

**Draft Minutes**  
**Town of Brookline Selectboard Meeting**  
**Wednesday, August 18, 2021, 6:30 p.m.**  
(videoconference)

## Attending

### *Selectboard:*

Dot Maggio (Chair)  
David Jones  
Bruce Mello  
Stan Noga

### *Town Officers:*

Guy Tanza (Town Clerk, videographer)  
Mark Bills (Road Supervisor)

### *Members of the Public:*

Tom Spaatf  
David Klitgaard  
Kerry Bourne  
Peter Barus (Recorder)  
FACTV (Videoconference recording)

## Call the meeting to order

The meeting was called to order at 6:32 p.m.

## Review changes to the agenda if any

Scheduled Members of the Public advanced to accommodate attendees.

## Review / approve minutes

### **August 4, 2021 Regular meeting**

Ms. Maggio moved to approve the minutes for August 4, 2021 Regular meeting, as corrected. Second by Mr. Noga. All in favor

### **August 10, 2021 Emergency meeting**

There was discussion; time of executive session; unanimous consent.

Ms. Maggio moved to approve the minutes for August 10, 2021 Emergency meeting as amended. Second by Mr. Mello.

All in favor.

### **August 12, 2021 Special meeting**

There was discussion; time of executive session; unanimous consent.

Tabled until draft can be corrected.

## Scheduled members of the public

Ms. Maggio welcomed Mr. Klitgaard, a new resident who had expressed interest in joining the Planning Board, and introduced the other attendees. Mr. Klitgaard had moved in October, 2020 from Chicago, and originally from Denmark, to 78 Parker Road; working in software; and expressed hopes to be a contribution to the town.

Ms. Maggio moved to appoint Mr. Klitgaard to the Planning Commission for the town of Brookline. Second by Mr. Mello. **All in favor.**

Ms. Maggio noted that an orientation meeting of the Commission would be held at a date to be announced.

## Unscheduled members of the public

Kerry Bourne was recognized and discussed the Round Schoolhouse; noted a unique historic structure on which he would have liked the opportunity to work, as an expert with three decades' experience in historic restoration work; having rebuilt Greer Bridge, saving the town about \$15,000, and redesigned the town grader building, saving a significant amount; served as member of the Meeting House Committee, donating time and expertise there; logged 30 hours in the crawl-space in the timber repair; jacked up and stabilized the steeple, rebuilt the foundation, spent a day on the lift at 65feet, repaired the septic system, and documented conditions.

Mr. Bourne noted the recent expenditure of \$3,000.00 for one day's work by others, about which he had not been consulted, apparently being omitted from the approved vendors' list, and requested listing for the future, having filed a certificate of insurance at the time of the Greer Bridge project.

Ms. Maggio noted that Mr. Bourne had since been re-listed as an approved vendor; and explained that the list was supposed to be updated at the first meeting of each fiscal year; that there had been two recent updates (July 7, and July 21); that Mr. Noga had suggested including Mr. Bourne's name; that a vendor packet is to be kept on file, as an independent (non-town employee) for the Audit, having demonstrating quality work for the town.

Ms. Maggio expressed appreciation for Mr. Bourne's efforts, and explained that she had not been aware of the \$5,000.00 Vermont Preservation Trust grant to the Historical Committee on election as selectboard Chair, learning in April that the funds had not been spent; that Mr. Wellman, Mr. Dutton, and Ms. Nau had been contacted then, and Mr. Noga joined in May; that there had been concern about the August grant deadline; her term had begun in March, Mr. Noga's in May, and the grant was obtained in July.

Ms. Maggio acknowledged a lack of due diligence, noting the importance of communication, and promised more transparency for the future; and expressed the selectboard's apology to Mr. Bourne, taking personal responsibility for the matter.

Mr. Bourne noted that in volunteering for the town, he had offered services professionally, never charged for materials or labor and expertise; but could not but feel that the value of his efforts had been lessened in this process; and in future would be happy to do what was needed at the professional rate, in hopes that it will be appreciated and remembered. Mr. Bourne offered, with permission of the selectboard, to join the BMH historical preservation commission that included the RSH.

Ms. Maggio suggested that the Historical Society and the BMH Committee should be separate entities. Mr. Bourne noted having been asked to join the RSH Committee, but had declined for lack of time; but in view of what had transpired, would rather be part of the solution.

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Ms. Maggio will place a discussion of disbanding the RSH Committee on the **next agenda**.

