



Town of Winchester
1 Richmond Road Winchester, NH 03470

**Minutes of the
Board of Selectmen Meeting**
Wednesday
August 22, 2018

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

First order of business: Work Session

The Chairman opens meeting at 6:00 pm for a work session with Tata & Howard. Gary Leach & Trish from T & H brought the 50% completed designed plans to the board for an update. Currently the road is 15-16 feet wide. Traveling down the road on the right side are the lawns and on the left is the hill/bank, tree & stone wall. T & H have presented making the road 20 feet with a 1foot shoulder on each side. Build the road up so the water will run off. There will be a silt fence in place to protect the properties. The water main will run on the right side on the lawn and run the lines to each home. Selectman Kilanski asked about the drainage on the right side and water line on the left side. Gary stated that there would be no need for the drainage off the right side and currently the water line is on the left side. Rick said that the water line would be on the right side, so the owners would still have water during the project and it would be better protected during the winter if on the lawns and not under the road. Selectman Stephens asked if there were fire hydrants being put in. Rick stated there would be 3. Gary added that they can't shift the road to the left to much because of the driveways and the bank. Rick is hoping that we will come under budget but won't know until it goes out to bid. T& H have made some changes from when Holden Engineers did the fishability study. Selectman Marsh about the time frame. Gary said they were on time, there are a few changes to do and Conservation will need to review the plans too. Selectman Marsh asked about the wording of the original easements that were signed off on was that for drainage only. Rick stated no, it was for water main, water lines and construction. Gary added that this will be very low impact to the road. Selectman Marsh say one of his concerns was the drainage & erosion of gravel onto property 5 years from now and the cost to have to pick it up every year. Gary say we are making simple with no drainage. Gary stated that we need CC to accept the plan and will need to write a letter approving the erosion plans. Selectman Kilanski asked if Gus would call a meeting for CC next Thursday Aug 30th. Gus stated he would. Bonnie Class has concerns with the Jones Road project. Bonny asked who will be doing the work? Selectman Kilanski said that some of it will be the town. It is part of the grant that the town will contribute for their match

towards the grant. Bonny stated the Highway, which is tax payer's money. Since it is such a large project, shouldn't it have been put on the ballot for the town's people to vote on it, seeing that it is a private road. Selectman Kilanski stated that we are working on the water line. Bonny states that the deeds to all the houses say that they are responsible for their own line. How does it become tax payer's problem to pay the highway department to do the work? Which takes them away from the work they need to be doing on the town roads. Selectman Kilanski said we have a responsibility. Bonny said then the people on that road should have come to the planning board or select board and ask them to put it on as a warrant article for the town to accept it as a town road, according to the NH Municipal Assoc. 674 40. Selectman Kilanski said that the town has been maintaining that road for several years. Bonny stated that doesn't constitute acceptance, it is a private road. Selectman Kilanski said that were some agreement years ago with a hand shake. Bonny said it's not right for the rest of the town to pay for it. Selectman Marsh said as far as the expense itself for the project it is not coming out of taxation. Bonny said if the Highway is working it is. Selectman Marsh added we had a public hearing to accept a grant from CBDG-\$500,000. Bonny asked if the grant will reimburse the highway use. Selectman Marsh said part of the grant is matching funds from the town. So instead of taking tax dollars to put towards the \$500,000 we are doing labor. Bonny said the labor is paid for by the tax payers. Rick said that he is simplifying the project to try and bring the cost down under budget. Our contribution is the lines to the home, meter pits, curb appeal. We need to get the project out to bid to know how much we need to contribute. When we apply for grants they like to see the town contribute to a project and share some burden. Bonny said then it needs to be put on the ballot. It is simple they are being paid by tax payers money. Selectman Fraser said the issue is that we are using highway for some of the labor, because it is tax payer's money. We would not make decision without a legal opinion. We have for many years had water/sewer & highway collaborate on many projects. Bonny said the taxes are going so high. There is a lot of unnecessary spending. Why would you proceed with it if it was never accepted by the town? Selectman Fraser stated that it didn't need to be accepted by the town. We have easements on it. Bonny stated that on a private road there shouldn't be any work done, plowing, grading anything. Selectman Fraser said we wouldn't have been able to receive these funds if we weren't doing it per the RSA. The governor would not have approved it. Rick said they are tax payers & w/s users. We are here to help the community out. Highway & w/s intertwine with jobs and equipment. When water lines are under the highways or when Dale does a road restoration we help them out. Rick plows all winter and it comes from the w/s budget. The w/s trucks are used and tools work for highway. Rick said that he is trying to help, and he is not going to tell those people they will be out of water for 3 months because it is frozen. Bonny said you use more highway money than they use w/s for plowing. Rick stated he disagrees with that and he uses highway very little. It is getting less and less. Selectman Fraser said it is for the benefit of the tax payers. Rick added that we are doing less projects and contracting jobs out more and more because we are getting separated. We can't work together. Selectman Fraser asked who says you can't work together. Rick stated water & highway, they are separating us. Not the Select board. I am trying to help the community. I see the high usage and the 40% leakage rate. How do we move forward to fix the issues? We are up against these hurdles. I have cut back to keep the cost down on this project and trying to make people happy to have them on board with the project. W/S budget has increased more than Dales. Selectman Fraser stated we work together. Rick said I want to work with them. Selectman Fraser said it's not taxpayers, besides using the highway maybe, it is a grant. Bonny said it is time, equipment and materials. Selectman Fraser said we can keep track of it. Rick said there is a budget and the Federal government will monitor it. We are running out of time. It has been

