



Town of Winchester  
1 Richmond Road Winchester, NH 03470

---

Minutes of the  
Selectmen Meeting  
Wednesday  
April 4, 2018

**Board members present:** Ben Kilanski, Jack Marsh, Roberta , Herbert Stephens and Gloria Leustek. Also present Dale Gray, Donald Class, LT Tollett and Rick Meleski.

**First order of business: Minutes**

The Chairman opens the meeting at 7:00 pm. The board reviews the minutes of 3-28-18 for approval. Selectmen Fraser makes a motion to approve the minutes. Selectman Marsh seconds the motion. The motion carries 4-0-1

**Second order of business: New Business**

Selectman Fraser makes a motion to approve Monadnock Speedway & Winchester Speed Park annual permits. Selectman Stephens seconds the motion. The motion carries 5-0

Consolidated Communications (Eversource) submitted a Pole License Permit to move a pole on High Street. Selectman Fraser makes a motion to approve the pole license. Selectman Leustek seconds the motion. The motion carries 5-0

Selectman Stephens makes a motion to sign a letter from the Select Board allowing Stateline Fireworks, LLC, to operate and sell New Hampshire Consumer Fireworks from a fireworks retail store located at 151 Keene Road in Winchester, NH. Selectman Fraser seconds the motion. Motion carries 5-0

A request to abate current use tax on map 1 lot 35&37 was submitted. This property does qualify to remain in CU under RSA 79-a; farm land producing \$2,500 per year in agriculture crops. Selectman Fraser makes a motion to approve the abatement for \$1,150. Selectman Marsh seconds the motion. The motion carries 5-0

Avitar recommended abatements for map 28 lot 84 in the amount of \$663 & map 34 lot 34 in the amount of \$592. Selectman Fraser makes a motion to approve the recommendation from Avitar. Selectman Marsh seconds the motion. The motion carries 5-0.

Intent to Excavate was submitted by map 6 lot 4- L. Croteau

A request to abate taxes at Forest Lake Campground was submitted. Map 8|lot 119-S11 in the amount \$538.68 & 8/119-S10 in the amount of \$151.30 & 438.56. Selectman Leustek seconds the motion. The motion carries 5-0

Selectman Fraser approves a raffle permit for the RED for a raffle on April 21st. Selectman Stephens seconds the motion. The motion carries 5-0.

Selectman Fraser made a motion to appoint Marge Merrifield to the Conant Library, Beth Pelton, Cherie Rowe & Jason Koerber to the RED Committee. Selectman Marsh seconds the motion. The motion carries 5-0.

Selectman Marsh made a motion to approve 3 Veteran's Credits for map 26 lot 94, map 1 lot 20-43 & map 20 lot 3, Elderly Exemption for map 28 lot 31 and Disabled Exemption for map 4 lot 27. Selectman Stephens seconds the motion. The motion carries 5-0

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

Selectman Fraser makes a motion to approve the Invasive Plant capital reserve request to Solitude in the amount of \$1,010. Selectman Marsh seconds the motion. The motion carries 5-0.

Selectman Fraser makes a motion to approve the department internal transfers in the amount of \$112.32 for monthly supplies. Selectman Leustek seconds the motion. The motion carries 5-0.

Selectman Fraser makes a motion to approve the Certified Ambulance Group Inc. in the amount of \$533.44. Selectman Marsh seconds the motion. The motion carries 5-0

Selectman Fraser makes a motion to approve RED Committee payment to Cheshire County Conservation District for \$500. Selectman Marsh seconds the motion. The motion carries 5-0. Selectman Leustek stated this is for the Food Festival on April 21<sup>st</sup>.

Amy asked the board to sign a letter to remove Sharon as the authorized signer for Medicaid account with the State and adding herself as a signer. Selectman Fraser makes a motion to approve removing Sharon and adding Amy. Selectman Marsh seconds the motion. The motion carries 5-0.

**Third order of business Board comment:**

Selectman Marsh would like to have an advisory committee to investigate the Federal surplus equipment for our departments. The committee could talk to the department heads and see what they need and do the research. Todd Kilanski stated that he was at a forestry meeting and the State has a couple million dollar's worth of vehicles which they give to towns that need them. The only requirement is the town needs to register & insure them and when the town no longer needs them they return them back to the State. Selectman Marsh adds that municipalities have the 1<sup>st</sup> right of refusal before they are put out to bid. Selectman Marsh makes a motion to create a surplus committee, advisory only with a 4-member minimum to research surplus equipment. Selectman Leustek seconds the motion. The motion carries 5-0.

