

CERTIFICATE OF HIGHWAY MILEAGE
YEAR ENDING FEBRUARY 10, 2014

Fill out form, make and file copy with the Town Clerk, and mail ORIGINAL, before February 20, 2014 to:
Vermont Agency of Transportation, Division of Policy, Planning and Intermodal Development,
One National Life Drive, Montpelier, VT 05633.

Received
FEB 24 2014
County: WINDHAM
Policy, Planning & Intermodal Development Division

We, the members of the legislative body of BROOKLINE in WINDHAM County, Vermont, on an oath state that the mileage of highways, according to Vermont Statutes Annotated, Title 19, Section 305, added 1985, is as follows:

PART I - CHANGES TOTALS - Please fill in and calculate totals.

Table with 6 columns: Town Highways, Previous Mileage, Added Mileage, Subtracted Mileage, Total, Scenic Highways. Rows include Class 1, Class 2, Class 3, State Highway, Total, Class 1 Lane, Class 4, Legal Trail, and Unidentified Corridor.

* Mileage for Class 1 Lane, Class 4, Legal Trail, and Unidentified Corridor classifications are NOT included in total.

PART II - INFORMATION AND DESCRIPTION OF CHANGES SHOWN ABOVE.

Totals by
S. Moulton
3/21/2014

1. NEW HIGHWAYS: Please attach Selectmen's "Certificate of Completion and Opening".

+ 0.19 mi, Class 3 (Merrill Dr.) formerly a private road.
SEE PACKET of DOCUMENTATION SENT TO VTRANS 8/26/13

TH-14

2. DISCONTINUED: Please attach SIGNED copy of proceedings (minutes of meeting).

3. RECLASSIFIED/REMEASURED: Please attach SIGNED copy of proceedings (minutes of meeting).

- 0.35 mi Class 3 TH-5 (Greer Rd) Not Up To Standards. Reclassified Class 4
PENDING TOWN VOTE AT TOWN MEETING MAR 4, 2014

4. SCENIC HIGHWAYS: Please attach a copy of order designating/discontinuing Scenic Highways.

IF THERE ARE NO CHANGES IN MILEAGE: Check box and sign below. []

PART III - SIGNATURES - PLEASE SIGN.

Selectmen/ Aldermen/ Trustees Signatures:

Handwritten signatures of Thomas J. Clark, Stanley E. Moulton, and Bernardine Hoard.

T/C/V Clerk Signature:

Handwritten signature of Gretchen M. Tangel.

Date Filed:

2/19/14

Please sign ORIGINAL and return it for Transportation signature.

AGENCY OF TRANSPORTATION APPROVAL:

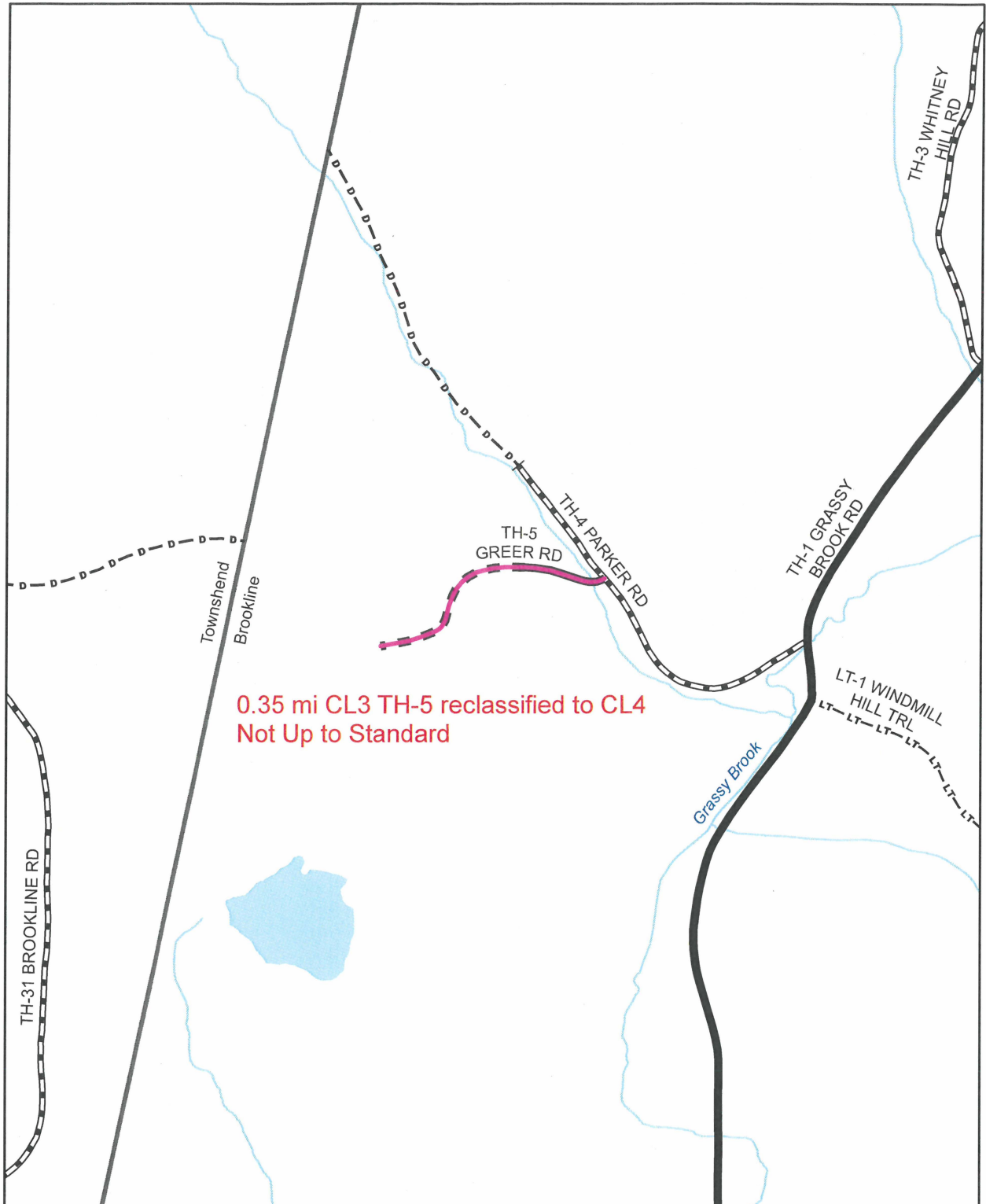
Signed copy will be returned to T/C/V Clerk.

APPROVED:

Handwritten signature of Johnathan Croit, Representative, Agency of Transportation.

DATE:

5/29/2014



0.35 mi CL3 TH-5 reclassified to CL4
Not Up to Standard

Mileage Certificate Change 2014
BROOKLINE

Mapping Unit
Division of Policy and Planning
Vermont Agency of Transportation - March 2014



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added 1985, is as follows:

PART I - CHANGES TOTALS - Please fill in and calculate totals.

Town Highways	Previous Mileage	Added Mileage	Subtracted Mileage	Total	Scenic Highways
Class 1	0.000				0.000
Class 2	4.950				0.000
Class 3	12.07				0.000
State Highway	0.000				0.000
Total	17.020				0.000
* Class 1 Lane	0.000				0.000
* Class 4	1.12				
* Legal Trail	1.00				
* Unidentified Corridor	0.00				

* Mileage for Class 1 Lane, Class 4, Legal Trail, and Unidentified Corridor classifications are NOT included in total.

PART II - INFORMATION AND DESCRIPTION OF CHANGES SHOWN ABOVE.

- NEW HIGHWAYS:** Please attach Selectmen's "Certificate of Completion and Opening".
- DISCONTINUED:** Please attach SIGNED copy of proceedings (minutes of meeting).
- RECLASSIFIED/REMEASURED:** Please attach SIGNED copy of proceedings (minutes of meeting).
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Selectmen/ Aldermen/ Trustees Signatures: _____

T/C/V Clerk Signature: _____ Date Filed: _____

Please sign ORIGINAL and return it for Transportation signature.

AGENCY OF TRANSPORTATION APPROVAL: Signed copy will be returned to T/C/V Clerk.

APPROVED: _____ DATE: _____
 Representative, Agency of Transportation

State of Vermont
Policy, Planning, & Intermodal Development Division
Mapping Unit
One National Life Drive
Montpelier, VT 05633-5001
<http://www.aot.state.vt.us>

Agency of Transportation

Telephone: 802-828-2600
Fax: 802-828-2334
Email: johnathan.croft@state.vt.us

January 3, 2014

David Y. Parker, Jr.
Brookline Selectboard Chair
PO Box 403
Newfane, VT 05345

Copy

Dear Mr. Parker,

It has been brought to my attention that Class 3 Town Highway 5 (TH-5), also known as Greer Road, in the Town of Brookline is not currently meeting the standards for a class 3 town highway, which are defined in 19 V.S.A. § 302(3)(B) as:

"...The minimum standards for class 3 highways are a highway negotiable under normal conditions all seasons of the year by a standard manufactured pleasure car. This would include but not be limited to sufficient surface and base, adequate drainage, and sufficient width capable to provide winter maintenance..."

TH-5 is referenced as class 3 town highway on the 2013 General Highway Map of Brookline, produced by the Agency of Transportation (VTrans) Mapping Unit, which based on information and changes supplied to VTrans by the town on the Certificates of Highway Mileage. The highway is 0.35 miles long and travels roughly west from an intersection with Parker Road (TH-4). A copy of the General Highway Map is enclosed with the highway highlighted, as well as an orthophoto of the area. I have also enclosed information regarding the upgrade of the classification from 4 to 3 in 1981, as well as a letter from 1974 related to the possible provisional status of class 3 for this section of highway.

The current status of TH-5 (Greer Road) has come to our attention from information provided by our District 2 staff and that this class 3 town highway may not be maintained to class 3 standards.

I seek clarification from the Selectboard regarding the current status of TH-5. If the highway remains class 3 and the Selectboard has not reclassified it, and TH-5 is not being maintained to class 3 standards, it may be necessary to deem the 0.35 miles of TH-5 "Not Up To Standard" and VTrans will pull the state aid for maintenance funding for this segment until it is



brought back to standard. Another option would be to reclassify this section of town highway to class 4 or to legal trail, which would not be eligible for state aid, but would also need to be maintained only at the discretion of the Selectboard. There is an implied liability for Towns related to bridges and culverts, based on 19 V.S.A. § 985, which is the following:

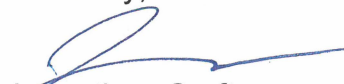
“ (a) If damage occurs to a person, or his or her property, by reason of the insufficiency or want of repair of a bridge or culvert which the town is liable to keep in repair, the person sustaining damage may recover in a civil action. If the damage accrues in consequence of the insufficiency or want of repair of a bridge erected and maintained by two or more towns, the action shall be brought against all the towns liable for the repairs. The damage and costs shall be paid by the towns in the proportions in which they are liable for the repairs. The court may issue execution against any or all towns for their proportion only; provided that the liability to any town shall not exceed \$75,000.00 or, where insurance is carried, the maximum policy liability limits, whichever sum is greater, on account of injury to or death of a person and damage to his or her property.

(b) Towns and other corporations shall not be liable for damage to a person or his or her property by reason of the insufficiency or want of repair of a bridge or culvert while traveling on the highway or bridge in violation of the provisions of Title 23 regarding motor vehicle use. (Added 1985, No. 269 (Adj. Sess.), § 1.)”

I would like to provide the Town of Brookline a year to either work to bring TH-5 (Greer Road) back to class 3 standards, or go through the reclassification process, and reassess the situation at this time next year. If no change has occurred, it will be necessary to deem TH-5 “Not Up To Standard” and funding dropped for the 0.35 miles, and this will be reflected on the 2015 Certificate of Highway Mileage.

Please feel free to contact me with any questions or comments regarding this letter, or mapping in general.