There was discussion. Mr. Noga suggested there be a subset of the larger group, noting that this had been suggested before, this was not deemed appropriate with a \$5,000.00 in effect at the tie. Mr. Bourne suggested approaching the BMH Committee to see if they would be willing to take on the additional responsibility. Mr. Noga noted that the BMH Committee had been applying for Preservation Trust of Vermont grants, one last October. Mr. Noga suggested that the grant had not been awarded because the previous one had not been spent; and that if one group representing the town was responsible for both buildings, the application might be processed more easily. Ms. Maggio expressed enthusiasm for having Mr. Bourne involved, and suggested spending more time next meeting discussing this; and noted eight responses from potential volunteers. Mr. Bourne confirmed for Mr. Noga that he had worked on the RSH after storm damage and had a particular interest in historic preservation. Ms. Maggio again expressed appreciation for Mr. Bourne's efforts.

Mr. Mello noted that Mr. Bourne's work had saved the town a large amount, and recalled working closely with Mr. Bourne when vendor quotes had been very high; that Mr. Bourne had completed the restoration work for a nominal amount; that he had been working on the town's buildings for many years, and had been invaluable; and apologized for the omission from the approved vendor list.

Mr. Mello added that he had been working on the RSH and the school buildings with Mr. Noga; that the RSH had just been cleaned; and that the work on the school was complete.

Mr. Spaatf introduced himself, a resident for four years, a former school board and selectboard chair; had written \$300,000.00 in grants; currently operated two trucks in town; and noted the work in 2009 he had done on steps and a beam (displaying photographs); was disheartened that volunteers were scarce, and that the board had not followed policy on expenditures for estimates; and that these items should be found in the minutes.

Mr. Spaatf noted digging out the woodshed by hand, installing drainage with a backhoe, and suggested that if Mr. Parker had been paid \$3,000.00 then this previous work had to be worth \$20,000.00; had re-plastered the front hallway, repaired the floor, noted that the paneling didn't match and stained it, replaced lanterns that had been stolen in the 1970s, cleaned and cared for the building; rebuilt or purchased new and salvaged windows; and expressed anger that somebody else had been hired to do substandard work, and never talked to him; that this had been approved and paid; that this was not restoration work; that the selectboard had a responsibility to go about this in the right way.

There was discussion. Ms. Maggio expressed disappointment that normal protocol had not been followed, that had been known for nine or ten years. Mr. Spaatf noted that the beam discussed had been there for nine years. Mr. Mello noted that Ms. Nau had been chair; that the committee could have been more responsive; that others who were capable had not done as promised; that Ben Doyle (PTV) had noted this; that there had been a two-month time window; that the board had been in different hands when discussing scope-of-work. Mr. Noga noted that the windows (RSH) had not been restored, and scope-of-work not followed; that the shed was supposed to be restored, and a sill had been repaired with insect-infested wood of the wrong species.

Ms. Maggio acknowledged that Mr. Spaatf was right, that the work was not done correctly, that this was an exceptional situation. There was discussion. Mr. Bourne asked who had contacted vendors, and noted that there seemed to be remaining funds not accounted for. Mr. Noga cited five bids for the sign, and had chosen a local vendor, approved by PTV; that the selectboard had done what was in their power.

Mr. Spaatf suggested, considering timber and stone he had supplied, that the work was poorly done, and inquired as to following up on the matter. Mr. Noga explained that there had been followup; that he had emailed Mr. Parker about the length of the boards and the trash-pile, and had asked about the barn boards; cited pictures taken before and after, noting that the boards did not cover the sill; that the grant was had not been approved until June 28, and the deadline was August 1; That Mr. Dutton had spoken with the president of PTV about these details; and regarding Mr. Parker, the boards might have been previously cut, and he had used what was on hand.

Mr. Spaatf explained that the old boards were all rotted, he had cut them all away, and Mr. Parker should know his business; that the framework should be covered.

Ms. Maggio read from a message to the committee; suggesting that it should be reestablished.

Mr. Spaatf asked about the gravel situation discussed a month ago, and about the Roads Commissioner, noting that he had been told that the selectboard was functioning as RC. Mr. Jones explained that there were grants he and Mr. Bills had been working on prior to Mr. Clark's reappointment as Roads Commissioner, which they had promised to complete. Mr. Spaatf asked whether there was an active Roads Commissioner, noting having been RC for six years; discussed that experience, working closely with Mr. Bills, a great asset to the town, presenting the next season's work to the selectboard with dollar amounts; and noted recent damage to the roads not yet addressed.