#### **Fourth order of business Public comment:**

Donald Class asked to address the board about the issue he has with Rick Meleski and would like to straighten it out. It was brought to his attention that last week Rick stated that he only repaired 4 private waterlines on private property, is that a fact. Selectman Fraser stated that it was 4 in the year. Rick confirmed that statement. Donald stated that it was 4 repairs in the past 2 months and has a list of 18 that I have done in the past 3 years. Donald had come to a previous board and was told not to work on the lines past the shut off. He knows that every year the board members change and there is a new board. Donald has been told the last 3 years by Dale that Rick needs you at a job and he has been doing it. He feels very strongly that we should not be fixing lines on private property. In the past Donald had worked for Hubie Crowell and they would shut the water off and it was the homeowner's responsibility to have it repaired. Donald is asking the board to put a stop to these private lines being repaired beyond the town's liability of that water shutoff. There is no threat to the town water system. Donald added that he has talked to several home owners that feel the same way, if it continues they would all like to be put on the list to have the Highway come fix their driveways. Donald stated he would like a response in the near future. Also, that this has created some hard feelings between Rick and himself and thinks that it is in our best interest that we don't do any more work together than we have to. Donald will be watching to make sure he does things right. Selectman Marsh stated that we asked for a legal opinion in writing from NHMA or our Attorney but have not received it as of yet. Selectman Fraser stated that she had spoken to our Attorney and we are not doing anything illegal by fixing the spaghetti lines. There have been similar cases that have gone to court. It is up to the board to make a policy to make the repairs or not. If we make a policy, then any employee of the town will have to follow the policy. Thank you for bringing this to our attention and we understand your concerns. Donald said that he is not concerned with the spaghetti line, it's when there is water leak at Rustic Table, you shut the water off and it is up to the owner to fix it. He shouldn't be going into the parking lot with tax payer equipment. Rick stated that he did not fix it, Marvin Smart did the work. Bonny Class added that if the town is going to be making repairs that they should be reimbursed for not only materials but an hourly rate. Selectman Fraser agreed. Bonny has asked for records showing the billed repairs. Rick said that they received legal advice that we can't give out mailing address or phone numbers to Bonny because it's private information. Danielle did spend time with Avitar to download some software, so going forward they will have that information to report. They were able to get 1 quarter's information. Rick added that he has a log book with what kind of work was done and where. Selectman Leustek stated that Rick had said it was billed on their water bill. Rick said that it is on the water bill but shows under misc. charge. With the new software it will show more information on what was charged. There are times that the shutoffs are on their property and some are not. You don't always know until you get there. Rick added that he is not perfect, but I'm trying to do the best job he can. He's not sure where all the animosity is with Donald. It is two differentness's of opinions here. Rick will leave it up to the board's decision how to move forward. If there is any hardship he will bring it to the board to review. Rick said that he not trying to hide anything. It's all out in the public. Selectman Marsh asked Rick if it's all added up onto regular sheets. Rick said that now with the new program it will break it down. We have used Fema's rates for the backhoe, truck drivers etc. These are the rates we have always used. I'm not trying to take business from private contractors, I'm just trying to help people out. Selectman Stephens recalls when Theresa was on the board that she said you go to the curb stop and stop. But if the people want to pay and the department wants to fix the line you could do that. Both Rick and Selectman Fraser remember that being said. Selectman Marsh would like to see it in writing. Rick added that there are some home owners that don't show that they own these lines in their deeds.