Sincerely,


Johnathan Croft
AOT GIS Database Administrator
VTrans Mapping Unit

JFC/jfc

Enclosures

cc: Gaetano Tanza, Town Clerk, Town of Brookline
Tammy Ellis, District Transportation Administrator – District 2
John Alexander, District Project Manager - District 2
Jackie Cassino, VTrans Transportation Coordinator

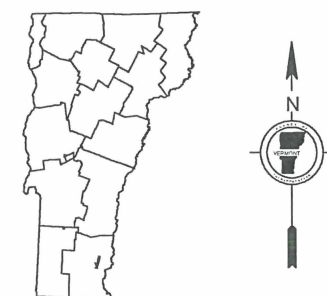
TOWN HWY. No.	LENGTH IN MILES CLASS 3	CLASS 4
2	2.50	
3	1.20	
4	0.55	
5	0.35	
6	0.21	
7	0.20	
8	2.57	
9	1.53	
10	2.64	
11	0.21	(1.12)
12	0.11	
TOTAL	12.07	1.12

LEGAL TRAIL No.	LENGTH IN MILES LEGAL TRAIL
1	(1.00)
TOTAL	1.00

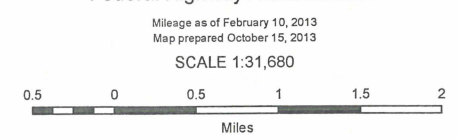
MILEAGE SUMMARY

CLASS 2	LENGTH IN MILES	LENGTH IN MILES
TH-1	4.950	
TOTAL CLASS 2	4.950	
CLASS 3	12.07	
TOTAL TOWN	17.020	
TOTAL STATE	0.000	

TOTAL, TRAVELED HIGHWAYS, FEB. 10, 2013: 17.020
 (Excludes Class 4, Legal Trail, and Unidentified Corridor Mileage)



VERMONT
GENERAL HIGHWAY MAP
Town of Brookline
 WINDHAM COUNTY
 Transportation District #2
 Prepared by the
 Vermont Agency of Transportation
 Division of Policy, Planning and Intermodal Development
 in cooperation with
 U.S. Department of Transportation
 Federal Highway Administration



- | | | |
|-----------------|------------------------------------|---|
| HIGHWAYS | — INTERSTATE OR DIVIDED HIGHWAY | ■ PUBLIC LAND - GREEN MOUNTAIN NATIONAL FOREST |
| — INTERSTATE | — STATE - HARD SURFACE OR PAVED | ■ PUBLIC LAND - STATE/MUNICIPAL |
| — U.S. ROUTE | — TOWN - HARD SURFACE OR PAVED | POLITICAL SUBDIVISIONS |
| — STATE ROUTE | — GRAVEL | — STATE BOUNDARY |
| — CLASS 1 | — SOIL OR GRADED AND DRAINED EARTH | — COUNTY BOUNDARY |
| — CLASS 2 | — UNIMPROVED OR PRIMITIVE | — TOWN BOUNDARY |
| — CLASS 3 | — IMPASSABLE OR UNTRAVELED | — VILLAGE BOUNDARY |
| — CLASS 4 | — LEGAL TRAIL | — URBAN COMPACT BOUNDARY |
| — LEGAL TRAIL | — DISCONTINUED | — WATER BODY |
| | — HIGHWAY CLASS CHANGE | — STREAM OR BROOK |
| | — RAILROAD | BRIDGE OR CULVERT |
| | — INACTIVE RAILROAD | — BRIDGE OR CULVERT GREATER THAN 20' |
| | NFR NATIONAL FOREST ROAD | — BRIDGE OR CULVERT 6' - 20' |
| | SFH STATE FOREST HIGHWAY | FEDERAL CLASSIFICATION IDENTIFIER |
| | P PARK AND RIDE | FAU URBAN ARTERIAL OR COLLECTOR |
| | | MA MINOR ARTERIAL |
| | | MJC MAJOR COLLECTOR |
| | | MNC MINOR COLLECTOR |
| | | PA PRINCIPAL ARTERIAL |
| | | B34 / C34 STATE BRIDGE OR CULVERT IDENTIFIER |
| | | B34 / C34 TOWN BRIDGE OR CULVERT IDENTIFIER |

DISCLAIMER:
 The untraveled highways (laid-out town highways), discontinued highways, and legal trails herein are those of which the Agency of Transportation has record; others may exist.

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YEAR ENDING FEBRUARY 10, 2014

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PART II - INFORMATION AND DESCRIPTION OF CHANGES SHOWN ABOVE.

- 1. NEW HIGHWAYS: Please attach Selectmen's "Certificate of Completion and Opening". + 0.19 mi, Class 3 (Merrill Dr.) formerly a private road.
2. DISCONTINUED: Please attach SIGNED copy of proceedings (minutes of meeting).
3. RECLASSIFIED/REMEASURED: Please attach SIGNED copy of proceedings (minutes of meeting). - 0.35 mi Class 3 TH-5 (Greer Rd) Not Up To Standards. Reclassified Class 4
4. SCENIC HIGHWAYS: Please attach a copy of order designating/discontinuing scenic highways.

IF THERE ARE NO CHANGES IN MILEAGE: Check box and sign below. []

PART III - SIGNATURES - PLEASE SIGN.

Selectmen/ Aldermen/ Trustees Signatures:

T/C/V Clerk Signature: Date

Please sign ORIGINAL and return it for Transportation signature.

AGENCY OF TRANSPORTATION APPROVAL: Signed copy will be returned.

APPROVED: Representative, Agency of Transportation

DATE:

Brookline mileage certificate with Merrill Drive +0.19 miles and Greer Rd -0.35 miles (NUTS) inside.

Supporting material below this envelope

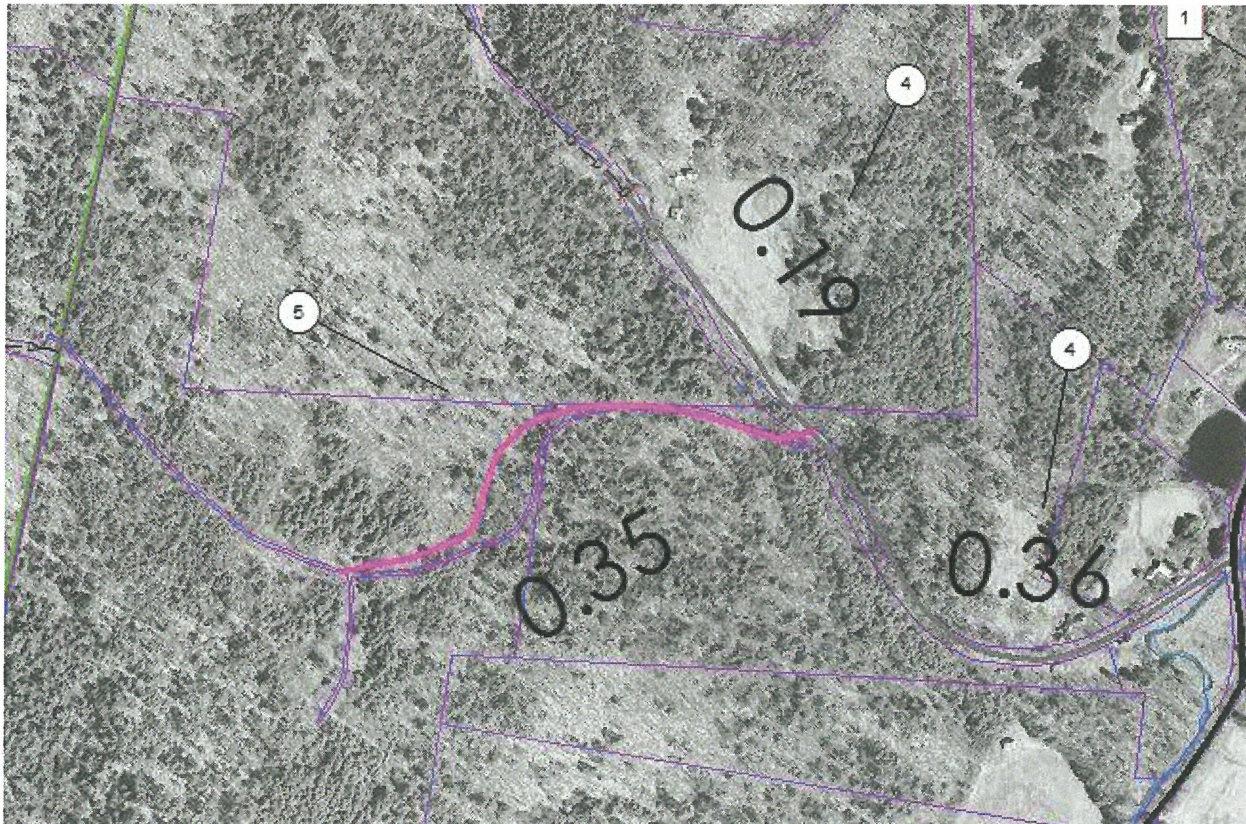
Sent 1/10/2014 JFL

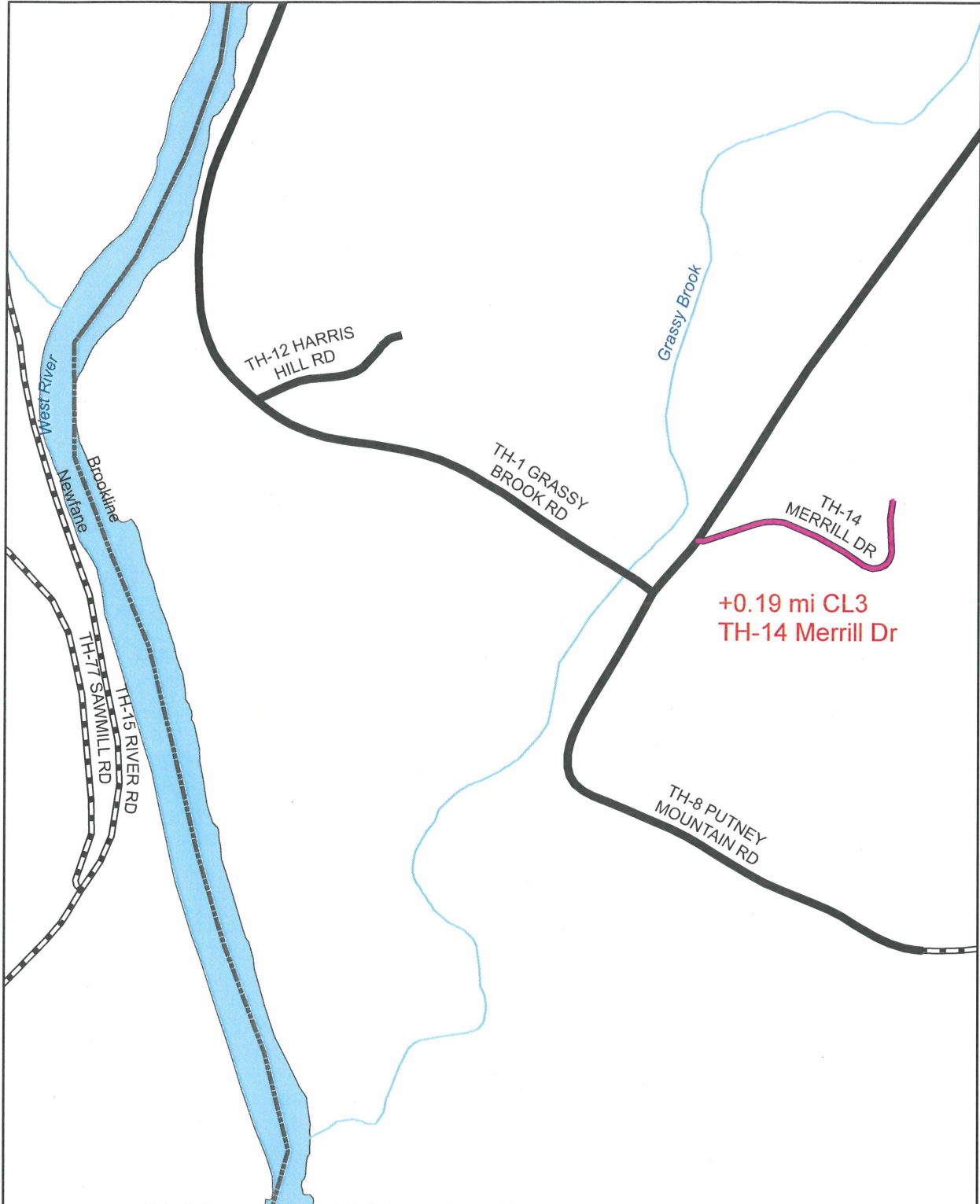
Town of Brookline, VT

Greer Rd (TH-5), Class 3, 0.35 Miles Long

Road not maintained up to standard. Reclassified Class 4 and 0.35 miles subtracted from the Class 3 total.

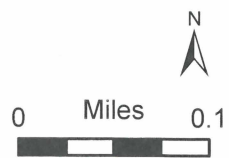
Greer Road shown in Pink below.





**Mileage Certificate Change 2014
BROOKLINE**

Mapping Unit
 Division of Policy and Planning
 Vermont Agency of Transportation - March 2014



CERTIFICATE of COMPLETION and OPENING of a HIGHWAY for PUBLIC TRAVEL

300-

CRISTIANO M.

GUY TANZA Town Clerk of the Town of Brookline Vermont.

Pursuant to Title 19, V.S.A., Chapter 7, this is to certify that the following described section of Class 3 Highway in the Town of Brookline was COMPLETED AND OPENED FOR PUBLIC TRAVEL on August 21, 2013.

DESCRIPTION OF RIGHT OF WAY:

See Attached Quitclaim Deed and Schedule A from Brookline Land Records and Town Maps (2).

and as shown on a Highway Map of the Town of Brookline dated May 9, 2013, and filed in Book 36 on page 310 of the Records of the Town of Brookline by the Town Clerk of said Town incorporated herein by reference and attested to on said map by said Town Clerk.

Dated at Brookline, County of Windham and State of Vermont, this 21st day of August, A.D., 2013.

Handwritten signatures of Daniel Y. Parker Jr. - Chair and other officials.

