

Draft Minutes

Town of Brookline Selectboard Meeting

Wednesday, June 21, 2023

Present:

Selectboard:

Dorothy Maggio (DM) (Chair)
Stanley Noga (SN) (Vice-Chair)
Bruce Mello (BM)
Somara Zwick (SZ)

Town Officers:

E Mark Bills (EMB) (Road Supervisor)
Vanessa Ballou (VB) (Recording Clerk)

Public:

Henry Carr (HC)
Lee Anne Parker (LAP)
Peter Meyer (PM)
FactTV8 online

1. Dorothy Maggio called the meeting to order at 6:35 PM.

2. Changes to the Agenda

BM asked to add a discussion of ARPA under New Business and to move the discussion of the BMH Survey to immediately before.

3. Members of the Public

A. Scheduled

1- Henry Carr of Carr Tree & Timber / A discussion about Knotweed

Henry Carr is one of Brookline's preferred vendors and has done a lot of work for the town..

When looking for potential resources, DM found him on the list of Vermont Invasive Plant Control Contractors. He described knotweed as one of the tougher invasive species to control. HC has been treating invasives for about 10 years. Control is possible with repeated treatment. Physical options include chopping it down and then covering it with black plastic; this can be very labor intensive. Chemical control, using herbicides labelled for use in or near wetlands, is very effective. While a single application has an effect, it takes 2 to 3 years of annual applications to gain control. SZ stated that the US Fish and Wildlife is very concerned about the West River watershed and asked HC if he was aware of any funding for getting rid of knotweed. HC stated that there is a lot of federal funding for invasive plant control and referred to the NRCS which is through USDA as a potential source. SZ also asked whether knotweed would just return after being removed. HC agreed that it wasn't possible to get rid of knotweed everywhere; you can just control individual areas. The best time to treat knotweed chemically is summer or early fall when plants begin moving nutrients to their roots. Knotweed spreads by seeds which the birds and other animals disperse, and rhizomes. If it is cut down, care must be taken to remove and destroy all the pieces as it can regrow from a cutting.

Peter Meyer, who originally raised concern about knotweed's spread in Brookline, attended the meeting. He is concerned that if the knotweed isn't checked it will cover more and more areas – including the ball field on Grassy Brook Road.

DM explained that the Selectboard will be working on the town's future budgets and asked if HC would be willing to do a site visit and provide an estimate of potential costs.

2- Lee Anne Parker – Chair of Brookline Meeting House / A discussion about BMH Foundation Grant Project Progress & discuss Work Order Change request by vendor.

Kerry Bourne provided a bid for repairing the BMH foundation and the town agreed to move forward with him. A contract has not yet been signed because of potential changes to the scope

of work and other costs (addition of a vapor barrier and increase in insurance fees). SN is preparing a contract and LAP explained that paperwork (W9 and certificate of insurance) supporting the initial bid has been submitted. The Selectboard needs to decide whether to move forward with the initial bid to be followed by a change order or wait for a revised bid. BM reported that the discounted cost of a 6 mm vapor barrier from WW Building Supply was \$98. SN reminded the Selectboard that the work was originally to be completed by June 29, 2023, however, there has been flexibility regarding changes to the timeline. Following their discussion, the Selectboard decided to finalize a contract based on the original estimate (\$29,800) with the understanding that there could be a change order to consider. A grant covers part of the cost, however, as DM reminded the Selectboard, the project needs to be completed and inspected before the town can submit to the grant for payment. LAP identified the following documents that need to be provided: 1) completed accounting form, 2) copies of all supporting invoices and corresponding payment, 3) copies of the front and back of cancelled checks, and 4) photographs documenting all completed work. SN clarified that the town needs to pay the full amount before reimbursement by the grant.

There was a follow-up discussion to clarify roles, responsibilities, and timing. The Grantee was the Town of Brookline; DM was the signer. LAP is responsible for making sure that deadlines are met and the documentation is submitted to the state. Judy Acampora / Treasurer will be responsible for completing the Accounting Report Form and providing documents for the grant; SZ offered to be the liaison. LAP informed the Selectboard that she doesn't expect the work to take more than 2 weeks. SN will finalize the contract and DM will contact K. Bourne and arrange a time for all needed parties to meet and sign the contract.