Which can leave 6 or more customers without water and it's not their line. This is how we were able to fix Rabbit Hollow Rd, Naramore, Old Scotland Rd. We have taken that stance before where we wouldn't repair the line and I got attacked by the home owners and now I'm getting attacked by employee. It's not cut and dry in this town. As you know our town is one of the low & moderate communities. That's what I'm dealing with. The board see that too with abatements and making payment arrangements with people. I'm not doing this to cause problems and I have tried to reel back on involving Donald as much as I can. Selectman Fraser said that it shouldn't be like that. Rick stated that he is not running Dales Department. I call Dale and ask for help and he sends me the help. Dale calls me, and I send him help. That works pretty well. Selectman Kilanski said moving forward we will have something in writing and create a policy. Selectman Fraser said last week there was a question on transferring monies back and forth between departments when they work for each other. Amy spoke to Tammy Webb our Auditor and Shelly from DRA, because Winchester is a bottom line budget town we do not have to transfer money from department to department. Selectman Stephens added that with all the hard feelings it's up to the board to make a policy. Selectman Fraser said once we have the legal opinion we will discuss how to move forward. A lot of the home owners might not know where to go or the money, so they turn to the water department for help. The town has the man power, knowledge, and the equipment to do the job and get it done quickly and then we bill. That is what we decided a few years ago and that's what we have been following. Rick said we repaired Mrs. Wallock's on Warwick Rd. several times. Selectman Fraser asked did you bill her. Rick said yes, and she pays. There is an issue at the end of Richmond Rd where the deeds don't show how owns the lines and we have had to fix those several times. I have talked to SWRPC to look for funding to run a new line on the end of Richmond Rd to fix this issue. We are trying to clean up these spaghetti lines. Selectman Marsh thought it would be a good idea to send out in the June Tax bill to the owners that might not know about their water lines and explain it's the town's responsibility from here to here and what they are responsible for.

Bonny Class asked the board what is the job of a Selectman's Rep. Selectman Marsh said depending on the board or committee, they hold a seat and can vote. They are not allowed to be chair or vice chair and they report back to the Select Board. Bonny asked about the use of money on the board. Selectman Kilanski said they can vote on expenditures of money. It has to be a board/committee vote. Selectman Rep's are active members of the board/committee and are able to vote. Selectman Fraser said if you are referencing the Beach Committee and any expenditure's I have made, years ago when I became in charge of the committee the board gave me permission to be the department head and follow the purchasing policy. Bonny said that the RSA states that selectmen are not allowed to hold other offices. Selectman Fraser said that is correct, but the beach committee is an advisory only. Bonny stated that things were not voted on. Selectman Fraser asked like what. Bonny said the money spent. Selectman Fraser said that the beach committee couldn't vote on it. It's the Select Board who votes on it. Selectman Marsh said that the committee could vote on a recommendation. Selectman Fraser said that is correct and the select board approves the expenditure's. Bonny asked if that gives you the full command to go out and buy things that were not talked about with the committee. Selectman Fraser was not clear on what Bonny was referring to. Bonny said the Hot Dog Wagon. Selectman Fraser said no the committee discussed it. Bonny said no it was not, I asked the committee. They said it was not discussed; you drove by and bought it. Selectman Fraser not sure where that is coming from and asked which members would that be. Bonny said she would not give names.

Selectman Fraser stated that the committee hired Karey's daughter and Jack's daughter to run it. There was a discussion and they were fully aware of it. I wouldn't just buy a hot dog stand on my own. It was something we wanted there to go along with all the lifeguards and the things we had going on out there. The select board signed off on it. Selectman Marsh said that the board did talk it. When they re-built the building, they had talked about it several times about putting something out there again. Last year we discussed the hot dog stand and this board ok it. Selectman Kilanski stated that it was talked about how much it was and what was needed, and we approved it. The board asked several questions on the stand and the board signed off on the purchase. Selectman Fraser stated that Bonny can go see Amy to get all the paperwork with the signatures. Bonny said she would go get it.

**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 ( c ). 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 7:50 pm.

**Sixth order of business: Adjournment**

The board reconvenes in public session at 10:00 pm.

Selectman Fraser made a motion to Seal one set of c minute. Selectman Leustek second the motion. The motion carries 5-0.

Karey gave the board update on the Comcast agreement. The agreement should be ready within the week. There will be a public hearing set soon. Attorney Mayer asked the board if they plan on charging a franchise fee. Selectman Fraser stated that the board should look at charging a franchise fee. The town has never asked for fee before.

The board agreed to re-notice for deeding.

Update on 7 Hildreth Street. The project was finished last week.

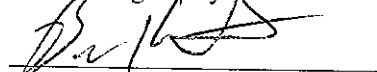
Margaret informed the board the intent letters were sent for Hazard Mitigation funding for the 2 culverts on Back Ashuelot Road. The letters were accepted. At the end of April letters are due for ARM Funding.

Selectman Stephens makes a motion to adjourn at 8:45pm Selectman Fraser seconds the motion. The motion carries 5-0.

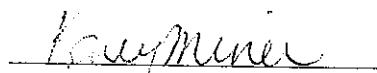
Minutes respectfully submitted:

Karey Miner, Administrator

Minutes signed by:



Ben Kilanski, Chairman



Karey Miner, Administrator