BOARD OF SELECTMEN, ALDERMAN, or TRUSTEES

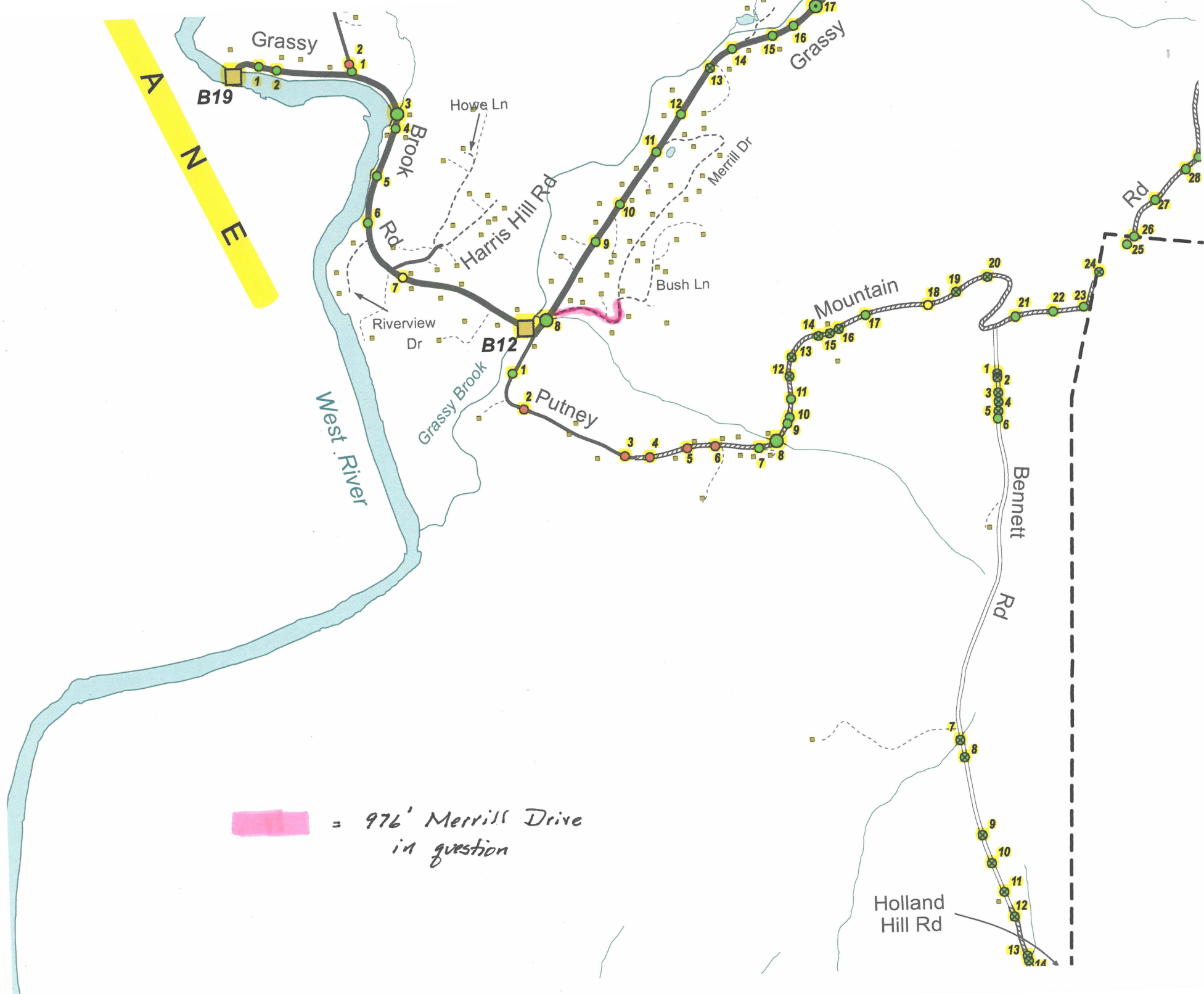
and the Manager/Mayor of the City/Town/Village of Brookline

Brookline, VERMONT August 21, 2013

THE ABOVE IS A TRUE COPY OF THE DESCRIPTION OF CLASS 3 HIGHWAY COMPLETED AND OPENED FOR PUBLIC TRAVEL, RECORDED IN BOOK 36 ON PAGE 310 OF THE LAND RECORDS OF THE TOWN OF BROOKLINE ON THE 9 DAY OF MAY 2013, AT 8:30 O'CLOCK A.M.

Revision 12/2010

ATTEST: Guy Tanza Town Clerk of Brookline, Vermont



= 976' Merrill Drive
 in question

CERTIFICATE of COMPLETION and OPENING of a HIGHWAY for PUBLIC TRAVEL

300-

GUERIN M. Guy Tanza Town Clerk of the Town of Brookline Vermont.

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Dated at Brookline, County of Windham and State of Vermont, this 21st day of August, A.D., 2013.

David Y. Parker Jr. - Chair (Selectman/Alderman/Trustee Signature) [Signature]

BOARD OF SELECTMEN, ALDERMAN, or TRUSTEES [Signatures]

and the Manager/Mayor of the City/Town/Village of Brookline

Brookline, VERMONT

August 21, 2013

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ATTEST: Guerin M. Tanza Town Clerk of Brookline, Vermont

Revision 12/2010

Town of Brookline, VT

Merrill Drive, a private Road

Conversion of 0.19miles of Merrill Drive to a Class 3 Town Highway (Assigned TH-9).



QUITCLAIM DEED

KNOW ALL PERSONS BY THESE PRESENTS THAT I, **Laura M. Brisette**, of Brookline in the County of Windham and State of Vermont, Grantor, in the consideration of One Dollar and other valuable consideration paid to my full satisfaction by the **Town of Brookline**, a Vermont municipality located in the County of Windham and State of Vermont, Grantee, have REMISED, RELEASED, AND FOREVER QUITCLAIMED unto the **Town of Brookline**, its successors and assigns forever, all right and title which I, **Laura M. Brisette**, Grantor, have in and to a certain piece of land in Brookline, in the County of Windham and State of Vermont, described as follows, viz:

See Schedule A attached hereto

TO HAVE AND TO HOLD all my right and title in and to said quitclaimed premises, with the appurtenances thereof, to the said unto the **Town of Brookline**, and its successors and assigns forever. AND FURTHERMORE I, the said **Laura M. Brisette**, do for myself and my heirs, executors and administrators, covenant with the said unto the **Town of Brookline** and its successors and assigns, that from and after the ensealing of these presents that I, the said **Laura M. Brisette** will have and claim no right in or to the said quitclaimed premises, except as aforesaid.

IN WITNESS WHEREOF, I hereunto set my hand and seal this __ day of April, 2013.

In Presence Of:

Amara Pos.
Witness

Laura M. Brisette
Laura M. Brisette

STATE OF VERMONT
WINDHAM COUNTY, SS.

At Dover, this 19th day of April, 2013, **Laura M. Brisette** personally appeared, and she acknowledged this instrument, by her sealed and subscribed, to be her free act and deed.

Before Me: Amara Pos.
Notary Public

Printed Name: Amara Pos.

My Commission Expires: 02/10/15.

Schedule A

Being land located in Brookline, Vermont and being a portion of Merrill Drive, so-called as shown on a survey map entitled "Survey of Merrill Drive For Dedication To The Town of Brookline" prepared by Dauchy-Creamer Associates, LLC, dated March 26, 2013, which plan is to be recorded in the Brookline Land Records. Said land is further described in said survey as follows:

Beginning at a 5/8 inch rebar set on the easterly side of Grassy Brook Road, which point marks the southwest corner of the conveyed premises, thence running N 85° 12' E a distance of 236.8 feet to a point; thence turning and running S 84° 38' E a distance of 27.1 feet to a point; thence turning and running on a curve to the right, said curve having a radius of 156.6 feet and a length of 88.0 feet to a point; thence turning and running S 52° 26' E a distance of 90.5 feet to a point; thence turning and running S 47° 24' E a distance of 100.4 feet to a point; thence turning and running S 40° 42' E a distance of 89.4 feet to a point; thence turning and running on a curve to the left, said curve having a radius of 85.2 feet and a length of 190.4 feet to a point; thence running N 11° 20' E a distance of 113.1 feet to a point; thence running N 22° 14' E a distance of 30.5 feet to a 5/8 inch rebar set; thence turning and running N 83° 26' E a distance of 33.4 feet to a point; thence turning and running N 06° 34' W a distance of 65.8 feet to a 5/8 inch rebar set; thence turning and crossing the travelled way N 67° 51' W a distance of 47.6 feet to a point, ^{width} which point is S 22° 09' W a distance of 22.9 feet from a white pine with 3/4 inch rebar at the base; thence turning and running S 22° 09' W a distance of 109.8 feet to a point; thence running S 11° 20' W a distance of 117.0 feet to a point; thence turning and running on a curve to the right, having a radius of 35.2 feet and a length of 78.7 feet to a point; thence turning and running N 40° 42' W a distance of 92.4 feet to a point; thence running N 47° 24' W a distance of 105.5 feet to a point; thence running N 52° 26' W a distance of 92.7 feet to a point; thence running on a curve to the left, having a radius of 206.6 feet, and a length of 116.1 feet to a point; thence running N 84° 38' W a distance of 31.5 feet to a point; thence running S 85° 12' W a distance of 168.6 feet to a 5/8 inch rebar set on the easterly side of Grassy Brook Road; thence turning and running S 50° 41' W across the travelled way a distance of 88.2 feet to the point and place of the beginning.

236.8
27.1
88.0
90.5
100.4
89.4
190.4
113.1
30.5
33.4
65.8

Meaning and intending to convey that portion of Merrill Drive as is shown on said survey, and was laid out by the Town of Brookline as a Class Three Town Highway by written decision of the Town of Brookline Selectboard dated February 6, 2013.

Vermont Property Transfer
32 V.S.A. Chap. 231
-ACKNOWLEDGMENT-
Return Received

Return No 2013-1
Date 05/09/2013
Parcel I.D. # 00000 046 - 60 Acres.

05/09/2013
TOWN CLERK'S OFFICE
BROOKLINE, VT
RECEIVED FOR RECORD

at 8 Hr 30 Min AM PM
Vol. 36 Pg. 310

Attest Caetano Jr. Tanguy

Town of Brookline
P.O. Box 403
Newfane, Vermont 05345-0403

August 15, 2013

To: The State of Vermont Department of Transportation
From: The Town of Brookline Selectboard
Re: Change in Town's Highway Mileage (via Official Acceptance of Merrill Drive as Class 3 Town Highway)

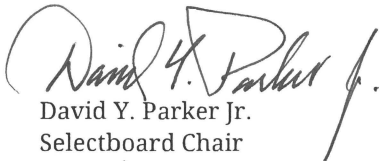
current Map Segment Length is 946.393922'

Enclosed are the forms and supporting documentation to support the Town of Brookline's request to have the State of Vermont officially add 976' of Class 3 Town Highway to our Town highway total mileage. If we are lacking any documents, please contact me so that we can expedite this process.

As an introduction, below follows a chronology of the process within which we have been engaged for the past year to bring us to this point:

- 9/2/12: Selectboard receives petition from 12 residents/taxpayers to accept Merrill Drive as Class 3 Town Highway
- 9/16/12: Discussed at regular Selectboard Mtg.
- 9/19/12: Site visit made
- 9/30/12: Selectboard determines not enough signatures on petition to be valid
- 12/1/12: Selectboard receives new petition w/ 25 signatures - *enclosed*
- 12/12/12: Selectboard sends 25 petitioners certified letters stating receipt of petition and inform of public hearing on subject - *copy enclosed*
- 12/14/12: Hearing properly warned for 1/16/13 throughout town & in Town Clerk's office - *copy enclosed*
- 1/2/13: Public Notice of Hearing published in Brattleboro Reformer - *copy enclosed*
- 1/16/13: Public Hearing held & testimony taken by Town Atty., Robert Fisher - *enclosed*
- 1/19/13: 2nd site visit made
- 2/6/13: Selectboard formally votes to accept Merrill Drive as Class 3 Town Highway (3-0, w/ 2 recusals) & signs findings - *enclosed*
- 3/20/13: Selectboard receives petition to reconsider decision on Merrill Drive (86 signatures)
- 4/3/13: Selectboard responds to petitioners at regular Selectboard mtg. (on advice of atty) and denies to reconsider decision
- 4/4/13: Selectboard sends letters to all re-petitioners explaining its decision not to reconsider - *enclosed* *enclosed*
- 4/5/13: Land survey of Merrill Drive completed and sent to Selectboard - *enclosed*
- 5/13: Quitclaim deed[s] & mylar copy of land survey filed with Town Clerk - *enclosed (mylar copy w/ Town Clerk)*
- 6/13: Official survey markers in place
- 8/13: Request to Vt. Dept. Transportation

Respectfully,


David Y. Parker Jr.
Selectboard Chair

8/26/13

Selectboard Meeting Minutes 4-3-2013 Final

w/ Attachment

Members Present:

David Parker, Jr.

Tom Staats

Jason Butterfield

Stan Noga

Call Meeting to Order: 7:05pm

Executive session: Personnel matter: 7:05pm

Dough Wellman states that the board needs a motion to go into executive session.

Tom Staats motions for the board to go into executive session. Stan Noga seconds.

All in favor.

Resume Public Meeting 7:34pm Tom Staats motions to re-appoint Rachel Rice as ACO for the Town of Brookline. Stan Noga, seconds. Jason Butterfield abstains from the vote. All in favor.

David Parker reads Vicky Butterfield's resignation from the Animal Control Officer position.

Members of the public:

David states that he thought Suzanne d'Corsey would be present to discuss the Planning Commission position. Tom motions to appoint Suzanne d'Corsey to the Planning Commission. Stan seconds. David asks Barbara Bourne if she has any questions or comments. Barbara states that Suzanne did state to her that she was interested. All in favor. Suzanne d'Corsey is appointed to the vacant Planning Commission position.

Mark Bills

Brett Gaylord

Kerry Bourne

Paul Madalinski

Henry Madalinski

Barbara Bourne

Mike Fontaine

Mike Winot

Doug Wellman

Michael O'Donnell

James Henderson

Review & Approve minutes of March 20, 2013 meeting:

Add: Doug Wellman requested a copy of the recording from the March 6, 2013 meeting. Vicky Butterfield, the Clerk of the Selectboard, stated that the copy of the recording had been deleted and was not available for public distribution. Doug also

requested that further recordings not be destroyed. David suggests adding in the paragraph on the second page adding before the Vicky sentence...

Tom asks to add under members of the public: Michael Fontaine

Will review the minutes again at the next meeting. Stan motions to hold off on approval until the next meeting. Jason seconds. All in favor.

Old Business:

Merrill Drive Re-Petition of 3/20/13: David states over the last 2 weeks he has been in contact with the town attorney frequently and reads in to the record the response to the re-petition regarding Merrill Drive. Everyone who signed the petition will receive a copy of this response in the mail, along with copies of the legal notices and the warning for the hearing. This response is attached to the minutes of 4/3/2013.

