

**Approved Minutes  
Town Of Brookline Selectoard Meeting  
Wednesday, September 7, 2022, 6:30 p.m.**

**fPresent**

**Board:**

Dorothy Maggio (Chair)  
Bruce Mello  
Stan Noga

**Public:**

Win Clark  
Steven John  
Daniel Schoener  
Lee Anne Parker

Dan Towler

Stuart Duke

Josh Morelli (FACTV)

Peter Barus (Recorder)

**Town Officers:**

Mark Bills (Road Supervisor)

**Call the meeting to order**

The meeting was called to order at 6:36 p.m.

**Review changes to agenda if any**

**Review / Approve minutes from**

**August 3, 2022 – Regular Meeting minutes**

Ms. Maggio moved to approve the minutes for August 3, 2022, as amended. Second by Mr. Noga.  
All in favor.

**August 17, 2022 – Regular Meeting minutes**

Ms. Maggio moved to approve the minutes for August 17, 2022, as amended. Second by Mr. Mello.  
All in favor.

**August 31, 2022 – Emergency Meeting minutes**

Ms. Maggio moved to approve the minutes for August 31, 2022, as presented. Second by Mr. Mello.  
All in favor.

**Open Bids**

**Grant in aid project work on Hill Road Bid**

Ms. Maggio noted that two bids had been submitted for ditching and drainage between 277 and 295 Hill Road. Mr. Mello read the proposal from Brennan Construction, P.O. Box 571, 3 River St, Saxons River, VT, \$28,500.00. Mr. Noga read the proposal from Mr. Clark, specifying stump and ledge removal and fill, ditch excavation 24" below surface, to include seeding and mulch, signage and traffic control, \$19,900.00.

Ms. Maggio moved that Clark proposal be accepted in the amount of \$19,900.00. Second by Mr. Mello.

Mr. Noga asked about a bid from 12 months ago. Mr. Clark explained the differences. Mr. Noga noted that A. S. Clark & Sons had provided an updated certificate of insurance. Ms. Maggio noted that this was a Grants-in-Aid project for which assistance from WRC had been requested.

Mr. Clark confirmed September 22 as the anticipated date of completion. There was discussion about a \$6,000.00 grant.

On the Motion, all in favor.

**FEMA repairs on Parker Road Bid**

Ms. Maggio read from the published RFP for stream bank repair along Parker Road, bids to be opened September 7, completion date October 28, and noted three bids submitted. Ms. Maggio read from the proposal by Joseph Wright, Wright Maintenance Inc. for stream bank repair on Parker Road, noting a Certificate of Insurance, \$7,365.00. Mr. Mello read from the proposal by Brennan

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Construction, with Certificate of Insurance, \$19,500.00. Mr. Noga read from the proposal by A. S. Clark & Sons, with Certificate of Insurance, specifying removal of existing riprap, building a 4 ft. wall, replacing existing riprap, \$2,750.00.

Ms. Maggio moved to accept the low bid from A. S. Clark & Sons (on preferred vendor list), for \$2,750.00. Second by Mr. Noga.

There was discussion of completion date.

On the Motion, all in favor.

All proposals were marked indicating acceptance status.

**Members of the Public – 1 HOUR**

**Town Buildings re: ARPA support**

Ms. Maggio explained the ARPA program, funds to replace lost public revenue and pay essential workers, invest in water, sewer, and broadband infrastructure, etc., calculated at \$300.00 per resident, anticipated in two installments totaling approximately \$158,500.00. Ms. Parker (BMH Committee Chair) discussed foundation repair at the BMH, a possible appropriation request; writing a grant proposal to Vermont Historic Preservation (like one previously awarded for belfry work in 2017). There was discussion; of eligible funding purposes, the need for a cushion, fundraising efforts since 2019 (\$27,000.00), a previous grants breakdown; asking for \$15,000.00 (anticipating expenses estimated at \$30,000.00); and future projects, networking efforts, meeting quarterly with Athens Meeting House and sharing fundraising efforts, etc.

Ms. Maggio thanked Ms. Parker.