2 years and the project has to be done in certain time frame. Bonny said you had 2 years to put it on the ballot for town vote. Rick added that we had a hearing on it. Selectman Fraser said we accepted CDFA grant, it's not tax payer's money. Bonny then why do you put the other grants/bonds on the ballots? Selectman Fraser stated it depends on RSA we have to follow. The grant we receive is to upgrade the water lines, it may not be a town road, but we maintained. We have inherited this we didn't create this. Selectman Marsh said it was agreed upon to maintain the road 1958/1959. Selectman Fraser said we as a board are not trying to increase tax payer's taxes for the benefit of someone else. We trying to work together and help the community. Bonny asked who bought the easement. Selectman Marsh stated the grant. Selectman Fraser said she understood the concern with using highway, but we have done so in the past on other projects. Whether or not you agree it is not something we are not allowed to do. We have had legal opinions. We have \$500,000 that the state has given to us to use. This has been in the works for 2 years and the grant has been approved. I would hate to say we aren't going to do any of it because it was on the warrant. It doesn't have too, we are not using tax payer's money. Bonny said it would have been nice for the towns people to know. Selectman Fraser stated that we have has public hearings on this. Selectman Marsh said depending on the bid for the project, the highways involvement could be pennies. Bonny asked the board could put it in the paper, so people know what's going on. You say Jones Road project no one about it. In the meantime, our roads are crap, where is the responsibility to maintain the roads. Selectman Fraser said we maintain our roads the best we can with what we have. Bonny said then you shouldn't use the budget for something else and use it to maintain the roads. Selectman Kilanski stated we have done very well over the last few years getting some of these roads paved. Bonny said she was talking about the ditching and maintaining to dirt roads. Bill Roche said you might forget you answer to the tax payers. We are in charge. Selectman Kilanski & Fraser stated we don't forget that. Selectman Kilanski said having the town departments work together saves the tax payers money. We use the resource we have to save money. John Stephens asked Dale if this project will affect any of his projects. Dale stated no his projects are done. John said as long as it's doesn't take away from what Dales needs to do. Gus Ruth said that one of the RSA stated that the town has maintained a road for more than 5 years it becomes a town road. Selectman Marsh said he asked the attorney about that and he said there is a gray area in the RSA. We have other a sidewalk and roads that I don't think we should be maintaining because it's a private road. I would like to see it from our attorney what the RSA states. Bonny read the NHMA bylaw "Altering layout of a class VI highway or private road". Selectman Kilanski stated that there is no change to the road and no intent to take the road over. Rick said the road will need some material added to have a slight pitch, so the water will naturally flow to the sides. Selectman Marsh stated that our attorney has been involved throughout the process. We didn't want to take the road over, but through the grant purchased easements.

Second order of business: Minutes & New Business

The Chairman continues with the BOS regular scheduled meeting. The board reviews the minutes of 8-15-18 for approval. Selectmen Marsh makes a motion to approve the minutes. Selectman Stephens seconds the motion. The motion carries 5-0

Selectman Fraser made a motion to approve the services agreement with Tata & Howard for the engineering of Jones Rd. Selectman Leustek seconds the motion. The motion carries 5-0.