David adds that petitions are strange beasts. David states he has working in public organizations for 35 years and has been asked to sign petitions. He continues that people sign petitions for different reasons; the Board has no way of knowing why any one individual signed the petition. David states he has heard three different reasons from signers of the second petition on why they signed it. The Board will let the petitioners know what the basis of their decision was, which is done so in this written response.

James Henderson asks for the three reasons David has heard. One petitioner said that they felt the entire Merrill Drive should be taken over. A second reason he heard was that someone did not like the people who lived on Merrill Drive and that they didn't deserve to have the road taken over. Another person stated that they had been on a private road many years ago that was denied take over by the town, and they felt that the Merrill Drive petitioners shouldn't be allowed this either.

Kerry Bourne states that he is glad that the variances can be made to adopt a road and make Brookline a better place. If it's a minor issue that can be dealt with then it's great to be able to work around it.

Paul Madalinski states that when the Board had the hearing about Merrill Drive, there was nothing presented to allow the Board to reject the decision to assume responsibility of Merrill Drive.

Michael Fontaine thanks the Board for their time and explains that he was interested because of the road standards that were adopted when he was on the Board and the desire to have that back-up during grievances. He also states that he was trying to respect the residents who live on the other end of Merrill Drive. David explains that the residents of the first 950' chose to improve that portion of the road. It is not the town's responsibility to go in and improve the rest of Merrill Drive.

Paul states that during research they found that people on a private road are assessed at a lower amount of taxes. The people now who live on the portion of Merrill Drive that has been assumed by the town will see an increase in their tax rates, therefore increasing town revenue.

David states that the town will see approximately \$2.00 increase in their tax bill each year. David states that fire and emergency vehicle access was an important consideration during their decision making process.

Jim Henderson asks if the folks who were on the rest of Merrill Drive were asked about this issue. David states that there were residents from other parts of Merrill Drive and in town who attended the hearing.

Ellen Ware Rd. Situation:

David found a letter in the Selectboard correspondence dated April 1, 2013 from Mr. Nicholas Mercede. He expresses his apologies for any confusion. He notes that he formally conveyed to the town of Brookline several years ago that he would be logging along Ellen Ware Road. He has instructed his logging contractor to respond to any requests from the Selectboard.

David states that Mr. Mercede's conveying to the town his intention to perform logging on Ellen Ware Road is something he takes issue with. David has spoken to Doug Wellman, Archie Clark, and other town officials and none of them have spoken to or received a request from Mr. Mercede about logging on Ellen Ware Rd.

David asks the Board to review the drafts of two letters to Mr. Mercede from Attorney Bob Fisher. Tom makes a motion to give Bob Fisher permission to act on the letters. Stan seconds. David explains to the public that the loggers have done some repairs and made an attempt at cleaning up. Mark Bills states that they have done a good job at clean-up, however, some of it is questionable. He states that as the ground thaws the boulders are again rolling back down the hill where they pushed them. Mark states the guardrails appear to be sturdy and repaired however he is not sure if they are as good as when originally installed.

David asks if they will still have issues with grading. Mark says they will, there is still debris in the road and more is appearing as the snow melts. He also notes that there is silt coming off of the bank that he has never noticed before and he believes it's from where the water was rerouted due to the logging and the issue will continue and erode the road unless it is repaired. David asks if the road is still closed. Mark states that he keeps it closed but the road closed signs were removed and the public is using the road, which happens every year.

David explains to the members of the public that the issue was discovered after town meeting and the loggers got word that the Selectboard was looking into the

issue and offered to clean it up. David states he believes that the clean-up would not have occurred had the issue not been noticed. David states that they do not want to get into a litigation situation with Mr. Mercede. One letter states that he needs to stop working on Ellen Ware and if he wishes to continue he needs to go through appropriate channels. The second letter is trying to protect the town against any sort of costs that may already have been accrued due to the logging that has already occurred. The intent of the Board is to stay out of court, recover any costs that have already been incurred, and that Mr. Mercede follow state specified procedures required to continue work on the public right of way of Ellen Ware Road. Mark states that any road improvement would be welcomed by the town; however it has to be done under the appropriate channels.

Jim Henderson states that he sees Ellen Ware Road as an egress from the town and he is asking about erosion issues and if it has been addressed, as the road is needed in case of an emergency for exiting the town of Brookline. David states that they did address it last year, and they will continue to monitor it as the snow melts and observe the damage that has been done by the logging.

Stan states that the 7 points in the attorney's letter provides very clear methodology for the process that Mr. Mercede needs to follow during this clean-up. Tom states that the letter makes clear that no permissions are given to Mr. Mercede to continue to or do additional work on this road.

Tom motions to approve Bob Fisher in acting on these letters. Stan seconds. All approved. Jason offers that the letters should also be sent to the address listed on the letter the board just received from Mr. Mercede.

David states that he will fax Mr. Mercede's letter to the town attorney tomorrow. Jim Henderson asks where the town line is. Mark Bills explains the town line is in the area of the rope swing where swimming is popular.

Jason asks if there are road weight limit signs posted at the town lines. Tom and Mark states that there are signs. Mark states that he's talked to Townshend's road foreman and has heard nothing of Mr. Mercede working on Ellen Ware Road.

Jim Henderson states that he believes it's a great recreation area and he hopes that it is open for this purpose in the future.

New Business:

Scheduling of next Board meeting, based on absences of Board members:

David and Tom will be absent from the next Selectboard meeting. David reads a letter from Amy Niebel into record. Amy has resigned from the Brookline Selectboard on March 23, 2013, as she will be moving out of state. David states he

will get in touch with Julie Lavorgna to the list of open positions within the town of Brookline. David states Cynthia Nau will continue with all of her positions except for the Planning Commission. David will ask that responses be made by May 1, 2013. The Board asks that people send a letter of interest that includes some background information. The Board will be considering candidates at the May 15, 2013 meeting.

Stan motions that the next meeting will be on May 1, 2013, skipping the April 17, 2013 meeting due to absences. Jason seconds. All in favor. David will post it in the paper and ask Julie Lavorgna to send it out on email. Jason will contact Amy about changing the regular meeting date on the website.

Stan discusses the loan rehab program and the available funds. Stan states he has been researching the legalities and requirements surrounding the loan program make it difficult for any one member of the board to do individually. Stan believes that it might behoove the town to turn the money over to the Windham Windsor Housing Trust as they provide the same services. Stan asks that the Selectboard look at the issue again. David suggests putting this on the agenda for the June 2013 meeting.

Stan motions to execute the contract with the WCHS for their services. Jason seconds the motion. All approved.

Tom checked with Mark Pickering and John Alexander and it appears the town of Brookline is not in the running for blacktop funding this year. The town still needs to apply to demonstrate the need for the paving to the state.

Pay Orders & Correspondence:

Payroll Warrant #38 \$920.88

Accounts Payable Warrant #39 \$8363.32

Tom motions to approve. Jason seconds. All approved.

Letter from the IRS

Doug Wellman's amended request pertaining to the recording request

VLCT Property Tax Appeal Seminar

Enrollment for Fire Protection Service

WRC Appointment Notification Form

VLCT News

Northeast Recycling Conference

Humane Society Contract

Cersosimo Price List

Adjournment: 9:21pm

Town of Brookline
P.O. Box 403
Newfane, Vermont 05345-0403

April 3, 2013

**Selectboard Chair's Response to 3/20/13 Petition
to Reconsider Merrill Drive Decision
of Feb. 6, 2013**

- 1) At the March 20 Brookline Selectboard Meeting, the Board did receive a petition, delivered by town resident, Michael O'Donnell, to: "... have the Selectboard of Brookline, Vermont to reconsider the Town's acquisition of 950' of Merrill Drive... thus guaranteeing a fair and just decision with no undo expense or liability to be placed on the Town of Brookline and/or taxpayers in the future."
- 2) The said Petition contained 88 signatures. 86 signatures were verified, by use of the Town Checklist as legal signers. One signature was deemed to be illegible, and one other was the signature of a non-registered voter.
- 3) The Brookline Selectboard would like to thank the Petitioners for their concern[s], as expressed by their signatures on the petition. That said, the Board would also like to formally establish the timeline within which the request to take on Merrill Drive occurred and clarify the context within which the decision was made .
- 4) This issue was first brought before the Brookline Selectboard on September 2, 2012 in the form of a petition from 12 residents of the hill in question. The Board, subsequently, placed the request on the Agenda for our regularly scheduled meeting of September 16, 2012. In between September 2 and September 16, the Brattleboro *Reformer* featured a news article in regard to the request. Discussion occurred at the September 16 meeting and a site visit was arranged at that meeting for the following Saturday, September 19, 2012. None of the 86 verified signers of the Petition to Reconsider attended this meeting or the site visit.
- 5) Following the site visit, the Board and the petitioners agreed that there were not enough signatures attached to the petition to make it a valid legal document. The request became a moot issue.
- 6) On December 1, 2012, the Selectboard received a second petition, with 25 verified signatures, making the same request. On December 12, the Selectboard sent certified letters to all 25 petitioners and abutting landowners stating the receipt of the petition and informing them of a Public Hearing to be held on the matter on January 16, 2013. Warnings of this Hearing were posted throughout Brookline and inside the Town Office on December 14, 2012. Public Notice of the Hearing was published in the January 2, 2013 issue of the Brattleboro *Reformer* in the *Legal Notices* section of the paper (p. 11), 14 days prior to the Hearing date (copies enclosed).
- 7) The Public Hearing was held on January 16, 2013, open to the public, as duly warned and advertised. It was well attended, by approximately 16 Members of the Public. The Town Attorney, Robert Fisher, swore in witnesses and testimony was taken as prescribed by state law. Unfortunately, none of the 86 verified signers of the most recent (3/20/23) Petition to Reconsider were in attendance at that meeting to voice an opinion. **Minutes of the hearing and the testimony taken were and are available through the Town website or at the Town Clerk's Office.** At that Hearing a second site visit was scheduled for Saturday, January 19, 2013. Such visit was held, and yet again, none of the 86 verified signers of the petition were present.
- 8) At the regularly scheduled February 6, 2013 meeting of the Brookline Selectboard, the Board voted 3-0 (Niebel, Madalinski, & Parker in favor [with Board members Noga and Staats recused]) to accept the 950' of Merrill Drive as a Town Class 3 highway, based on the testimony received during the Public Hearing of January 16, 2013. Again, none of the 86 verified signers of the (3/20/13) Petition to Reconsider chose to attend that meeting and express a contrary opinion.

9) The Brookline Selectboard has the authority, as verified by the Town Attorney, to waive provisions of the road specifications thereof, if it determines that "the public good, public necessity, and the convenience of the inhabitants of the Town so require" in taking over or altering a road. The legality of the Town taking over the 950' of Merrill Drive is in no way dependent on adopting the state standards for roads.

To quote from the Final Determination of the Selectboard (Feb. 6, 2013):

"3. That the Town of Brookline has Road Specifications which apply to the building of new roads in town as well as to the takeover of private roads within town. The Road Specifications provide that the Board may suspend the specifications in order to allow a road to be taken over as a town highway where the road specifications are substantially satisfied." (p.2-3).

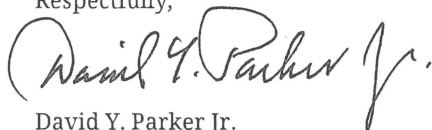
To imply, through the recent petition, that the Board's decision was neither "fair nor just" is simply inaccurate.

10) The road take-over process includes the rights to appeal the decision of the Board to the Superior Court. This had to have been done within 30 days of the Board's February 6, 2013 written determination. We are now beyond that appeal period.

11) From the standpoint of the Brookline taxpayer, the residents of Merrill Drive are Brookline taxpayers too. These taxpayers are footing the bill for a survey of the road section in question, so the Town of Brookline is not having to pay for that part of the process. Further, their attorney, Rich Carroll, is taking steps to prepare the necessary quit-claim deeds, which, again, is being done at no cost to the Town of Brookline.

12) The Selectboard stands behind its legal decision made February 6, 2013.

Respectfully,

A handwritten signature in cursive script that reads "David Y. Parker Jr." The signature is written in dark ink and is positioned to the right of the typed name.

David Y. Parker Jr.
Selectboard Chair

PUBLIC NOTICE
TOWN OF BROOKLINE

NOTICE IS HEREBY GIVEN that the Selectboard of the Town of Brookline proposes that, pursuant to Title 19 Vermont Statutes Annotated, Chapter 7, as Amended, a portion of a roadway in the Town of Brookline known as and called "Merrill Drive" be LAID OUT and ALTERED as follows:

The Highway to be LAID OUT AND ALTERED is described as follows:

That portion of Merrill Drive beginning at the intersection of Merrill Drive and Grassy Brook Road and ending at the intersection of Merrill Drive and Bush Lane.

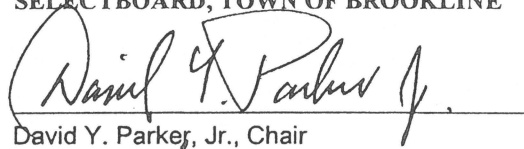
The roadway being considered for laying out and altering is approximately 950' in length.

THEREFORE, pursuant to Title 19 V.S.A. Chapter 7, you are hereby notified that a public hearing will be held by the Selectboard for the Town of Brookline on **Wednesday, January 16, 2013, commencing at 7:00 p.m.** at the Brookline Town Office at 736 Grassy Brook Road, Brookline, Vermont. The site visit will be scheduled during the public hearing.

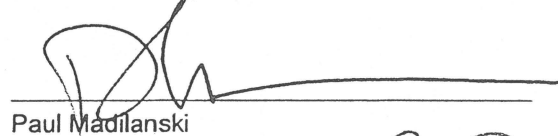
The purpose of the hearing shall be to hear all persons interested in said public highway laying out and alteration.