At the conclusion of this agenda topic, SN gave a gift certificate (\$200) that he had received to LAP for the BMH.

- B. **Unscheduled – 5 Minutes on Agenda Items Only**
None.

4. Review/Approve Minutes

- A. **Regular Selectboard Minutes June 7, 2023**
SN provided changes to the minutes for discussion. DM motioned to approve the minutes as amended; SN seconded; motion approved unanimously.
- B. **Regular Selectboard Minutes April 5, 2023**
These minutes were approved previously. However, the minutes submitted for posting included the two attachments that were not included with the draft. DM motioned to approve the minutes with attachments; SN seconded; motion approved (DM, SN, & BM), SZ abstained.

5. Pay Orders

- A. **Payroll Warrant**
DM made a motion to approve **payroll warrant 2350** dated June 21, 2023 for \$1,734.59; BM seconded; the motion approved by DM, SN, & BM. SZ abstained – was absent during vote.
- B. **Accounts Payable Warrant**
DM made a motion to approve accounts **payable warrant 2349** dated June 21, 2023 for \$14,254.50; SN seconded the motion. DM read through the 6 items included on the accounts payable warrant. BM confirmed that he had inspected the new BMH windows, and they were good. SN confirmed that he had no questions. The Selectboard voted, and the motion approved unanimously.
- C. **End of Year 2022-2023 Q & A**
DM asked if there were questions about the end of the year 2022/2023. SZ asked if there was an update regarding the Grand List. DM informed that the Grand List has not yet been finalized. SZ

reminded the Selectboard that the town officers will need to approve the municipal tax rate which is based on the Grand List. SZ expressed concern that without the approval there is a risk that the tax bills will not go out on time. DM replied that it will be on the July 5th agenda. SZ informed the Selectboard that she is reviewing how items have been categorized within the accounting system and there may be changes in subtotals.

6. New Business

A. New Policy – Right of Way Post Storm Clean Up – Mitigation Plan

DM had distributed via email a draft new policy “The Town of Brookline’s Post Storm Right of Way Clean Up Policy”. Following discussion, DM made a motion to approve the policy; BM seconded; the motion approved unanimously. Policies are given to the Town Clerk who posts them to the Town website.

B. New Policy – Fundraising Guidelines

DM had distributed via email a draft new policy “Town of Brookline Vermont Fundraising Policy”. SN provided comments, the group discussed wording changes, and edits were finalized. DM will revise for the next meeting.

C. New Policy Discussion – Developing a Municipal Government Email Policy

1- Open Meeting Law Review for all Elected and Appointed Members & VLCT Open Meeting Law FAQ

DM distributed a copy of the Open Meeting Law FAQs via email before the meeting. DM addressed a couple of the concerns regarding email. The town is using gmail accounts which are considered personal accounts. Because the Open Meetings Act allows people to request email conversations regarding Town Business, Brookline needs to move away from using personal email accounts to an email provider such as a .gov. DM requested that everyone read the Open Meeting Law FAQs. She recommended not to automatically use the reply all feature when responding to emails to avoid starting a conversation. A better practice is to limit the reply to the original sender and advised that sometimes it’s better to talk rather than email. There is also a concern about using Google Documents - to be addressed in the future.

2- Web Development and Email Assignment Help Offered by Marjorie Ray & Discuss Options for Upgrading Email Providers, Website Support

Marjorie Ray has offered to help with the Brookline systems and has sent DM a website redesign proposal. DM stated that the Brookline system would be without support as of November 2023. GT will also contact the 2WiredGuys about options for upgrading the system. Discussion options for upgrading email providers and website support will be on the agenda for next meeting.

D. File Clerk Job Description / Discuss a two phase approach to document organization

The Selectboard identified a two-phase approach to the file clerk responsibilities:

Phase 1: organizing the paper files and filing all documents not yet filed alphabetically by topic, and

Phase 2: scanning and saving documents into an electronic file system (drive).