Selectman Marsh made a motion to approve the abatement for map 34 lot 43 in the amount of \$839.00. Selectman Stephens seconds the motion. The motion carries 5-0.

SWRPC sent the town a letter on the 2021-2030 Ten-year Plan, Transportation Improvement Projects. They are looking for the surrounding towns input on projects new or old.

Selectman Fraser made a motion to approve signing the 2 Hazard Mitigation match letter for the Jones culvert & the Cranberry culvert and to sign the 2 Home Land Security & Emergency Management letters in support of submitting the grant application for the Jones & the Cranberry culvert's. Selectman Stephens seconds the motion. The motion carries 5-0.

Selectman Marsh made a motion to approve the abatement for map 8 lot 119-48 in the amount of \$123.00. Selectman Fraser seconds the motion. The motion carries 5-0.

Intent to cut was submitted for map 9 lot 34-1.

The Board signed the oath of office for Marge Merrifield as a Trustee to the Conant Library. Rick Meleski was awarded the 2018 Operator of the year by Granite State Rural Water Assoc.

Selectman Fraser made a motion to approve the Rules & Regulations of Sewer Use. Selectman Leustek seconds the motion. The motion carries 5-0.

The board agreed there will be no BOS meeting Wednesday, Aug 29th.

Elena Heiden on behave of the Winchester Historical Society asked the board to accept a donation of a late 1800 hundred piano. It has been said that it used to be in the Winchester House. The piano has a painted picture of the Town Hall, Winchester House, the Church and Conant Library. The board agreed to accept the piano and have it on display at the Town Hall.

The Sidewalk on Main St in front of Thackston Realty is sinking in. Water is undermining the dirt making the sidewalk cave in. Dale said the water is going into the cellar. One of the issues is the foundations are sitting on our sidewalks. Selectman Marsh stated that is has not been proven that the sidewalk belongs to the town. Stacy Corliss said that the deeds show the sidewalk is owned by the businesses and the edge of the property is RT10. Selectman Fraser said that the town has been maintaining the sidewalk for years. What the alternative let the sidewalk fall in. Bonny said tell the business owners it's in their deeds and they will need to fix it. Selectman Fraser asked Karey to pull the deeds.

The board reviews and approves the following financial documents:

Selectman Leustek makes a motion to approve the Certified Ambulance Group Inc. in the amount of \$12,517.67. Selectman Stephens seconds the motion. The motion carries 5-0

Third order of business Board comment:

Lt Tollett introduced the police officers to the board and the public. Sgt. Dean Wright, Sgt. Penny Witherbee, Steven Gordon, Brenden Bosquet & Josh Edson. Wendy Rawling and Det. Mike Carrier were unable to attend. Steven Gordon & Josh Edson will be starting the academy next week.

Fourth order of business Public comment:

Selectman Leustek-RED Committee reminded everyone that The Dinner on the Bridge will be Sept 29th. \$25 a ticket and there 140 tickets. Selectman Fraser asked where the proceeds be going. Selectman Leustek stated that they will be split with the Historical Society. The Thayer Library and Kathy Morehouse will be selling the tickets.

Mike Coope let the board know the Trustee of Trust Funds will be having quarterly meetings. October 15th is the next meeting.

Todd Kilanski stated that he was mowing in Ashuelot and a family asked him how they could get a hold of the someone at the Sheridan House to see the inside. A family member had owned the home at one time and wanted to see it. Todd tried to call and never got a call back.

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 (b, c & e). Selectman Stephens 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 7:22 pm.

Sixth order of business: Adjournment

The board reconvenes in public session at 8:10 pm.

Sandy Card from New Beginnings Coop. came to ask the board for help with the clean-up. The Town tax deed the property. Sandy stated that the coop would like to work with the town get the property sold and split the sale of the property. The town received a quote from Dana's Container Services to do the clean-up of \$1,961.50. Karey stated that she got a verbal quote from Courtney Davis for \$3,000. Selectman Fraser made a motion to hire Dana's Container Services to clean -up, split the sale of the home 50/50 with the New Beginnings Coop. and from the New Beginnings will pay the town half of the clean-up cost. Pending that both party's attorney approves. Selectman Kilanski second the motion. The motion carries 5-0.


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

Selectman Leustek makes a motion to adjourn at 8:27 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