Dated at Brookline, Vermont this 14th day of December, 2012.

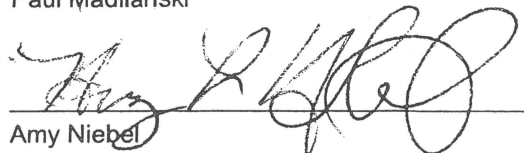
SELECTBOARD, TOWN OF BROOKLINE



David Y. Parker, Jr., Chair



Paul Madilanski



Amy Niebel

RECUSED:
Thomas Staats
Stanley Noga, Jr.

Total Coverage Classifieds

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Public Notices

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That portion of Merrill Drive beginning at the intersection of Merrill Drive and Grassy Brook Road and ending at the intersection of Merrill Drive and Bush Lane.

The roadway being considered for laying out and altering is approximately 950' in length.

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Dated at Brookline, Vermont this 14th day of December, 2012.

SELECTBOARD, TOWN OF BROOKLINE
 David Y. Parker, Jr., Chair
 Paul Madilanski
 Amy Niebel

RECUSED:
 Thomas Staats
 Stanley Noga, Jr.

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 Manufacturing Property
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 Real Estate Brokers
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COMMERCIAL SPACE
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Office Space

Careers

Help Wanted (by position)
 Help Wanted (alpha)
 Medical Positions
 Odd Jobs
 Professional Positions
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 Elderly Care Provided
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2010 Impreza Sedan
 Auto, 21K Blue with Tan interior, PW, PL, Cruise
 \$12,995

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2005 Jeep Liberty
 4 cyl., 6 speed, 4WD,
 Black w/gray interior,
 AM/FM/CD/AC, PWR Locks
 & Windows, Clean CARFAX,
 1 Owner, ONLY 90k Miles,
 Warranty, \$7495

2003 Saab 9-3 SE Convertible
 Turbo, 5-speed, Burgundy
 w/Black Leather int, Black
 Top, AM/FM/CD/AC, Heated
 Seats, Only 94k Miles, Warranty
 \$6995

2006 Subaru Outback Wagon
 Green w/Tan Interior,
 AM/FM/CD, A/T, AC, PWR
 Windows and Locks, 4
 Brand New Tires, Warranty,
 \$6995

2004 Subaru Forester XS,
 4WD A/T. silver w/gray

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 2500 and plow. 4wd. Less
 than 60k mi. Original owner
 \$6000 or best reasonable
 offer. 802-779-5157

CHEVROLET 1990 Silverado
 1500 Regular Cab with
 plow. \$1590. 157100 miles,
 red, manual, V8 4WD
 (8 0 2) 2 5 1 - 1 0 0 0
 ucm@brattleborosubaru.com

CHEVROLET 2003 Silverado
 1500 Extended Cab
 \$3983. 202795 miles,
 white, automatic V8 4WD
 (8 0 2) 2 5 1 - 1 0 0 0
 ucm@brattleborosubaru.com

Wanted Automotive

BUYING VEHICLES running
 or not running, paying up
 to \$500 802-376-4581

Brookline Selectboard Meeting Minutes 3-20-2013 Final

Members Present:

David Parker, Jr
Tom Staats
Jason Butterfield
Stan Noga

Members of the public present:

Mark Bills
Doug Wellman
Michael Winot
Michael O'Donnell
Jim Henderson
Kerry Bourne
Attorney Robert Fisher
Michael Fontaine

Call the meeting to order: 7:05pm

Statement by the Selectboard Chair:

The statement is attached electronically to the minutes for this meeting. David reads a statement that comes from the Chair of the Selectboard. The Selectboard has reviewed this statement; however, there has been no vote or other approval or disapproval of this statement. There are 5 individual points in this statement that are addressed.

Members of the public:

Michael Winot states that he is here to discuss Merrill Drive. Michael O'Donnell states that he has items he would like to present about Merrill Drive. David states that this decision was made over a month ago and it had been on the agenda for 6 months and inquires why no one was present to voice their opinion during that time.

Michael Winot, states that he does not look at the agenda or the newspaper, and has not read the minutes. Michael Winot states that he is not against what the board has done, just the way the board has gone about it. David asks the members of the public where they would like to go with all of this. Michael O'Donnell presents approximately 85 signatures from registered voters requesting the Selectboard reverse its decision on Merrill Drive. Stan asks Michael if he believes that the criterion that was adopted was only for new roads or if it was for any road. Michael O'Donnell states that it is for any road. David states that they have received the documents from Michael O'Donnell and the Selectboard will review them. Bob Fisher, states that in regards to the petition presented for reconsideration, he will review it however, he isn't sure this is the type of recourse appropriate under state statutes. He will research the issue, and to be fair to everyone report back his findings.

Doug Wellman: Doug states that he still is not convinced that what was presented at town meeting was an accurate representation for the town to approve a budget. He requests that

before the tax rate is set that the board try to get some good numbers for what the 2012 budget was.

Doug also states that he was reading old minutes and on Feb.6, 2013 in the minutes the road commissioner asked the board to adopt the road standards for 10% extra grant money, and he wanted to inform the board that a previous board had adopted the policy. Tom states that it was an updated policy that the board accepted.

Doug also asks about a request for a recording of the Selectboard meeting. He states that he sent a letter making the request. David states that they haven't received the letter yet, as the Selectboard only reviews the mail at meetings. Vicky Butterfield explains that the recording of the previous meeting has been recorded over at this meeting and has been destroyed. She explains that it is her belief that as the recorder used is her personal recorder and therefore it is a tool used to produce the minutes not and public recording. The town of Brookline does not currently have any policies in place for official recording requirements or storage. Doug requests that no other recordings be destroyed.

Jim Henderson: Thanks David for his eloquence in the letter he sent to Michael O'Donnell. He states that there was an incivility in the meeting and he feels that he is misrepresented as a citizen of Brookline. He feels that some of the board members are using intimidation to attain their goals on the board. Jim states that he feels that a board member has threatened his family in the past. David states that the meeting is not a place for things to get personal. Jim is concerned that intimidation is being used as an ongoing tool.

Kerry Bourne: States he came down to listen but notices the tension and expects civilized dialogue out of both sides. He compliments Mark on his masterful work with the grater on the roads today.

Mark Bills states that he came to listen in and give info on anything he can contribute to. He states that he feels that the board is doing a good job.

Mike O'Donnell states that he feels that David set the tone for the previous meeting by stating that he was going to get testy and that David was offended when the conversation began. David agrees that he made a mistake. David states that he was offended because Michael had asked the question at the town meeting and David had answered it. Mike then proceeded to return to the Selectboard meeting the next night asking the same question. David apologizes to Mike O'Donnell for the way he reacted. Mike O'Donnell states that he feels the same way about the comments that he made. David states that he was also defensive because he was the only member of the board present who was part of the Merrill Drive decision.

Stan states that it seems people can usually talk and work things out and it seemed at the previous meeting people just kept insisting the other was wrong. He continues people are entitled to have their own opinions, whether or not they agree. Bob states that no motion is needed, he will proceed with the research and the board will then contact the petitioners on how the issue will move forward.

David suggests that any correspondence that is sent to the board also be sent through e-mail, so the board members can view it prior to the meetings twice a month. The Selectboard members e-mail addresses are on the website. Bob states that different towns do the minutes differently, in some towns it is videotaped, other towns there are just long-hand notes taken by a board member and then transcribed into minutes. Tom motions to accept the petition as presented, and asks the board to consult with the attorney, and asks for it to be put on a future agenda. Stan seconds the motion. All members are in favor.

Review/approve minutes 3/6 & emergency 3/10, 2013 meetings:

Tom inquires about whether he called Mike O'Donnell a dumbass and then apologizes for doing so.

Tom motions to approve the minutes as written. Stan Seconds. Jason motions to approve the emergency minutes for 3/10. Stan seconds. All minutes are approved with no changes.

Old Business:

Ellen Ware Road Status Review – Stan Noga, Road Commissioner, Road Foreman, Mark Pickering (VTRANS):

David thanks Stan for the work and research he has put into this issue. Stan states that two citizens brought up the issues with the road. Stan was contacted by one of them; Tom was contacted by the other. Stan observed on visiting the site that trees had been dropped on the guardrails, the stones had all been moved, there were trees sticking into the road, the ground was covered in debris and the drainage ditches were almost completely filled in.

Stan, Tom, and Mark viewed the site together and felt it was serious enough to warrant a meeting of the board and after discussing it at the last board meeting, a special meeting was held, it was video recorded and still images were taken. They learned the guardrail was actually broken and had bent posts. The stones were in fact moved. The blade on the skidder that was used had a large oval missing from its center which caused a large bump in the middle of the road where the blade did not touch.

Stan did some research on Mr. Mercede and how to reach him. Stan believes Mark and Tom learned who was doing the work. There was some discussion between the State Police and the Sheriff's Department over who had jurisdiction. Stan states he reviewed minutes to see if the present or previous board had any communication with Mr. Mercede about Ellen Ware Road. Stan received a call from a logger stating that he believed 'the office in connecticut' had received permission for them to do the logging. Stan says he researched and learned that there is no logging permitted without permission from the Selectboard.

John Cutler apologized for the damage that had been done, and he had already spoken to Mr. Mercede. There was discussion about a prior board authorizing work on the road. Stan was told that whatever they did they would fix. David states that they have come in and fixed the guardrails, reset the stones. Stan agrees and states they picked up most of the debris. David asks Mark if has seen the ditching work. Mark states that by the time he went to view it, there was a dusting of snow. He states that they did some clean up however he feels that it should be viewed by the board as a whole. Tom states that he saw it before it snowed, and it seems they did a good job cleaning it up. The guardrail is fixed but it's still bent. The area is still messy but it is off town property, it is now on Mr. Mercede's property. Tom states it looked like night and day from when they damaged it.

David states that he does not believe that this would have been rectified had the board not taken notice of the issue. David states that he has no axe to grind with Mr. Mercede, his whole consideration has been that he did not want Brookline residents to have to pay for repairs to a road made by a private citizen. David continues that if Mr. Mercede has intentions to widen the road as he stated, though David spoke to Doug Wellman and Archie Clark and received a firm no in regards to Mr. Mercede approaching the board about widening the road, that Mr. Mercede will need to go through appropriate channels should he want to make it easier to access his properties. Stan states that as he spoke to Mr. Mercede and tried to pin down which board gave him permission, Mr. Mercede became more vague on the issue. Mr. Mercede stated that he was donating some land to Grace Cottage Hospital. David states that he would like the board to go on record and send Mr. Mercede something in writing informing him of the process he needs to go through to proceed with any further construction on the road. Tom brings up that there are already several violations that have taken place, with the logging that has already been done. Mr. Fisher states that there are penalties in place for violations that have been made. David states that he talked to Mark Pickering at VTrans, who looked at the site before it was cleaned up. Mark stated that many of the trees that were cut were retaining hillside, and holding up the structure of the banks. Mark also stated that some of the trees were providing the road guardrails, and now the town could possibly need to install more guardrails per state requirements to ensure safety.

Mr. Fisher states that there is unauthorized work in a town right-a-way without a permit. Damage to the town highway with regarding to the denting and damage to the guardrail. These are some of the civil claims that could be brought against Mr. Mercede. Then there is the title 24 shade tree violations, that states that shade trees cannot be cut down without the tree wardens permission or the permission of the Selectboard. Mr. Fisher asks how the board would like to proceed, in seeing that everything is fixed and so the tax payers will not have to incur any costs from this. Mr. Fisher states that sending a letter stating that Mr. Mercede can do no more work until he has permission seems appropriate, however he asks what the board would like to do about the trees, which could not be restored. There are penalties that can be lodged which are up to \$500 per tree in some cases.

Tom states he does not want to see the taxpayers get into a lengthy legal battle that would cost the towns residents more than they would receive from any penalties. David states he is not interested in punishment, however he wants to see that expenses are covered, such as the added cost of grading, legal costs, and any future replacement of guardrails. David continues that the letter could state that the board thanks Mr. Mercede for the work he did cleaning things up however, they expect there will be future costs to the town and the taxpayers of Brookline should not have to foot the bill. Tom states that the letter should remind him that

he stated the he would do what was needed to set the road right. Jason states that the letter needs to state where the Board currently stands on the issue, however, that the issue is not closed yet. Mr. Fisher says this letter can represent a letter of discontinuance and the board can set forth what they believe the costs will be.

Tom asks Mr. Fisher if he could draft a letter. Mr. Fisher states that he would need any expected costs, which would be any monies the taxpayers would have needed to pay to rectify the situation. Jason asks about the timing of viewing whether or not new guardrails would be needed. Mark states that they knew what it looked like before winter, so he feels it would be important for the board members to view the site after the clean-up. Mark states he has noticed in places where there was some tree cutting there was new water run-off on the roadway causing issues which had not been there before. Mark also questions if the right washers were used when the guardrails were repaired. Mark suggests the board visiting when the snow is gone as far as deciding on what repair costs could be.

Mike O'Donnell asks Stan if Mr. Mercede expressed interest in making the road wider, and states that the fire department would see the road being wider as a blessing. He states that it wouldn't be a bad thing if he wanted to widen the road. David explains that it's not that anyone would mind the road being widened, and the town could work with him on the issue, however, there are policies and procedures in place that need to be followed and Mr. Mercede did not do anything to follow those procedures. It is not legitimate for him to hire a private contractor to widen a road.

