

Brookline Selectboard Minutes (Draft)
Special Highway Meeting
August 7, 2009

1. The board met at 1354 Grassy Brook Road to discuss the replacement of the culvert at that location. Chairman Archie Clark called the meeting to order at 7:30 PM. Present were board members David Ryder, Alicia Dest, and Doug Wellman. Also present were members of the public Alan Fabrizio, Gary and Julie Lavorgna, Jim Rogers, and Shawn Nordlund.

2. Dave described the current situation including plans to replace the culvert (bid that James Rogers Excavating was awarded) and difficulties relating to the tie in of an additional pipe to the exit of the culvert by the homeowner (Mr. Fabrizio) many years ago. Mr. Rogers had his equipment on site previously and was prepared to complete the replacement but ceased work due to concerns by the homeowner about open drainage onto his lawn. Archie and Dave had previously visited the site and drafted a plan for a proposed alternate location (number 2 below), but concerns were identified when they presented this proposal to the entire board and the contractor at the August 5th Selectboard Meeting.

3. Members viewed the site and the three proposed solutions: 1) disconnect the pipe, remove the current culvert and replace it in the same location leaving the exit end clear for approximately six feet to allow cleaning. 2) relocate the culvert approximately 40 feet to the south (still require disconnect). 3) replace the culvert with an approximately 70 foot culvert starting at the original location and exiting near the other possible location 40 feet to the south (still require disconnect). Each of the proposed solutions presented some concerns most notably the disruption of the homeowners current drainage situation in option one. A significant increase in the work required of the contractor to deepen the ditch and excavate a large portion of the bank on the west side of the roadway in option two (including removing a very large rock/section of ledge in the ditch and possibly having excavate beyond the towns right-of-way on that site to leave an acceptable grade in option two. And the installation of an extremely long culvert under a long section of the roadway in option three. Other major considerations were the additional costs involved in all proposed solutions, the expected water flow (it appears most flow exits the hillside near the current location), and concern by the adjoining landowner (Lavorgna's) about the possible change in location.

4. After the discussion on proposed solutions Doug motioned the culvert be replaced in the current location. Alicia seconded, all voted in favor. Board members then took additional measurements and started to draft a plan for the contractor. After the measurements were completed Doug motioned the board adjourn at this location and reconvene in ten minutes at the town office to work on the plan. Seconded, all in favor. At 8:06 PM the meeting was suspended.

5. Archie reconvened the meeting at 8:20 PM in the town office. Present were the four board members and Mr. Fabrizio. Archie drew a map with the basic design. Since the

new culvert is larger than the one currently in place it will exit the bank lower. Our measurements determined that this could be done within the right-of-way (including adequate clean out room. A major consideration was still the concern of the homeowner about his drainage situation. We will have the contractor do what he can to attempt to maintain flow to the homeowner's pipe and leave the area in good condition. The one major outstanding issue is disconnecting the homeowner's pipe. The contractor stated that he would not disconnect over concerns that it could damage the pipe outside the town's right-of-way. Archie tried unsuccessfully to get a commitment from Mr. Fabrizio to disconnect his pipe. Doug then attempted to have him agree to sign a letter absolving the town and contractor of responsibility if we disconnect it, he would not. Mr. Fabrizio will talk to Mr. Rogers and see if he can hire him to perform the disconnect (as a contractor for him and not the town) when he returns to replace the culvert. Archie will wait until Tuesday (August 11th) to contact James Rogers Excavating to see if an agreement has been reached. If not Archie will contact out lawyers office and have them draft a letter directing the disconnect just within the town right-of-way. The board discussed some possible items for inclusion in the letter (if necessary) such as a timeline and a description of the work to be performed.

4. The meeting was adjourned at 9:18 PM.

Respectively submitted
Douglas Wellman
Clerk of the Board