SN drafted a job description for the file clerk to facilitate the discussion. SZ recommended simplifying to a description of specific work that needs to be accomplished, time frame, rate of pay, and potential work schedule. There are two potential candidates with experience and skills fitting each of the phases. The Selectboard would also like to hire an Administrative Assistant but agreed that this filing needs to be completed soon and neither of the two potential candidates is interested in a longer-term commitment. The Selectboard agreed to offer an hourly pay rate of \$17 to \$19 depending on the phase. DM asked the Selectboard if they would concur with her contacting the candidate best suited to the initial filing (Phase 1) and offering her that work at \$17 and following up with the other

candidate regarding the computerized scanning and filing (Phase 2) at a higher rate. The Selectboard concurred.

E. Mowing/Brush Hog Attachment

DM contacted two companies, Alta and Northeast Attachment & Track, to find a mower/type of brush hog attachment for the town. Northeast has a new Track 48-inch cyclone rotary mower currently on sale for \$11,366 (\$10,928 plus \$438 in freight). In response to BM's questions, EMB confirmed that this includes the attachment for use with the Hydradig 110, and DM confirmed the mower is new. The original price was \$13,296; the sale price is approximately \$2,000 less. DM identified potential risks to buying the mower for the Hydradig which the town is currently renting with the intent to buy. Risks include not getting the municipal loan and needing an alternate way to finance the Hydradig – which would require a Town Meeting. Given these uncertainties and despite the current height of the grass, DM proposed waiting until the next Selectboard Meeting to decide. BM recommended that the town buy the mower and ensure that the Hydradig became permanent. SN informed the Selectboard that he reviewed the ARPA funds, and the balance will not finance heavy equipment. DM tabled further discussion until later in the meeting following the discussion of finances.

F. LEMP – Review and Adopt Local Emergency Management Plan

DM stated that she has to send the plan to Windham Regional for them to check for errors and then bring it to the Selectboard. She explained that there were minor changes to the previous report; changes included updating phone numbers and members of the Selectboard.

G. Request for Proposal – FEMA 4621 Mitigation Culvert Work on Putney Mountain / Finalize site visit date and advertising dates for short RFP, etc.

SZ read the revised RFP to the Selectboard. EMB decided that the pre-bid meeting will be on June 29, 2023 at 8:00 AM at the Brookline Town Hall. The Selectboard decided that bids must be received no later than 4:00 PM on July 5, 2023. Bids will be opened at a regular Selectboard meeting on July 5, 2023 at approximately 7:00 PM. DM will submit the RFP for publication in The Brattleboro Reformer on June 24th and June 27th and 28th. In response to SZ's question, EMB confirmed that he has taken over part of the work for Culvert 31. The full RFP will be posted on the town website.

H. Comments Regarding the Town of Newfane's Mitigation Plan

DM described the Newfane Mitigation Plan: it's 77 pages and is an example of what the BRIC grant will provide for Brookline. It's FEMA approved pending an adoption date. DM found nothing that she would amend. BM had no comments; SN thought it was done well; SZ had no comments. DM asked all those in favor of allowing her to tell Newfane that the Selectboard discussed their plan at a meeting and found it quite acceptable, SN seconded.

I. ARPA

1- Hydradig 110 Wheeled Excavator & Mower Attachment

BM advocated strongly for ensuring that the town would be able to purchase the Hydradig excavator currently on lease with an option to buy. He acknowledged SN's efforts to secure a loan through the VT Treasurer's Municipal Heavy Equipment Loan Fund. He presented another option for buying the Hydradig via ALTA financing. A key goal of his proposal is to use the FEMA funds for the Hydradig but conserve the ARPA fund for other important town projects. Based on a neighboring town's experience with receipt of FEMA funds, once the town completes the FEMA repairs, the town should receive the funds within a three-month window. Brookline could then use the FEMA funds to pay off the balance of the Hydradig loan without penalty. He referred to the BMH survey results in which the roads were identified by most as the highest priority, followed by the meeting house.