Ms. Maggio confirmed Mr. Spaatf's account, and the selectboard's satisfaction with Mr. Bills and his work; and noted that Mr. Clark was in communication, that the roads were being maintained as possible under unusual circumstances.

Mr. Spaatf expressed appreciation for the opportunity to speak.

Mr. Bills explained the work of maintaining the roads; managing materials supplies, vendor relationships, coordinating vendor and supply schedules with maintenance routines, noting the very small amount of equipment owned by the town, renting when necessary; road inspections and assessments, maintaining the culverts; and noted the many uncontrollable impediments to keeping the roads up as they should be.

Mr. Bills reported that Whitney Road had a lot of trees to be cut, not covered by grants as they are not close enough to major watercourses; that the worst section was on Whitney Hill; that a ledge needs to be cut back and culvert extended; that the gravel had had some quality issues; that weather was changing and more intense, the roads freeze and thaw more, requiring more fresh stone; that he had installed some fabric under the road, and obtained help from Mr. Clark when available; that there were some grants to cut trees on Parker Road (Better Backroads grant); that

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current projects included working with Jeff Nugent (WRC) consulting on grants; that he had asked Mr. Clark to take over some grants, changing the way things were done.

Ms. Maggio thanked the speakers, noted an additional videoconference participant 's identity; Marie Tattersall identified herself. Ms. Maggio suggested that the agenda be adjusted to address the matter for which Ms. Tattersall was attending.

## **New Business**

**Discussion about opening up the ditch on GBR near Tattersalls for 200 feet to mitigate future flash flooding issues. Estimated @ about \$2,000.00. Archie Clark will check with Agency of Natural Resources Scott Jensen to see if a permit is needed. Is the town willing to do the project?**

**Sand Bid – any changes?**

Ms. Maggio discussed the project, that Mr. Clark had been told a decision would be tabled.

Mr. Bills explained years of hard rain had created an issue at Ms. Tattersall's residence; that water from spring sources and runoff high on Putney Mountain ran down onto the property; that the solution would be to redirect the water around the house; that current standards and practices would not allow this without Agency of Natural Resources approval, so Mr. Clark had been planning to call the ANR.

Ms. Maggio noted that this was a non-reportable stream issue if done by October 1. Mr. Bills had walked the site with Mr. Clark and the residents, and agreed that an excavation machine could pull material back to confine the water to a channel with a higher bank; that the water came so close to the outbuildings that any quick hard rain would exacerbate the problem; that the basement would fill; and noted the state requirement to stop by October 1; that the watercourse would normally be dry this time of year, and yet more rain was expected.

Ms. Tattersall was recognized, and explained that the problems not on their property, but on two others upstream; that the excavation work was estimated at \$2,000.00 and expressed willingness to reimburse the town for that amount.

Ms. Maggio had asked Mr. Clark about a schedule and anticipated an answer within two weeks. Ms. Tattersall expressed approval.

Mr. Bills added that the town does must rent the needed equipment; and Mr. Clark may be able to provide it.

Ms. Maggio will work with Ms. Tattersall to obtain necessary permission from one of the upstream land owners; and expressed appreciation for the Tattersalls' generous offer, supporting the town. Mr. Bills noted the necessity of addressing the problem.

**2021-2021 Sand Bid approval to publish Brattleboro Reformer Discuss date of Bid opening Town of Brookline Invitation to Bid – Winter Sand**

**Bids are being solicited for winter sand for application to the public roads in the Town of Brookline for the 2021-2022 season. The approved vendor will agree to deliver the sand to the town's sand shed as needed during the winter season within 7 days of it being requested. The vendor will be responsible to mix the sand with road salt as directed by Brookline's Road Supervisor as it goes into the shed bay. A sample of the material (approximately 1 quart sized container) must be submitted for assessment and evaluation by the town's road supervisor along with the bid. The bid must clearly state the delivered cost per yard of material. The Town of Brookline reserves the right to inspect all sand deliveries and will reject any material that does not meet the standards set when the bid was accepted. The town also reserves the right to reject any or all bids and to accept the bid it deems most favorable for the Town. Send bids to: Town of Brookline, PO Box 403, Brookline, VT 05345 or hand-deliver to 734 Grassy Brook Road, Brookline, VT, Attention: Winter Sand Bid. Sealed bids will be opened at 6:35pm on Sept. 1, 2021 at a regular Selectboard meeting. For further information call Mark Bills, Road Supervisor at 802-258-1389.**

Ms. Maggio read the above RFP text and asked if two weeks from tomorrow would be adequate. Mr. Bills confirmed so. Ms. Maggio will place the text on the listsrv and Front Porch Forum.