**DVFiber representatives re: ARPA support**

Ms. Maggio noted about 350 homes, 500 residents. Dr. John discussed the broadband project as representative of the Deerfield Valley Communications District, building high speed internet through the private sector for those not connected; like a water or fire district; bridging the “digital divide” in a population density insufficient to attract private sector investment in telecommunications; that Act 71 had been passed to enable building infrastructure; and discussed underserved contiguous towns, Weston to Stamford, across to Vernon; the service to be owned by the citizens of the 24 towns involved, with volunteers, appointees and alternates in each town, numbering 50-60 volunteers, a hired executive director from Guilford (Gabrielle Giuffreda); that if the project failed, by statute assets would be taken over by the state with no burden on towns; that taxes could not be levied for the purpose; that impoverished citizens (estimated 10% – 12%) qualified for FCC subsidies below 200% of poverty line, and towns would know the need; that the \$1.4M grant had been spent to organize and plan, prepare poles; that the construction phase was beginning with GMP, checking poles (permit for 12,000 poles); that the design was capable of connecting every 911 location in the 24 towns; that the funds and grants were directed to connecting un- and underserved residents, who had a right to connection if on the grid, following the power line right-of-way.

There was discussion; that GMP pays for the poles; that grant money to build to those places would not be competing with already well-served districts; that the project was open to the public, for free connection within 400 ft of the ROW; that 23 of 319 locations were unserved in Brookline (4 MB/Sec download, 1 MBS upload defined as “unserved”, 23 MBS down, 3 MBS up as “underserved”); cable limited to 100/20 MBS, older cable less; a question before the board regarding ARPA, that towns had already committed funds and some may be beyond 400 ft., incurring additional cost; estimates by satellite; currently engaged going to each premises and ascertain actual

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costs per foot per customer.

There was discussion; that a location without electric service would not qualify; cost of about \$1.50 per ft. to install fiber beyond 400 ft. from the pole; competitive with other providers.

Dr. John explained that boards had adopted an acceptability and affordability policy to be certain of ability to connect everybody; 3 tiers of service; the design to provide 100/100, 500/500, 1GB/1GB speeds, but must work out how to raise the money to allow people to pay the monthly fee (not today's discussion); that one way to help would be to allocate ARPA money (not as subject but as beneficiary).

There was discussion; "future-proof"; in five to ten years people will communicate holographically.

Dr. John noted three points (Stamford, Brattleboro, Marlboro) of connection to the internet, and three connections at each entry point, so not dependent on one provider; that providers have to pay for bandwidth to enter the system; Brookline would connect to the middle location; and discussed percentages of unserved homes; that 16 of 155 sectors in the design were completed so far; that the present grant covers next 16 –18 moths, at 30 miles per month (180 people minimum), 470 miles of construction, over 4,000 connections planned in the first phase.

There was discussion; of cyber-security with several providers; of what the request would be. Dr. John discussed variables, poverty level, that mobile homes required underground conduit at extra cost to owners. There was discussion; that 10% of residents needed assistance; that an unknown number would accept internet connection (80% could cost about \$15,000.00); that telephone by fiber was better, especially for those with hearing-impairment; about power outages; free hookup.

Dr. John discussed the fee structure; operations, maintenance, etc. by a partner in Biddeford, Me.; the build-out schedule, addressing highest-ranked need first, and leaving nobody out.

Mr. Noga explained the timeline for ARPA funds, decision needed by Dec 2024, and asked about a timeline for DVF. Dr. John explained that the Vermont Community Broadband Board was discussing matching grants for town funds, anticipating 60-70% of the cost.

Mr. Schoener asked when DVF would need to know the town's decision. Dr. John suggested 24 months, noting that the deadline for matching funds was not clear; and noted a concern for corporate buyout if DVF went into bankruptcy, at pennies on the dollar. Mr. Noga suggested that this would be a tough decision, given the many worthy causes, such as possible housing in the town. It was noted that there were 188 unserved residences in Brattleboro.

Ms. Maggio opened the floor for discussion; invited Mr. Schoener to volunteer. Mr. Schoener asked about priorities, given ARPA's purpose of helping the economy and relieving pandemic suffering; who was impacted; and about future-proofing and young people's engagement. Ms. Maggio noted the need to educate young people and perhaps provide a community center and programs; that the town had services, roads, etc., but no library, and very little maintenance equipment. Mr. Mello discussed possible uses of BMH to benefit youth. Dr. John noted Marlboro's experience setting up community facilities. Mr. Noga noted that DVF was leading because of their leadership; volunteer engagement; and thanked Dr. John.