The Selectboard discussed and compared the various options – including costs, use of funds, financing options and restrictions, and practical considerations. For financing the town can obtain a VT Treasurer’s Loan (municipal loan) but needs to hold a Town Meeting for approval to obtain ALTA financing. Based on their previous timelines, SN estimated that the town might hear from the VT Treasurer regarding a loan by July 5th. A decision was made to wait.

The discussion returned to the mower attachment: the benefit of owning the attachment given the current sale price and previous difficulties of finding a suitable mover for rent. DM made a motion to purchase using ARPA funds in the amount of \$11,366 to one new Track 48-inch cyclone rotary mower for the excavator including freight; SZ seconded; DM did a roll-call vote: BM, SZ, and DM voted in favor of the motion and SN voted against; the motion passed.

2- BMH Survey

The survey results will be posted on the Town website. The response rate was low; however, another town’s experience is that you are doing well if the response rate is over 5%.

7. Unfinished Business

A. Paving Project 2023 Contract with Baizen Brothers

1- FEMA 4621: Remove broken pavement and repave 19 x 80 section of Putney Mountain Road damaged in July 2021; bid including mobilization \$17,000.

DM made a motion to approve the part of the bid involving the FEMA repairs; SN seconded; no discussion; motion approved unanimously.

2- Recycle Area: cement dumpster pad and 2 asphalt courses; bid for both pad and courses \$28,000.

DM contacted the Baizen Brothers and discussed removing the recycling area from the bid; they were ok with removing these tasks and it will not impact the other costs. DM made a motion to authorize her to strike the recycling area paving and dumpster pad totaling \$28,000 from the bid; BM seconded; no discussion; motion approved unanimously.

3- Pothole repairs on Grassy Brook Road

Bid for Large Mill repairs for 1000 square feet = \$9,000

Bid for Small Mill repairs for 200 square feet = \$4,200

Large and Small Mill repairs are minimum estimates.

Company would revise the project cost for pothole repairs if we submitted accurate measurements.

DM estimated that it would cost \$15,200 to mill and pave both large and small potholes on Grassy Brook Road. DM made a motion to approve the pothole repairs up to \$15,200 including the mobilization of the equipment; seconded by SN. In the discussion that followed, DM explained that she and EMB have discussed these repairs and how to best manage the work to the available budget. Smaller potholes may not be done to bring work in on budget. EMB advised that it may be better to pave a bunch of smaller potholes closer together with a large patch. Following the discussion, the motion was put to a vote; motion approved unanimously.

DM will sign the RFP and follow-up with Baizen Brothers.

B. Appointments

1- Animal Control Officer – Dot Maggio

DM requested someone to nominate her as the Animal Control Officer because if someone gets bitten by a dog, they are going to call her anyway. DM hopes that the Brattleboro sheriff’s office will come up with a centralized animal control plan in the future. SZ nominated DM as Animal Control Officer; DM accepted the nomination; motion approved unanimously.

2- Historic Round School House Committee – Julia Duke

DM made a motion to nominate Julia Duke to the Historic Round School House Committee; Julia has accepted in absentia with DM; BM seconded; motion approved unanimously.

3- TBD

- C. BMH Survey – Q & A, if any
Discussed under 6. I. above.

8. Reports and Updates

- A. Road Supervisor - E. Mark Bills

EMB provided a summary of activities since the last meeting.

- The excavator is working well, it was used to dig out ditches and other work in preparation for the FEMA repairs on Putney Road.
- Stolen signs have been replaced; an order for additional signs has been placed; one of the Wildlife Sanctuary Signs from the woods on Putney Road was stolen.
- A smaller seeder was purchased from WW Building Supply to reseed after excavating.
- Roads were scrapped.
- The excavator was used to remove a large tree that had fallen across Greer Road.
- EMB worked at the school.