Ms. Maggio moved that the sand RFP be approved as read. Second by Mr. Noga. **All in favor.**

## **Appointment to the Brookline Planning Commission**

**Motion and vote on the appointment of Mr. Daniel Klitgaard to the Planning Commission.**

(Addressed above)

## **Old Business**

### **Round Schoolhouse Grant Work**

#### **a. Discussion about window work done**

Ms. Maggio recognized Mr. Noga to summarize, having had discussion earlier. Mr. Noga discussed the windows, only the exterior done; there was a question about the inside not being in scope-of-work; the painter had indicated it would be completed by this date (August 18). Mr. Mello confirmed that the contract fulfilled as it was originally written. Mr. Mello discussed this confusion happening twice.

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**b. Discussion about carpentry work done**

Mr. Noga explained that Mr. Parker had been instructed by the historic commission; that loose language had been used, leading to a misunderstanding of the scope of work; quality of materials was acceptable; the remaining issue was that the boards did not cover the sill; that the contractor was not expected to return to the job; the discussion between Mr. Noga and Mr. Dutton around June 8 or 9 had not been definite as to scope, and included replacement of two boards; that Mr. Parker had been called back and replaced them in an appropriate way; that this process had required email and phone calls. Mr. Noga discussed the inadequate work and his doubts that it would be completed; that there had been a total of \$5,000.00 to spend; discussed further details; and noted the vendor not responding to email. Mr. Mello suggested inspecting the entire condition and assessing the needed work to complete the restoration.

Ms. Maggio proposed that this be taken up another time. Mr. Noga had created a list (19 items) of what was needed; and discussed barn boards for sale in Newfane, of which no materials were found adequate.

**c. Discussion about appointed committee members role**

(discussed earlier)

**d. Discussion about pest control in the RSH.**

Mr. Noga conveyed the message from an exterminator, that no further treatment was necessary in either building; that linseed oil stops egg-laying; and had emailed asking if the entire building must be painted with oil.

**e. Discussion about additional repairs needed at the RSH**

Tabled.

**Town Hall**

**a. Discussion about pest control at the Town Office (rodent/insects)**

Mr. Noga noted that the exterminator found the mud tubes were from wasps, and found no mice or carpenter ants present; damage from ants should be filled with rodent-resistant foam, but there was no active infestation; that the exterminator also examined the interior and crawlspace, and found an area where daylight was visible, and those spaces should be filled. Mr. Mello explained that by winter the building would be sealed, and would be inspected every other month.

**b. Cleaning schedule**

Ms. Maggio will obtain the actual cleaning dates and inform staff.

**Reports**

**Town Clerk Report – Guy Tanza**

Mr. Tanza reported the office busy with refinancing, conveyances, trusts, calls about storms; that a few more dog licenses were sold, about 20 to go; that unpaid taxes were down to about \$2,200.00; that the covid situation would be examined before a tax sale; that town maps were installed on the computers, Cartographic Solutions (CSI); that affairs were moving in the right direction.

Mr. Noga suggested that when a survey of town employees is done, it should note the low level of tax delinquency as compared to much larger arrears in other towns.

Mr. Tanza anticipated meeting the second week in September with the Board of Authority, to go over the voter checklist, and will mail out ballots to all residents of the state for next general election.

**Selectboard Chair Report – Dot Maggio**

***Vendors – pay dates, paperwork, followup evaluations***

Ms. Maggio reported receipt of the list of payroll processing; and had discussed deadlines with the Treasurer for payroll submissions for processing checks.

***Free cycle vs. junk left roadside discussion***

Ms. Maggio suggested signage at the recycle site on how to get rid of a washing machine (other than on the side of the road).

***ARPA funds received – planning for using the funds discussion***

Ms. Maggio reported the funds deposited, planning in progress; VLCT advice on recourses with vendors; WRC providing resources for planning: Kate Buckley, Director for ARPA program, coming to speak about eligibility August 26; will confirm date, attend, and invited all.

***Carr Tree & Timber Quote for 1 day's work***

Ms. Maggio suggested inviting Carr to a regular meeting in October; The latest estimate at \$2,800.00 exceeds previous expectations (\$2,500.00), and they agreed to hold to that estimate.

