraser and Gloria Leustek. Also, present Margaret Sharra, Rick Meleski, Lt Tollett and Dale Gray.

**First order of business: Minutes**

The Chairman opens the meeting at 7:10pm. The board reviews the minutes of 8-22-18 for approval. Selectman Fraser makes a motion to approve the minutes. Selectman Stephens seconds the motion. The motion carries 5-0

**Second order of business: New Business**

Intent to cut was submitted for map 7 lot 13.

Next week's BOS meeting will start at 6pm for a work session with Encore Renewable Energy to look at a solar array for the AC Lawrence property.

Selectman Fraser made a motion to approve the abatement for map 4 lot 66-3 in the amount of \$59.00. Selectman Stephens seconds the motion. The motion carries 5-0.

Two Current Use application were submitted, map 6 lot 4-28.4 acres & map 8 lot 2 & 25-181.8 acres. Selectman Fraser made a motion to approve the applications. Selectman Leustek seconds the motion. The motion carries 5-0.

Selectman Fraser made a motion to approve the junkyard yearly permit for J & G. Selectman Stephens seconds the motion. The motion carries 5-0.

Selectman Fraser made a motion to approve the water abatement for map 17 lot 13 in the amount of \$30.00. Selectman Leustek seconds the motion. The motion carries 5-0.

Selectman Fraser made a motion to approve the abatement for map 8 lot 119-48 in the amount of \$435.00. Selectman Leustek seconds the motion. The motion carries 5-0.

Selectman Fraser made a motion to approve the abatement for map 5 lot 22-1 in the amount of \$92.59. Selectman Leustek seconds the motion. The motion carries 5-0.

FEMA has determined that the Town of Winchester will retain its current rating as a CRS Class 9 community in the National Flood Insurance Program (NFIP).

Dan Black asked the town if they could use the sand pit "Stone Mt Business Park" to hold a mud bog this fall. WEDC has a purchase and sales agreement with the town on this land. WEDC Chair- Mark Tigan would like to know how the Select Board feels about it. 2 of the WEDC members are on the CC and the CC are not in favor because of the aquifer and possible contamination, gas/oil. Selectman Fraser stated that there would need to be stipulations and insurance for the event. The board agreed to have Mark and Dan come in to talk about the event.

Selectman Fraser made a motion to allow Karey to sign the FEMA grant application due 9/9/18. Selectman Stephens seconds the motion. The motion carries 5-0.

The grant writer fund has lapsed as of June 30<sup>th</sup>. When it was created it was word in correctly, it should have stated it was a non-lapsing fund. This come year we need to discuss a new warrant article for the grant writer for 2019-2020.

Bill McGrath gave the board a letter. Board tabled until Rick has a chance to review it.

Last week the board spoke to New Beginnings Co-op about a trailer the town tax deeded. The Town & Co-op will work together getting cleaned up and sold. The board asked for Bart to review the agreement before moving forward. Bart has reviewed and approved the agreement.

Town Clerk gave the board a letter stating they will work with the board and not close the office during vacations.

Last week the board discussed the sidewalk sinking in by Thackston Realty. Selectman Marsh has concerns with the sidewalk being tide into the property and having to repair the foundation. What's the town's liability if the foundation is damaged. Dale stated there is no guarantee that the foundation won't be damaged. Selectman Kilanski added the town would speak to the owner and have an agreement that the town won't be liable. Margaret stated when the engineers looked at the sidewalk he did say it would be a joint effort between the owner & town.

**The board reviews and approves the following financial documents:**

Selectman Stephens makes a motion to approve the Certified Ambulance Group Inc. in the amount of \$375.18. Selectman Leustek seconds the motion. The motion carries 5-0

Internal Department transfer in the amount of \$8.91. Selectman Fraser makes a motion to approve. Selectman Leustek seconds the motion. The motion carries 5-0

Selectman Fraser makes a motion to approve the annual cleaning of the sewer pumps & water wells in the amount of 3,300.00 Selectman Leustek seconds the motion. The motion carries 5-0

Selectman Marsh makes a motion to approve Bellemore catch basin cleaning in the amount of \$4,800.00. the Selectman Leustek seconds the motion. The motion carries 5-0

The Lions Club has asked for a key to the Town Hall for their meetings. Selectman Kilanski stated that it was an issue before with having so many keys out there. There is a key that can be signed out and returned when needed. The board agrees, and no key will be given.

**Third order of business Board comment:**

N/A

**Fourth order of business Public comment:**

Chester Lapointe asked the board if there could be a crosswalk added in Ashuelot by the Thayer Library and the Post Office. There are kids trying to cross Rt119 to use the Library. Selectman Kilanski asked Karey to send a letter to the State asking permission.

Henry Parkhurst let the board know he will be in Concord next week to vote to override the Governor's veto's per the board's request.

Kevin Bazan gave the board an update on the picklefest. This year Access will be shuttling people from the school to the town hall parking lot. There will be signs directing people to park at the school. VFW will be parking cars out in the back field. They have invested in some new large signs to replace the old original signs. Selectman Kilanski wanted to make sure that this year the generators that are being used are properly being vented. Kevin said he would make sure they are facing away from the buildings.