**Open discussion from residents re: ARPA**

**New Business**

**Bills' Lumber would like to purchase the trees removed at Daycare**

Mr. Bills discussed rental excavator work, having removed 3 pines and one large cherry at SLP;

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discussed possible future removals to make way for solar panels; the four that were removed had been cut into logs for sale and deposited at a landing area; and explained offering to purchase the wood to be sawn into lumber, approximately 2,000 board ft salvageable for lumber, the four cherry logs at 785 bf, eleven pine logs at 1,280 bf, total 2,075 bf; cherry worth more than pine, offering \$430.00 for the 15 logs, minus the tops; and would wait for the next meeting agenda for a response.

Mr. Noga discussed transparency in dealing with the sale.

**Next agenda**

**Brookline Meeting House event – Sept 9, 2022 with BMH committee, Roger Albee, Mr. and Mrs. Cutler and several long time residents.**

Ms. Maggio explained that the event would start about 4 p.m. on Friday, September 9; that the Cutler family had helped to build the church.

**RFP for Brookline Meeting House Foundation Repairs – approve for Publication in the newspaper after discussion.**

Ms. Maggio discussed scope of work, diagramed, written up, sufficient to obtain a grant from Vermont Historic Preservation; and opened discussion.

The selectboard discussed the extent of the work needed, a concrete structure around three sides of the foundation, rated for 3,000 lb. Per sq. in.; a recommendation from Mr. Bourne concerning the south exterior wall, for brick facing on concrete block; and grade variations at the site.

Ms. Maggio moved to **place the RFP in the reformer for Saturday, September 10**, as presented in the revised 9/7/22 paperwork. Second by Mr. Noga.

Ms. Maggio acknowledged cooperation and communication.

On the Motion, all in favor.

The RFP will be published.

**Discussion regarding whether the Brookline Selectboard wants to support the Windham Regional Commission proposed municipal joint/shared contracts as notified by the WRC. A vote of the representatives from each town is needed.**

Mr. Noga explained the reason for the proposal from WRC, majority-approved; that by statute 35 days must elapse during which citizens might make their objections known; that subsequently the Commission would meet again to vote; and discussed the possibility of sharing expenses with the WRC, noting that the town could vote on approval for the second vote.

Ms. Maggio noted that the WRC was changing its bylaws on cooperative purchasing agreements, and the additional responsibilities the Commission would take on in assisting towns to manage local governance.

Mr. Noga moved **that the selectboard support the WRC in entering into multiple municipality planning contracts**. Second by Ms. Maggio. All in favor.

**WRC services and grants – administrative help**

Tabled.

**Old Business**

**Office cleaning Every 4 weeks or every 8 weeks @ \$40 per session**

Ms. Maggio moved to **continue hiring Green Valley Carpet Cleaning** to come to town hall once a month for office cleaning, at \$40.00 per session, per current contract. Second by Mr. Mello.

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There was discussion.

On the Motion, all in favor.

VMERS vs. PayChex retirement fund information discussion

Ms. Maggio noted Mr. Noga's extensive research. Mr. Noga explained the options, one expensive but easy, the other more complicated; and suggested a work-bee before next meeting, tabling the matter and providing another two or three days to discuss with the entities involved; and a possible alternative to be worked out with the employee, who had received some of the paperwork for perusal; and noted reservations about seeming discrepancies in one of the offerings.

Tabled for **next agenda**.

A work session was scheduled for Tuesday, September 20, 10 a.m., at the town offices.

## **Reports and Updates**

### **Road Supervisor Report – E. Mark Bills**

Mr. Bills reported that the excavator been returned, after a lot of work had been done, at an informal estimate, about 14 culverts, some changed out, some new locations; a lot of mowing; a lot of road segments brought up to par with state standards for this year; also was able to do tree removals at SLP; and noted that there were still road improvements to do; that Putney Mountain road had the longest time without grading, so was addressed completely with the grader along with Merrill Drive and Whitney Hill; noted that on repeated checks, three types of tree removals were needed, most hazardous first; that an almost continual removal system was needed, as each year they die, some fragile and dropping large limbs, 4 or 5 over town highways; that the stumps would be cut near the ground if no structures or power lines were nearby; that the power company would remove trees under their purview; that a number of trees would need a professional tree service for a day, and there were more than enough lined up for more than a day; that the last time this was hired out, cost started around \$2,000.00 and had gone up; and would call about availability, estimating costs in the range of \$3,000.00 per day; and noted that the cost was below the purchase policy limit, and could come under contract services.