Mike O'Donnell asks if the work on River Road was approved by the Newfane Selectboard, and David says that it wasn't before Mr. Mercede started working on it. Stan states that he agrees that it is a good idea to widen the road, however, how do they format the letter that they would be willing to work with Mr. Mercede in the future under the appropriate channels. Mr. Fisher states he will draft a letter and then email it over for approval. He suggests sending it to Mr. Mercede's lawyer as well to try to ensure that Mr. Mercede receives it. Tom motions to approve Mr. Fisher drafting a letter, and then forwarding it on and then the letter being sent to Mr. Mercede per the Selectboard Chairs approval. Stan seconds. All approved.

Stan asks how to determine who is liable and responsible. The landowner or the hired contractor? Mr. Fisher states that he believes it is the landowner. As the loggers were likely acting as the landowners agents. Mark states that the day after he posted the roads the loggers contacted him for permission to remove their equipment and the logs, and this was prior to the clean-up that they performed. Stan asks who the board will find out information about the guardrails from. David says he will call Mark Pickering.

Policies/Ordinances the Board May Choose to Examine during 2013:

Tom printed some policies for the board to review.

The first is the Dog Ordinance Policy. Jason will review the policy and attempt to update the policy. Tom provides Jason with the Town of Jamaica and the VLCT policies well to aid in the review process.

The second is the Class 4 Road and Trail Policy.

The third is the Model Highway and Road Ordinance Policy.

The fourth is the Storage of Junk and Junk Vehicles.

Tom states these are just some he thought the board would like to review, in no special order, and suggests that there are many others that Doug handed to the board that need to be reviewed. David states he will talk to Guy about which policies the town has. Stan states that the auditors have discussed a town credit card policy. Tom gives Jason a list of policies that Doug had prepared with dates of last review and last approved. Tom suggests starting with the ones Doug had questions about. The town office use policy and the policy regarding cell towers. Jason suggests asking Guy if there are more to add to the list. The conflict of interest and Selectboard rules of procedure policies have been done. The board will review the list.

Road commissioner on other highway issues:

Tom states that he talked to Mark Pickering about blacktop, and that Mark has not answered his questions yet. The board needs to choose whether they want a cement arch or a box culvert at the site of culvert 31. Tom asks the board if it would be appropriate for him to ask to have a plan for a cement arch culvert drawn up. Stan and Jason ask about the longevity between the two. Tom says he believes they are about the same and that the costs are similar, with the arch being the lesser expensive of the two.

Tom states that ANR recommended a natural bottom and the arch culvert design has a natural bottom. Michael Winot asks if beavers will be able to get into the culvert with a natural bottom and block the culvert. Tom states that he will ask about the issue with the beavers when he requests the plans be drawn up. Michael Winot asks about the beaver stops that can be placed on the end of the culvert. Stan asks Michael Winot how they dealt with the beavers in Newfane. Michael states that they had to put screens on either end. Tom states that any culvert could have issues, so continuous watching and maintenance of the culvert will be necessary. Tom will ask for a write-up for a proposal for a bid to be written up. There needs to be a site visit and more measurements need to be acquired.

Windmill Hill Trail Issue: email from Paul Madalinski/Norm Solomon:

David wanted to bring everyone's attention to an e-mail from Norm Soloman and asks that they read and review the e-mail, the issue will be on the agenda of the next meeting on April 3, 2013. David provides the letter for the members of the public upon Kerry Bourne's request to view it.

New Business:

Stan motions for the town employee raises to take effect at the beginning of the next fiscal year. Tom seconds. All approved

Kerry Bourne states that the value of the new Windmill Hill Trail sign has been proving itself. He encountered a woman from New Jersey who was having difficulties with her GPS, and the sign enabled her to identify her location.

Pay orders & Correspondence:

Payroll Warrant #36 \$1674.29

Accounts Payable Warrant #37 \$6539.25

Warrants approved by the board.

Request from Doug Wellman for a copy of meeting recording

George Wier, Report on Ellen Ware Road

State of Vermont Operations Traffic Shop Center Line Marking

Letter from Barbara Bourne, endorsing Suzanne d'Corsey's appointment to the Brookline Planning Commission

Letter from Suzanne d'Corsey expressing her interest in the Brookline Planning Commission

Half-Day Mosquito Control Workshop

Windham Regional Newsletter

Notice of Selectboard Institutes

Note from Somara Zwick on IRS mileage rate change

Raleigh's Outdoor Décor and Banners catalog

Adjournment: 9:14pm

Respectfully Submitted,

Vicky Butterfield

Clerk of the Brookline Selectboard

Brookline Selectboard Meeting Minutes ~ March 6, 2013 ~ Final

Members Present:

David Parker, Jr
Tom Staats
Stan Noga
Jason Butterfield

Meeting Called to Order: 7:12pm by Town Clerk Guy Tanza

Elect Selectboard Chair: Tom Staats nominates David Parker, Jr. Stan Noga seconds. David Parker, Jr. is elected as Selectboard Chair.

Review/Approve Selectboard Rules of Procedure:

David reviews the Selectboard Rules of Procedure. The board discusses agenda items, and decides that unwarned items will not be discussed until the next meeting, as is stated in the rules of procedure. The Selectboard signs the rules of procedure.

Review/Approve Minutes of Feb. 20 Meeting: David motions to approve the minutes as written. Toms seconds. All in favor of publishing the minutes without changes.

Members of the Public:

Guy Tanza, Town Clerk
Brett Gaylord:

Tom states that there are currently issues on Ellen Ware Rd. and asks if law enforcement can discuss the situation with the loggers. Guardrails and stone curbing have been destroyed along with extensive damage to the road and drainage culverts. Guy asks if there is anything in the overweight permit that discusses any damage that could incur. Tom says there is not, and this situation is not the result of trucks but heavy equipment. David explains that he spoke to Mark Pickering about the issue. Mark stated he would be happy to come out and examine the site and that the loggers are definitely responsible for the damage and costs. Mark offered that the Selectboard could approach the loggers themselves or they could seek aid from law enforcement. The board agrees that this issue appears to need the support of law enforcement. Mark, who is also the Tree Warden, reads from the statute; which states that anyone other than abutting land owners cannot cut trees without official permission. David asks the board if they think it would be appropriate to contact Bob Fisher about the issue. The board agrees that it would be a good idea. Tom Staats provided Deputy Gaylord with his cellphone number, Deputy Gaylord also has Stan and Mark Bills' contact information and someone from the Sheriff's department will be in touch about this issue.

Mark Bills
Mike O'Donnell

Reorganization & Appointment of Town Officers:

Elect Vice-Chair of Selectboard: Jason Butterfield nominates Tom Staats. Stan Noga seconds. All in favor. Tom Staats is elected Vice-Chair of the Selectboard.

Review/Approve Conflict of Interest Policy: The board votes in favor to accept the Conflict of Interest Policy as written and all members sign a copy to be kept on record with the Town Clerk.

Appoint Recording Clerk of the Board: Stan Noga suggests keeping Vicky Butterfield, David seconds. Jason Butterfield recuses himself from the discussion. All in favor. Vicky Butterfield is appointed as Clerk of the Selectboard.

Set time and place for Selectboard meetings/hearings: The board votes to maintain the schedule of meetings on the first and third Wednesday of every month at 7pm at the town office.

Establish official newspaper for posting of meetings/hearing: The board votes to continue using the Brattleboro Reformer for all publications.

Establish official posting areas w/in Town: The board designates the inside of the town office, the notice board outside the town office, the notice board at the base of Hill Road, and the notice board at the base of Whitney Hill Road as official posting areas.

Elect Road Commissioner: Stan nominates Tom Staats. David seconds. All in favor, Tom Staats is elected Road Commissioner.

Appoint Town Health Officer: David Parker, Jr.'s term expires 2015

Appoint Representatives to Windham Regional Commission (2): David proposes keeping Cynthia Nau and Guy Tanza. The board appoints Guy Tanza, and Cynthia Nau, should she choose to continue representing the town. David will contact Cynthia this week.

Appoint Emergency Management Director: David will contact Julie Lavorgna and request she send an email to the town list soliciting an interested party.

Appoint 911 Coordinator: David will contact Julie Lavorgna and request she send an email to the town list soliciting an interested party.

Appoint Pound Keeper: The board decides to continue working with VT/NH Veterinary Clinic. David will contact them about a contract.

Appoint Animal Control Officer(s): Jason Butterfield recuses himself from the discussion. The board is recommending a reduction in the number of Animal Control Officers to a single officer in interest of streamlining the position. The board elects to appoint Vicky Butterfield. Stan will contact Rachel Rice to inform her of the board's decision.

Appoint Members of Historical Society: The board reappoints Cynthia Nau, Doug Wellman, and Jim Walsh.

Appoint Representative to Windham County Solid Waste Mgmt. District: The board opts to keep Amy Niebel as a representative.

Appoint Member(s) to Brookline Planning Commission: Cynthia Nau has resigned her position as of 3/5/2013. The board would like to officially thank Cynthia for her continued dedication to the community. David will send a letter formally thanking Cynthia for her dedication, contributions, and hard work. Barbara Bourne's term continues until 2017, and she is currently the Chair. The board opts to hold off on appointing members until further discussion with the current members of the Planning Commission.

Appoint Representative to Rescue Inc.: David will contact Julie Lavorgna and request she send an email to the town list soliciting an interested party.

Appoint Representative to Vermont State Police Advisory Board: David offers to contact Diana Bander to see if she continues to be interested. If not David will contact Julie Lavorgna and request she send an email to the town list soliciting an interested party.

Appoint Representative to Rehabilitation Committee: Mike O'Donnell agrees to remain on the list should the committee become active. Stan offers to join the committee and suggests continuing

with the prior members until the committee becomes active. The list also contains members: Cynthia Nau, Joyce Meehl, and Betty Wellman.

Fire Warden: Mike O'Donnell suggests checking to see if the Fire Warden is a town appointed position or a state appointed position.

Town Service Officer: The board opts to keep Cynthia Nau should she choose to continue.

Surveyor of Wood and Lumber: The board opts to keep Lister Rink should he choose to continue.

Tree Warden: The board opts to keep Mark Bills in the position.

SEVCA Representative: David will contact Julie Lavorgna and request she send an email to the town list soliciting an interested party.

Town Agent: Tom nominates Stan Noga as the Town Agent. Jason seconds. Stan is appointed as Town Agent.

Grand Juror: Stan nominates David Parker as the Grand Juror. Tom seconds. David is appointed as Grand Juror.

Old Business:

Town Meeting Recap. It is the consensus of the board that the Town Meeting went well. Stan asks what level of audit the town paid for when it commissioned the professional audit? Guy offers that he has a copy of the audit report in the vault and will check what is stated in the report. David states that he had a conversation with Frank Rucker and thanked him for his aid in coming to a solution for the deficit.

Road Commissioner Report:

When to apply weight limits and reduce heavy truck impacts on Town roads during mud season?

Tom states that he has spoken to John Alexander and John stated he would be willing to visit the site of culvert 31 when weather permits. The culvert is eligible for grant money; however, it does not mean the money is available. Jason asks if the culvert is in a state where if the grant money is denied this year, could the culvert work be delayed for another year so the town could reapply for grant money? Tom states he believes they could wait.

Tom states that he and Mark will view the other culverts in need of repair and report to the board on their status. Mark Bills states that the state now is requiring that all culverts be updated to 25 or 50 year flood standards. Mark has the signs for posting the roads as designated. Tom suggests holding off on posting the signs until the board hears back from the Sheriff's Department. David suggests voting to authorize the signs tonight and having them ready for the appropriate posting time. The board agrees. The board signs the necessary form for posting in two public areas within Brookline. Guy will post the notices when the time to post the roads arrives. Mark will call the DMV to inform them the roads have been posted, within 3 days of posting the signs. Mark informs the board that Green Mountain Power will be pruning the brush along the power lines this year.

New Business:

Stan suggests reviewing the new EAF Rule further as it could result in grant money for certain road work in town. The rule also discusses zoning and it is unclear how this rule would affect a town without zoning laws. Stan also suggests investigating the ICC program.

Goals for the New Year. Town policies: updating & setting of priorities at 3/20/13 meeting:

David asks the board to consider which policies they would like to update first. Stan will contact the Auditors to inquire about what policies they are requesting be reviewed. Tom states that there are some policies that have been updated and just need to be reviewed. Tom suggests looking at the Dog Ordinance policy. Tom suggests charging one person on the board with a policy and having that individual research the policy and present the information for the remainder of the board to review. Jason asks where the policies are located. Tom states that Guy has the policies.

Discussion from the Public:

Mike O'Donnell asks the board why the town does not purchase it's own equipment instead of renting equipment. He states that the town could purchase the equipment for less than the amount they are paying for the equipment rental. Tom states that a previous Selectboard inquired about purchasing equipment, such as a backhoe for the town; however, the resulting analysis demonstrated that the purchase would be an inappropriate use of funding. The amount budgeted for rental equipment includes many different types of equipment, not just a backhoe, and the budget amount is more than what is spent over a year on rented equipment. Owning the equipment would also require the town to acquire insurance on the equipment, including workman's comp, the erection of housing the equipment and maintenance of the structure, and other associated costs. Due to the need of various types of equipment, purchasing a single piece of equipment would not prove to be cost effective to the town as the equipment would spend too much time idle while other pieces of equipment would still need to be rented.

Mike O'Donnell would like to share some concerns about the town assuming responsibility for Merrill Drive. Mike states that he is not against the town taking over roads; however, he is concerned that the town will have to repair Merrill Drive and add additional culverts to maintain the road appropriately. Mike states that entire town is upset over the fact that the town is assuming responsibility for Merrill Drive. Mike argues that there currently are not 18" culverts on Merrill Drive, that the drainage is not correct, and the gravel surface is not up to specifications. . Mike believes that the residents of Merrill Drive need to construct the road to specifications before the town assumes responsibility for the road.