***Planning Commission reorganization – selectboard involvement***

Ms. Maggio would be available for the planning commission and will liaison as for the BMH.

***30 hour work week for Road Supervisor approved starting 9.1.2021***

(Emergency meeting results)

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***Lister positions ... 3 interested residents applied***

Ms. Maggio noted that one applicant is an Auditor in Weston, and will discuss interview process.

***Handicap Parking space at Town Hall***

Ms. Maggio suggested only a sign and a post were needed, not special lines; and it also should be done at the school. Mr. Bills confirmed.

**Building Commissioner Report – Bruce Mello**

***Daycare Building***

Mr. Mello reported the building done, painted, only maintenance from now on, \$14,500.00 on hand for the upcoming meeting; that members had examined the work; that Mr. Momany had agreed to itemize materials in invoices; that a maintenance schedule for the boiler system was in development; that the spaces would be cleared of items for other purposes. Ms. Maggio noted that the building looks beautiful.

**D. Highways and Roads Report – E. Mark Bills Supervisor report**

**Storm Damage review**

Ms. Maggio asked Mr. Bills to review. Mr. Bills noted re: the Tattersall property, the work is usually only within 25 feet of the road, but that the problem was serious; and suggested working with Mr. Clark. Ms. Maggio will discuss with Mr. Clark, clarify, and speak with the Tattersalls. Mr. Bills noted a major culvert that may be eligible for state funding; not the problem area but upstream, and when the problem is corrected, the new culvert will be a benefit; a new channel is necessary first, to keep the water from the residence.

Mr. Bills reported working with A. S. Clark & Son since meeting to repair the roads, sometimes using Clark's machinery to repair ditches and culverts that were flooded out, spending time on details caused by the floods; finished one of the erosion grants with help from Mr. Nugent; made sure the details fit the grant; 99% finished on the three-segment grant; there will be funding for an upgrade as well, one culvert replacement before Oct 1; that the flood put general maintenance behind schedule about a month, when normally finish gravel would go on regular roads, some roads not graded since spring; watching the weather, noting that if a road is scraped the surface is loosened, packed by traffic, but rains can damaging the fresh grading; the wheeled excavator will arrive August 23, rented for one month; available for a longer term if needed; the mower attachment was not available. There was discussion of issuing RFP or renting a mower.

The wheeled excavator will be on the **next agenda**.

Mr. Bills had discussed the expected torrential rains with Carr Tree with a view toward rescheduling; work with running water must end by October 1. Mr. Bills thanked the board for all they do, appreciated the extra hours they put in.

**Communications**

**Email**

- Marie and Chuck Tattersall re: flooding
- Martha Werman re: noise (logging)
- Tom Kavat re: appointment to interview Daniel
- Questions re: quality of work done at Round School House
- Mr. Masters re: not running for re-election next year, will help train successor

There was discussion of the treasurer position.

**Regular Mail**

**Pay Orders**

**Payroll warrant**

Ms. Maggio moved to approve Payroll Warrant #2020-08, dated August 18, 2021, in the amount of \$2,247.99. Second by Mr. Noga. All in favor.

**Accounts payable warrant**

It was noted that the appropriations would be voted in March.

Ms. Maggio moved to approve Accounts Payable Warrant #2022-07, dated August 18, 2021 (part A of regular bills), in the amount of \$24,589.15. Second by Mr. Mello.

Ms. Maggio noted the Newbrook Fire Department budget appropriation for service to the town.

On the Motion, all in favor.

The selectboard signed the document.

Ms. Maggio moved to approve Accounts Payable Warrant #022-07, August 18, 2021 (part B, appropriations only), in the amount of \$8,806.00. Second by Mr. Noga.

Mr. Jones noted that \$1,590.00 was the correct SEVEDS appropriation, bringing the total to \$8,896.00.00

The Motion was Amended by unanimous consent to read: "...approve Accounts Payable Warrant #022-07, August 18, 2021 (Part B appropriations as amended), in the amount of \$8,896.00.00." All in favor.

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**Set Agenda for the next meeting – September 1, 2021**

- Wheeled excavator
- Planning Commission
- ARPA funding discussion
- Tattersall
- Mowing & machines
- RSH vs Historical Commission appointments
- Open sand bids
- Electrician to hook up generator

**Adjourn the meeting**

Ms. Maggio moved to Adjourn. Second by Mr. Mello. All in favor  
The meeting was Adjourned at 8:46 p.m.

*Respectfully submitted, Peter Barus, Recorder, August 25, 2021*