Mr. Noga noted that the balance sheet showed highway expenses of \$92,329.45 the first two months of the current FY; that the balance was \$42,000.00; and quoted other expenses.

There was discussion. Mr. Bills discussed the end of the FY, and budgets for culverts, ditch stone, etc. Ms. Maggio suggested checking costs and conferring with the treasurer, returning for discussion on the **next agenda**.

### **Hydraulic Study on Putney Mountain Road**

Ms. Maggio noted an upcoming meeting with Scott Jensen (online), to discuss the hydraulic study received with FEMA, the road commissioner and others. Mr. Bills noted that the study had been required by FEMA after culverts had been purchased, and confirmed the specifications, related to flood damage on Putney Mountain.

### **Summary – Plans**

#### **Highways and Grant Report – Stan Noga**

Mr. Noga discussed questions from previous meetings, expenses and contracts with WRC, reimbursements for expenses to date; noting (per Chris Campy) that the town could be reimbursed for any expenses incurred to date for the salt and sand shed; that only after starting construction did the 80/20 match apply; that Mr. Noga was not aware of any reimbursement applied for from the

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start; and discussed amounts of \$250 and \$600; that Ms. Ghia had suggested that after the third quarter payment, the state be solicited for full reimbursement of expenditures this year. Mr. Noga suggested a vote, noting that Ms. Ghia billed the town at an hourly rate; and suggested waiting until after the third quarter (October); and regarding 100% reimbursement process, would follow up after searching records for reimbursements, none known since March; that there had been discussion with VTRANS and WRC in May regarding the contract, that they had been asked about a management agreement related to the S&S shed; the copy in hand had expired June 30, so the project would be operating without a contract; and noted the need to peruse the contract in case there had been a payment on acceptance; there had been no word from All State Construction on \$11,000.00.

There was discussion. Mr. Bills discussed a paving crew not showing up. Mr. Noga will follow up.

Mr. Noga noted that the bridge loan discussion was being handled differently on the balance sheet (\$90,000.00); discussed history of the bond; and the question of whether the funds could be used and what for, to be researched.

Mr. Bills discussed state blueprints for salt and sand sheds, noting that this had been downsized to fit Brookline; that Wardsboro had planned to build a similar one, the cost estimate now at \$940,000.00.

Mr. Noga noted pressure to re-bid, and discussed further research.

Health Officer

Mr. Noga discussed a health issue; whether there was any responsibility to regulate or monitor liquor licenses regarding wedding venues in the town.

**Town Clerk Report – Guy Tanza**

**Building Commissioner Report – Bruce Mello**

Mr. Mello discussed systems and services at SLP.

**Selectboard Chair Report – Dot Maggio**

Ms. Maggio addressed an excavator tire issue.

**Any other reports or discussions from the selectboard.**

**Communications**

**Regular Mail**

- Re: constable training
- Exterminator
- WCSU invitation to superintendent hiring search meetings

**Email**

**Pay Orders**

**Account Payable warrant**

Ms. Maggio moved to approve Accounts Payable Warrant #2310, dated August 7, 2022, in the amount of \$86,913.62. Second by Mr. Noga.

In discussion it was noted that this included the paving contract.

On the Motion, all in favor.

**Payroll warrant**

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Ms. Maggio moved to approve Payroll Warrant #2023-09, dated August 31, 2022, in the amount of \$7,988.12. Second by Mr. Mello. All in favor.

**Set Agenda for Regular Meeting September 21, 2022**

- WRC grants
- retirement fund information

**Adjourn the meeting**

Ms. Maggio moved to Adjourn. Second by Mr. Mello. All in favor.

The meeting was Adjourned at 9:44 p.m.

*Respectfully submitted, Peter Barus, recording secretary, September 13, 2022*