Mike argues that the Selectboard is setting the town up for major liability. Mike states that he believes that the decision is going to come back and 'bite the town in the ass'. David reminds Mike that there was no one present with a dissenting opinion at any of the hearings for Merrill Drive and asks why no one expressed their concerns or disapproval at one of the many meetings on the subject. Mike states that no one was aware this was happening. The Merrill Drive issue has been on the agenda since September 2012. Tom Staats states that though he has recused himself from the entire process , he would like to remind Mike that the hearings were widely publicized; there were two hearings warranted multiple times in the Brattleboro Reformer, notices were posted multiple times at the designated notice points in town, all information was recorded in the minutes of the meetings, and certified letters were mailed to all residents who signed the petition.

Tom states that the town attorney was present at the discussions with the board and with the public meetings and the process was done carefully legally. The board has a file containing all of the legal documents that pertain to the process of assuming the responsibility of Merrill Drive. Tom Staats states that it is late, 10:00pm and that the board has heard Mike's concerns. Tom states that with little experience Mike is not really in a position to criticize the board, particularly when

no one complained until after the decision was made. Mike becomes angry and argues that Tom Staats is a dumbass and that because Mike works for a road crew he has knowledge of what a roads condition needs to be in order for the town to take over a road. Tom states that the Selectboard has given Mike plenty of time to present his case and the board has answered all of his questions and suggests that perhaps Mike is the dumbass since the board has the legal evidence and research to back-up the decision to assume responsibility of Merrill Drive and the public was absent during the discussions.

Stan requests that Mike O'Donnell be removed from the Rehabilitation Committee as it appears that Mike is not able to have a rational discussion and has chosen to insult the board instead of attempting to work with people in a reasonable and respectful manner.

Mike leaves the meeting, instructing the board to "bite my ass" on his way out of the building.

Correspondence:

VLCT Selectboard Institutes Seminar

VLCT News

Signed statement of the town roads and highway miles from the state

Commendation letter for Rachel Rice from the Newfane Animal Control Officer

Pay Orders:

Payroll Warrant #34 \$683.44

Accounts Payable Warrant #35 \$9,331.19

Adjournment: 10:20pm

Brookline Selectboard Minutes February 6, 2013 ~ Final

Meeting Called to Order: 7:15pm

Members Present:

David Parker Jr
Paul Madalinski
Tom Staats
Stan Noga
Amy Niebel

Members of the Public:

Jason Butterfield
Tracy Brooks
Mark Bills
Mike Staats

Review/Approve minutes of Jan 8 & Jan 16 2013 meetings:

January 8 minutes:

Third paragraph, first page salaries, the board agrees that **some** of the town employees are underpaid.

Tom motions to approve the minutes with changes, Paul seconds. All approved.

January 16 minutes:

Second page, 5th paragraph John Morrison not Fred Jutras.

Members of the public:

Terry Carey
John Morrison

Next to last page paragraph above new business: There may be a discrepancy in the mileage between the State Records and the Town Plan in terms of road mileage in categories and will need to be investigated.

Paul motions to approve the minutes with changes. Stan seconds. All in favor.

Old Business:

Merrill Drive Application for Town Highway Status:

David states that there is a motion on the table that was made at the last meeting to accept the request for the town to assume responsibility for Merrill Drive. The last meeting contained testimony from the petitioners, town road foreman, and was followed by a site visit 4 days after the meeting.

Two members of the board, Stan Noga and Tom Staats have recused themselves from this issue. They have not participated in any discussion, in any form of communication, about this issue, and will not vote. David would like to poll the other three board members about the motion on the table. David asks that all in

favor say aye. All remaining members are in favor, with the exception of the survey and other legal formalities that need to be completed.

David reviews the stipulations that need to be met to complete the process. The cost of the survey that will be required must be covered by the residents of Merrill Drive. The town will also need quit-claim deeds for all of the properties that abut the roadway. David states that if the terms are accepted, the residents will need to sign an agreement that includes these stipulations. Mike Staats asks if he can talk to the town attorney about this issue. David says yes. Mike states that they just need some guidance on the issues. David offers that Mike and Tracy discuss this with the other residents as it is still within the 60 day time limit. David thanks them for being patient with the board and apologizes for the delay.

David states that the town is looking at and revising the road policies as there is a certain precedent that is set with the acceptance of Merrill Drive. Paul suggests that there should be a new policy written that specifically pertains to the town assuming responsibility of a road that has been in existence. The current policy appears to cover new construction.

David reads from the letter written by the town attorney and discusses the attorney's recommendation for writing a new policy. Paul states that the town attorney pointed out that there had been numerous attempts in Newfane where the board had tried to remove town road status from a road and they lost the majority of the cases. Paul continues that if the board had denied this petition had the residents appealed the town would have most likely lost. The board also took into consideration the tax base and the number of residents on the road.

Review & Approve Town Purchase Policy:

David thanks Stan for all of his work on the purchase policy. Stan states that it is a departure from the previous policy. The bid procedures have been separated such that the application process clarifies the vendor requirements when bidding on an available job. The leasing of equipment and splitting purchases section is more in-depth. The emergency purchases section was changed from the initial verbiage to coincide with the auditors recommendations that any three of the officers listed in that paragraph would qualify. Stan states that the auditors have reviewed the policy. David asks if the auditors are on board with the policy and Stan says yes. David asks if the board has reviewed this previously and the answer is yes. Stan states it is approved by the auditors and in compliance with the requests of the Selectboard. Tom motions to approve the purchase policy. Paul seconds. All in favor. David dates the policy and circulates the policy around the table for all of the board members to sign. Stan states that when the auditors finished reviewing the policy they went as far as to say good job!

**Road Commissioner Report: Tom Staats:
TH 1 Culvert 31 News:**

Tom asks if the other board members received his email. The email discussed culvert 31 and if the town would be eligible for state aid on the project. John Alexander stated that the town is available for a grant to help cover the cost of the culvert. The state would like the town to adopt a town and road standard, either the states standard or a similar version. Adopting this policy would qualify the town for an extra 10 % of grant money. There is also a requirement to maintain a culvert and bridge map that includes culvert data and is updated every three years to remain eligible for this extra percentage of grant money. David asks if WRC has a database that maintains this information. Tom and Mark state that they believe so. Mark states that WRC traveled around with him and mapped all of the culverts on the GPS.

Tom states that there is new criteria that the state is asking for this year. David states that he will forward the email that includes the attachments to the rest of the board. Tom explains that in order to do any work in any space that involves flowing water or wetlands the work needs to be reviewed by the state, which increases the cost significantly higher than what it would have cost in the past. However, signing the road standards makes the town eligible for state funding when work is required. David explains that since Irene the laws and requirements have all changed. ANR and the state are much more involved in regards to work in waterways. Tom references ACT 110 and suggests reviewing it. Permits are still required should the road standards not be adopted, however the town will not be eligible for aid.

Mark states that he has done more than the 6 hours of training required in the standard and that there is a sign-in at the trainings he has attended. Tom suggests that these new standards will also aid in the development of the new road policy that needs to be written. Stan asks if this influences Fema and Tom states that yes it does. David states that there is a discrepancy between the state and FEMA in regards to whether or not box culverts are needed and who will pay for these repairs. David makes a motion to sign the Town and Road Standard Specifications at tonight's meeting. The board members review the state standard. Amy seconds David's motion. All in favor. The board signs the standard. David thanks Tom for his work. Tom will make sure that a copy is sent to the state.

Mark states that he got the sign for Windmill Hill and has installed it. Tom suggests when the sign replacement project starts that they first replace the Hill Road and Grassy Brook Road signs with the more highly reflective signs.

Tom asks that the board sign off on the states mileage report. Tom mentions that he isn't sure if the discrepancy between the town plan and the states report is a concern. The board signs the mileage report. David will mail it to the state.

New Business:

Cell Service/Tower in Brookline? Paul Madalinski:

Paul offers that he has been following the process of the cell phone tower in Newfane. He would like to get the boards opinion on having a cell tower installed in

Brookline. Amy asks if there is revenue for the town. David states there is revenue for the land-owner. Tom states the issue in South Newfane is up to the Public Service Board at the present time. Discussion ensues the issues that have presented themselves during the process in South Newfane in regards to the current cell tower proposal. Paul asks if the Newfane tower will provide service for Brookline, no one really knows for certain.

The board is in agreement that a cell tower could be beneficial for the town of Brookline and its residents. Tom reminds the board that change is a tough thing; however with the direction technology is going it's important to keep up. Stan states that he has a cell phone but it doesn't work here, should the town have cell service it could save people from having to pay additionally for a landline. Tom offers that it is also difficult for those who live out of state and travel here as they are accustomed to cell service.

The impact cell service could have on safety is discussed, including the fact that there is no communication for the school buses because there is no radio. Tom will get a contact number to investigate the issue further and Amy offers to take it over after. David and Amy offer that collecting the information and having it to present at a hearing would be beneficial.

New Town Website (any new info we should have) Amy Niebel:

Amy offers a presentation of the website for the board's discussion. The front page is quick reference. Agendas, minutes, latest news, contact information, quick download links, and a spot to join the mailing list. Stan asks about the town plan, Amy said she will add it in a sidebar. Amy reviews the various pages, including the selectboard agendas, news, schools, town officers, and she will add a link to policies. There is a calendar page that includes the dates of selectboard and other special meetings, which will be color coded, and active links including more information on the meeting. Tom suggests linking WRC. David suggests linking VLCT. The board agrees that the site is ready to be posted and replace the old website, content will continue to be added after the site is live. Everyone thanks Amy for all of her time and work redesigning the website.

Brief Discussion of Town Mtg preparations, review of Selectboard seats up for election, etc.:

There are some issues surrounding the former Brookline School and using it for Town Meeting. David has spoken to the Principal in Newfane and Guy about the issue. David and Guy will be visiting the space. David offers that the town has access to the space in the former school for the next three years for the town meeting. After that time another location will need to be acquired.

David states that some seats on the board are up for re-election. He asks the board members to offer who is considering staying on the board or retiring. Amy states she is interested. Tom states he will stay for another year if his seat is not hotly contested. He would like to follow-through with all of the projects that the board

has begun. Stan states that he is willing to stay on the board. He thinks that the board is working well together and that no individual is looking out for themselves but that every member is looking out for the town. David's term is not up this year. Paul will be retiring this year. The board thanks him for his participation and all of his hard work.

The board discusses whether the light at the town shed needs to be on all night.

Pay Orders & Correspondence:

Payroll Warrant #31: \$987.30

Accounts Payable Warrant #30: \$15,352.26

David motions to approve. Amy seconds. All approved.

Request from Newbrook for funding

Windham County Sheriff Report

Thank you from Morningside for funding

Leland and Grey Newsletter

Brattleboro Reformer advertising rate increase notice

VLCT News

Vermont State Annual Report

Adjournment: 9:47pm

Respectfully Submitted,

Vicky Butterfield

Clerk of the Brookline Selectboard

January 16, 2012 Brookline Selectboard Meeting Minutes ~ Final

Members Present:

David Parker, Jr.
Amy Niebel
Tom Staats
Paul Madalinski
Stan Noga

Members of the public:

Bob Fisher
Jason Butterfield
Terry Carey
Jennings Berger
Jeddon Berger
Terry Davison Berger
Jacqueline McQueeney
Aimee Parzych
Mike Staats
Fred Jutras Jr.
Kerry Bourne
Barbara Bourne
John Morrison
E. Mark Bills
Lyndall Boal

Selectboard
Minutes
pertaining to
Merrill Drive
Acceptance as
Class 3 TH

Call the meeting to order: 7:00pm

Recess regular meeting for public hearing on Merrill Drive petition: Selectboard public hearing on Merrill Drive:

David explains the purpose of tonight's meeting about Merrill Drive and introduces Bill Fisher, the town attorney. Bill Fisher offers to swear in anyone who will be speaking about Merrill Drive. He proceeds to swear in members of the public who will be speaking.

Mike Staats states that in the interest of keeping it short, and that since the board has already held a meeting and he assumes that people have seen the petition he will not speak long. He explains that he went around the entire town for the second petition and received signatures from residents not on Merrill Drive. Mike goes on to read the states Class 3 road standards. Mike states that he thinks the newer road specs might be a hang up, but the road existed before these road specs. He realizes the road doesn't meet the new road specs, but doesn't see how they could because it's an old road. He reminds the Selectboard that they are allowed to make exceptions on the requirements. He also states that setting a precedent isn't necessarily a bad thing, and references Sunny Lane's possibility of becoming a town road. Mike Staats presents 'visual aids' to help the Selectboard make their decision.

Paul asks how many properties are actually on the 960 feet of road they are requesting the town maintain. The answer is 5. Mike goes on to state the items the town needs to consider when making their decision.

Mike states that he believes he has given enough information so that if the Selectboard votes yes they can solidly defend their decision. If they should vote no he believes they will have to thoroughly explain why.

Mike explains that others in town take for granted they are able to get around because the roads are plowed. This is something the residents of Merrill Drive have to do themselves.

Terry explains that the fire department has made comments about the access to the homes. USPS and UPS have stated that they will not deliver to her residence. Jennings states that he had to walk home today because his 4wd broke and he was unable to drive up Merrill Drive without the 4wd.

John Morrison states that in the 1960's the road was actually plowed for 4 or 5 years and then someone came to the town meeting and complained at which point the town stopped plowing the road.

Bob Fisher asks if anyone has figured out the overall tax base paid by the 18 properties that use Merrill Drive for access. Bob states that it is something that other towns do take into consideration when assuming responsibility for the road. Bob asks how many residents are in Brookline. David says 530 according to the last census. He asks how many residences are on Merrill Drive. Mike Staats thinks the number is 18.