Mike Coope asked the board if they had heard when Comcast will be continuing their line on Manning Hill & Curtiss Rd. Karey said we have not heard but will call and find out. Mike thanked Rick & the W/S department for their hard work on the fixing the water break & replacing the fire hydrant. Mike thought that it would be beneficial having an open house for some of the departments to allow the residents to come ask question, see how the departments operate and what their needs are. Mike stated that Roberta had brought up a while ago, that the town has one ledger and people might not know or are missed informed that we don't vote on indivial budgets per dept. If that was the case, then we would have a case to approach the board and say you are over budget in this department. At some point maybe address that issue and bring that knowledge to the voters during budget time. Let them know the process and this way they can make more informed decisions. Selectman Fraser said that there is a public hearing for the town & the school during the budget season and at any time anyone can ask questions. By law we have to post all the hearings and they are open to the public to come and ask questions. We do have a bottom line budget which is governed by the select board and we listen to recommendation. Mike asked Kevin if it would possible to post 1 side of Michigan St during the picklefest. Every year people park on both side of the road and cars speed up & down Michigan St. Someone is going to get hurt. Selectman Kilanski said post it for local traffic only. Kevin said that they could post the road.

Bonny Class asked where the funds were coming from to do the sidewalk project. Selectman Kilanski stated that they have not discussed doing the job. Selectman Fraser asked are you talking about fixing the sidewalk. Bonny said that the town voted, and the people voted it down. Before you do it, it should be put back on the ballot. I already have you on misappropriation for the other sidewalk and it is sitting in the governor's office right now. Selectman Kilanski said the article was to replace the whole

sidewalk. Bonny it was voted down by the voters, so in another word our votes don't matter. Selectman Kilanski said we are not trying to replace 470ft of sidewalk just repairing a piece. Bonny said anything over \$10,000 you must go to the voters. Jenny Rhodes stated if the town was to fix it and pay for it upfront, but it's the responsibility of the owner to repair the sidewalk you could put a lien on the property for the cost of the repair. Margaret Sharra stated that there is some confusion. The voters did vote down the \$90,000 to replace the sidewalks. We are not replacing the 470 ft of sidewalk. We are asking to repair a 20 by 10 section where it has sunk in and is a safety issue. The town owns the sidewalk and is liable to repair it per RSA 231:113. Selectman Fraser said that not all Dales projects are put in his budget. There is a maintenance line in the budget. We are not trying to replace 470 ft of sidewalk in. We want to repair it. Stacy Corliss said that not what the deeds say. Margaret said the deeds state they own the land under the sidewalk. A 100 years ago the town put in sidewalks and once they did that the town is liable to maintain and repair them. Stacy said the town has no issue sending a letter to clean-up their yards. Why not send a letter to the owners to fix the sidewalk? Margaret stated that it is illegal per the RSA to send a letter. It is an implied easement. Stacy said regardless of how you voted, it was voted down and the board is making the decision to try to find the way to fix it. I am sure it needs to be fixed but the majority of the towns people voted it down. Selectman Kilanski said the warrant article was written to replace the whole sidewalk. The town has a responsibility to maintain the sidewalk. Stacy said the majority of the towns people voted it down, now you are trying to find a way to fix it piece by piece. It looks to the towns people that doesn't matter how you vote. That's why you are not having a good turnout for voting and why people are not coming to meetings. Everyone feels that you are not listening or not following how the people voted. If something gets voted down, you find a way around it. Selectman Kilanski stated that is not happening. There are 2 bad spots that need to be fixed. I understand what you are saying about the public perception, at the same time we do listen to the people, but if someone trips and falls and sues the town they will win. We need to protect everyone that uses the sidewalk. If it means replacing a small piece here and there. It is bad timing, but we still have the responsibility to maintain and keep it passable for the citizens. Stacy said maybe more thought could be put into putting it on the ballot wording it differently. Selectman Kilanski said that it is hard to put on the ballot every 20 by 10 project that springs up throughout the year. Selectman Fraser said we want to fix a 20 by 10 piece and have no intent to replace piece by piece. Stacy said there will be another one, if the sidewalk is that bad, it will be one after another. Selectman Fraser said that why we wanted to replace it. That was the intent of the warrant article. Stacy said the majority of the town said no, March is right around the corner put it back on the ballot and let the people vote. Selectman Fraser said in the meantime what are supposed to do? I would like to see all the sidewalk repaired. Stacy stated she would like to see go back on the ballot. I don't care if it gets fixed or not I think it needs to go by what the majority of the town wants. That's what the democratic process is about. Selectman Fraser said absolutely but with the information we have we feel that we have to fix it. Anything else we will wait for the warrant article.

**Fifth order of business: Nonpublic under RSA 91-A:3II (a)(b)(c)(d)(e)**

Selectman Fraser makes a motion to enter nonpublic session under (a, b, c & e). Selectman Leustek seconds the motion. The motion carries 5-0. A roll call vote was taken, and members vote "yes" individually and the board convenes in non-public at 8:23 pm.

**Sixth order of business: Adjournment**

The board reconvenes in public session at 9:14 pm.

The board hired 2 PT Police Office, Pete Bowers & Brian Javala

Selectman Fraser makes a motion to seal 2 sets of minutes under e. Selectman Stephens seconds the motion. The motion carries 5-0.

Selectman Leustek makes a motion to adjourn at 9:20 pm Selectman Stephens seconds the motion. The motion carries 5-0.

Minutes respectfully submitted:

Karey Miner, Administrator

Minutes signed by:



Ben Kilanski, Chairman



Karey Miner, Administrator