- B. Building Commissioner Report – B. Mello

Pipes in the cellar of the daycare building (Suzy's Little Peanuts) leaked on Tuesday, June 20 and created a huge, disgusting mess. BM and EMB investigated, checked and cleaned the sewer screens, located cracks in two pipes, and began clean-up efforts. Plumbers have installed new pipes. Everything that got wet has been removed and placed next to the trash dumpsters. EMB has placed a fan to dry out the inside of the building, mopped the gym room, sprayed down walls with a bleach mix, completed many other clean-up tasks, and is monitoring the state of the building.

- C. Energy Committee Report – B. Mello

The Energy Committee met on Friday, June 16th. SZ was appointed as the Recording Clerk; the meeting minutes were distributed on June 20th and should be posted.

- 1- Application of Phase 1 Grant for \$4,000.00

The application for Phase 1 of the grant has been completed and needs approval to be submitted. SZ made a motion for the SELECTBOARD to approve the Town to file the application for the \$4,000 grant; SN seconded the motion. The committee has identified three town buildings as priority for the assessment: Town Office, Brookline Meeting House, and Suzy's Little Peanuts. The assessment needs to be completed by January 15, 2024. Following this discussion, the motion was put to a vote and passed unanimously. SZ filed the application at 9:33 PM.

- D. Water Source Protection Plan – Tabled last meeting

BM will follow-up regarding outstanding questions with the Vermont Department of Environmental Conservation, but he will need assistance, similar to what he received before, from the department to complete the Plan.

- E. Highway Grants/Contracts – S. Noga

- 1- GIA – Grant of \$12,500 for segment work update

SN will prepare one contract covering the \$12,500 grant by Monday, June 26th.

- 2- BRIC – WRC Brookline Hazard Mitigation Grant meeting date discussion.

- Jeff Nugent does not yet have a meeting set.
- Chris Campany indicated that Brookline is one of six similar towns - small in size with limited finances. He offered to do a needs assessment to identify if there is anything the town does not have but could use. SZ offered to work with Chris and stated she could have an initial meeting at the beginning of July. SN will follow-up with Chris.

- WRC has still not made an assignment for the preparation of the updated Hazard Mitigation Plan.
 - SN contacted Megan Brunk regarding funding, but the AOT doesn't do interim funding. It was suggested that the town get a bank loan or line of credit. SZ commented that the timing was not good for getting a loan or line of credit, because all the schools would be in the process of looking for funding.
- 3- BMH Foundation work contract discussion
See 3. A. 2- above.
 - 4- Additional Updates
Alta provided an updated version of the rental contract for the Hydradig which DM has signed. SN sent an updated Sales Order to the VT Treasurer's Municipal Heavy Equipment Loan Fund.
- F. 911 Update – P. Madalinski
Tabled.
 - G. Town Clerk Report – G. Tanza
No report.
 - H. Selectboard Chair Report – D. Maggio
 - 1- Town Party July 22
 - 2- Health Officer
 - 3- Committee Meetings Scheduled
 - Riverside Cemetery Meeting – June 23 6:30 – Town Hall
 - Round Schoolhouse Meeting – June 22 10:00 – Town Hall
 - 4- BMH Request to Purchase a Donor Plaque Not to Exceed \$200
DM presented a motion to approve the purchase of a donor plaque; BM seconded; the motion approved unanimously.
 - I. Any Other Topics / Discussions from Selectboard Members Not Requiring a Vote
SN reported that he also resigned as Assistant Animal Control Officer on June 1, 2023.

9. Communications

- A. Email
 - 1- FEMA 4621 Zoom Meeting 10 AM Thursday July 6, 2023
 - 2- Request to Comment on Newfane's Local Hazard Mitigation Plan
 - 3- Marjorie Ray – Web Developer Offering Help with Website and Town email Needs
- B. Regular Mail

10. Set Agenda for July 5, 2023

- A. Open sealed bids for Putney Mountain Road Culvert repairs FEMA 4621
- B. New Tax Rate
- C. Town Wide Appraisal
- D. Policy Updates
- E. 911 Update
- F. Upgrading email providers and website support
- G. TBD

11. Executive Session If Warranted

12. Adjourn the Meeting

Meeting Adjourned at **9:53 PM.**

Respectfully submitted,
Vanessa Ballou
Recording Clerk