Bob asks about the USPS not delivering. Terry explains that the postman apologized for putting slips in her box, however it's been a policy for a long time to not drive up Merrill Drive.

Bob asks if there are improvements needed on the road, and is this why there is no delivery there. Mike Staats states it's the condition of it, it gets slippery. Mike states they have done improvements to the road, including replacing the culverts. He goes on to state that they grade the road once a year, there was no damage from Irene, and no mud season last year. There are no on-going issues with it.

Mark Bills, says he will vouch for what the residents are saying about the road. He states he did a site visit and did measurements. He came up with 950ft in length and an average width minimum of 20ft, the culverts are in good shape, no sign of rust, the right diameter. The ditches appear well maintained. The road appears to have a good gravel surface that meets the requirements, and good watershed. Mark states as far as comparing it to other town roads he maintains, in the summer time it appears as good as other town roads. Mark states that there may be issues he is not

looking at, however he believes the road is in good shape to be assumed by the town.

Bob asks when the prior site visit was. David says he believes September 19, 2012. Bob asks if everyone present was at the site visit. The answer is no. Bob suggests that to be technically correct the site visit and the hearing are usually done sequentially.

David states that he and Bob discussed the possibility of doing a second site visit. Bob quotes the statute, suggesting the Selectboard may want to comply with that and set a time tonight to do a second site visit. He suggests adjourning the hearing to the date that the Selectboard will host the site visit in order to avoid the whole warning procedure a second time.

Bob asks the residents if they are asking the town for any money for taking over their right of way. They state that they are not. He states that the amendment of just compensation is essentially being waved because the residents are making the request. The residents present agree.

He goes on to state that if the Selectboard votes in favor they will be required to do a survey of the road. This will also require all residents to provide quit-claim deeds quitting their claim to the land that is now a private road. Stan clarifies that it is not a right-of-way or easement. Bob agrees that it is cleaner to do the quit-claim deeds. Paul asks if it is just the 8 residents who live on Merrill Drive that would need to sign the deeds. The answer is yes. Paul asks if they are all here tonight. They are not, however they all signed the petition.

David asks if there is a time that works for everyone for the second site visit. Mike suggests this Saturday. Amy states she will not be available this Saturday. Bob states that a quorum is not required for the site visit. Tom explains that he and Stan have recused themselves from the vote, so he wanted to be sure if Amy wasn't present it would be enough Selectboard members. Paul states he thinks he is available on Saturday and suggests making the visit early at 9am. Mike Staats says that will work for him. The site visit is set for Saturday January 19, 2013 at 9am.

David entertains a motion to recess the hearing and reconvene on the 19th.

Paul asks Mark if he feels that the road meets everything on the road policy. Mark states no it does not. The telephone and power poles do not all meet the distance requirement. There is one that is closer than the stated requirement. Paul asks why that would be included in the policy. Mark states he thinks it's for safety. Paul asks if that is the only issue with the road. Mark states that the 50 foot right-of-way isn't clear. Tom states generally on Class 3 roads they have 16 feet from the center line. Bob states that they want 50 feet, or 3 rod for wiggle room for drainage, culverts etc.

Bob asks if anyone knows if is in their deeds that Merrill Drive is set out as a 50 foot right of way. It is believed that the 50 feet is not mentioned in any of the deeds. Bob states that a surveyor would measure from the center of the road. Bob asks if there are any houses or other structures that sit in the 50 foot right-of-way. Not that anyone is aware of.

Mark states that the only thing he could come up with was the one telephone pole that is an issue.

Bob explains the process to the residents. After the site visit, the board will deliberate and will have 60 days to make the decision and notify the residents of the decision. After that, should the vote be yes, the survey will be ordered as well as beginning the process of quit-claim deeds.

Jason Butterfield asks about how this process can affect the mortgage holders. Bob explains the bank would be more amenable to giving partial releases of property for quit-claim deeds, should the town assume responsibility of the road. The banks require that it not devalue the property in any way. Stan states that you may be asked to get an appraisal for the remaining land to maintain the loan to value ratio. Bob states, particularly local banks, usually work with towns for this purpose. Stan states that Fannie May and Fannie Mac have relaxed their requirement for these instances. Living on a private road may not devalue property as it has in the past but these are considerations.

Bob offers to answer anyone's questions.

David entertains a motion to recess the hearing to January 19, 2013 at 9 am. Paul makes the motion. Amy seconds. All in favor.

David thanks everyone for coming.

Bob explains the Selectboard has the option to go into the deliberative process in closed session, without the media or the public. They can also do this at another meeting or during an open session. Stan asks if those who have recused themselves would need to leave the room, Bob says yes. Tom suggests taking advantage of the town attorney's wisdom while he is here this evening.

Amy makes a motion to go into deliberative session. David seconds. All in favor. Stan and Tom excuse themselves. Members of the public and the media are asked to leave. The board begins a closed session.

Resume regular Selectboard meeting: 8:06pm

Old Business:

Remaining Windmill Hill/Putney Mt. Association trail issues:

Paul received an email from Norman Soloman about the trailhead. Paul states that he isn't really sure if there was decision about there being parking at the trailhead. Tom agrees that they didn't decide that there would be, just that they would look into the possibility. Stan suggests maybe having it graded past the private property and to the 'turn-around' area. Tom suggests that when they move forward with this it should be up to the Road Foreman and Road Commissioner to go in and look at the space, get an estimate of cost, and decide as a board if there is space and funding for the option. Amy asks if this is a moot point, since the Selectboard decided to leave the parking as is.

Paul states he thinks it is preferred to continue parking on the Soloman property, except on January 1 and limited to 2 cars. Tom suggests it's a future board discussion about whether the town would like to maintain their own space or if they would like to continue utilizing the Soloman property. Stan asks if there is a file on this issue. There is not. David suggests leaving it in the hands of the Road Foreman and Commissioner to take a look at the area and derive a ballpark figure of what it might cost.

Tom asks Paul to let Norman know that the area will not change without some work and discussion. Tom suggests spring would really be the appropriate time to look at the space and make any decisions. Stan asks if anyone uses the trail and parks on the Soloman property in the winter-time, or if anyone plows there. The answer is not that anyone is aware of. Paul states that he has used the trail and it is really bad shape. He suggests that if it is something the town is serious about they take a look at maintenance and repair. Stan wonders if the state of the trail is why the landowners are concerned about people walking off the trail. Paul agrees that it is a reasonable possibility that is why people walk off the trail.

Final conversations on FY 2014 Budget and Warning for Town Meeting:

David explains that Somara has changed the number on the special article. She has reduced the amount of the deficit to \$16,849.74. Amy asks if she should change the warning and get a new one to Archie. Somara says yes. Somara states she clarified with Bob Fisher about the topic of reserves and the net deficit is indeed a little smaller.

Tom offers his Road Commissioner report for the Town Plan to the Selectboard to review. There may be a discrepancy in the mileage between the State Records and the Town Plan in terms of road mileage in categories and will need to be investigated.

New Business:

Tom asks that within the next couple meetings, the Selectboard review the purchase policy. Stan offers to e-mail the policy to everyone again. David says he will put it on the agenda for February 6, 2013.

Stan states that on Friday he will deliver all of the information relevant to the outstanding tax hearing to the attorney who will be representing the town.

Stan asks if anyone is attending the upcoming workshops by VLCT. He states there is a segment devoted to the subject of difficult meetings. The workshop is scheduled for January 28, 2013 and will last all day.

Pay Orders:

Accounts Payable Warrant #28: \$7438.74

Payroll Warrant #29: \$798.69

Tom motions to approve. Paul seconds. All in favor.

Correspondence:

State of VT Agency of Transportation form request

Adjournment: 8:49pm

Respectfully Submitted,
Vicky Butterfield
Clerk of the Brookline Selectboard

STATE OF VERMONT
TOWN OF BROOKLINE

*Official Letter
of Findings of
Brookline
Selectboard +
Appendices of
Supporting Docs*

WHEREAS, at Brookline, Vermont, on the 12th day of December, 2012, the Selectboard of the Town of Brookline, on its own Motion, did vote to propose that pursuant to Title 19 Vermont Statutes Annotated, Chapter 7, as amended, that the following public highway in the Town of Brookline be laid out as a Class 3 Public Town Highway:

- A) That portion of Merrill Drive beginning at the intersection of Merrill Drive and Grassy Brook Road and ending at the intersection of Merrill Drive and Bush Lane.

The roadway being considered for laying out and altering is approximately 950' in length.

WHEREFORE, the Selectboard did order and appoint that on the 16th day of January, 2013 at 7:00 p.m. they would meet at the Brookline Town Offices, in Brookline, Vermont for the purpose of hearing all persons interested in said public highway and its laying out, and for the purpose of examining the premises affected thereby, and did give notice thereof to the statutory parties and to those set forth in Exhibit "A" attached hereto all being persons who own or are interested in the lands on which said proposed roads now lie or abutting on said roadways at their last known addresses; and did give notice thereof to the voters of the Town of Brookline by posting notices thereon on December 14, 2012, in the public places within the Town, and did give notice to the voters of the Town of Brookline by causing a notice

to be published in the Brattleboro Reformer, a daily newspaper with a circulation in Brattleboro, Vermont on January 2, 2013 and did leave a copy of such notice with the Brookline Town Clerk;

AND, afterwards, on January 16, 2013, the Selectboard held a public hearing at 7:00 p.m. at which time individuals appeared and were given the opportunity to give testimony regarding said road. The Board had previously had a site visit on September 19, 2012, but also scheduled a site visit for January 19, 2013 to view the roadway in the winter time. The Board conducted its site visit on January 19, 2013.

At the hearing on January 16, 2013, members of the public gave testimony as to the roadway known as Merrill Drive. There were no claims for damages made as part of this testimony.

AND, the Selectboard determined that the present status of the roadway known as Merrill Drive is as follows:

1. That the roadway known as Merrill Drive is a private road, existing from its construction sometime in the 1950's;

2. That landowners on Merrill Drive are in favor of the laying out proposal;

3. That the Town of Brookline has Road Specifications which apply to the building of new roads in town as well as to the take over of private roads within town. The Road Specifications provide that the Board may suspend the

specifications in order to allow a road to be taken over as a town highway where the road specifications are substantially satisfied.

4. That the road foreman testified that roadway being asked to be taken over by the town was 950 feet in length, that its average width was 20 feet, that its culverts were all in good shape with no rust and of sufficient diameter for floods, that the ditches were clean, that the road was crowned and had good drainage from its good gravel surface, and that it was as good as other town roads in the town of Brookline.

*
what size?

5. That the road foreman testified that the roadway failed to meet the requirement that the utility poles be at least 25 feet from the center line in one area where one pole was 24 feet from the center line of the road. But, other than this one pole, the roadway substantially complied with the road specifications.

6. That the roadway received little to no damage from Tropical Storm "Irene" in 2011. The roadway has been graded routinely by the owners along the road and culverts have been replaced with culverts meeting the town road specifications.

7. That the properties served by Merrill Drive number approximately 18 properties, out of 336 total town

Entire Road
Not just The
piece in question
5 properties?

properties. That these properties represent _____% of the overall grand list.

8. That the laying out of Merrill Drive as a class three town highway would provide better fire protection, police protection, better bus stop, and a safer roadway.

9. That the laying out of Merrill Drive as a Class 3 Public Town Highway is in the best interests of the Town.

AND, after due discussion and deliberation with those in attendance and after review of the premises with the adjoining landowners, the Selectboard was of the opinion and did so vote on February 6, 2013, that the public good, public necessity and convenience of the inhabitants of the Town of Brookline require that the road known as Merrill Drive be laid out as a Class Three (3) Public Town Highway, all as set forth in the public notice.

AND, the said Selectboard did determine and vote that no damage was sustained by any person owning or interested in lands through which said proposed highway runs or abuts.

The laying out of the aforementioned road meets the public good, necessity and convenience of the inhabitants of the Town in that the laying out of the roadway as a town highway benefits a significant number of residents, provides for a safer bus stop for the children residing on the road, and that the roadway will not require much, if any, improvement to be maintained by the town.

The Selectboard, while finding that the laying out of Merrill Drive is in the public good and necessity of the town, does not wish to set a precedent based solely on the facts of this one case. The Selectboard is mindful that a policy as to future roadway take-overs is necessary and endeavors to create such a policy. Such a policy will likely require that roadways will need to be a certain length, have a certain number of residences thereon, and be in substantial compliance with the Town's Road Specifications in order to be considered for being laid out as a public highway. These findings, therefore, are made by this Board solely upon the facts before it as to Merrill Drive.

THEREFORE, it is ORDERED by the Selectboard that Merrill Drive be laid out as a Class 3 Public Town Highway, from its intersection with Grassy Brook Road a distance of 950 feet to its intersection with Bush Lane ON THE FOLLOWING CONDITIONS:

1. It is further ordered that a survey of the roadway be commissioned, said roadway being a three rod width (25 feet from the center line of said roadway), and that the costs of the survey be paid by the property owners served by Merrill Drive.
2. It is further ordered that upon the receipt of the survey by the Town, the property owners through which Merrill Drive passes (the 950 feet hereby laid out as a town highway) shall provide to the

Town of Brookline quit-claim deeds deeding to the town the three rod right of way as set forth above. All deeds shall meet the approval of the Town and shall require relevant partial releases from any lienholders.

Is the width 3 rods 48' or 50 ft.?

Dated at Brookline, Vermont this 6th day of February, 2013.

SELECTBOARD, TOWN OF BROOKLINE

David V. Parker f.
David Parker, Chair
[Signature]
[Signature]

Appendices:

to the Petition for the Town Of Brookline to Accept 950' of Merrill Drive as a Class 3 Town Highway

Contents:

- 1) Petition w/ signatures & addresses of Petitioners
- 2) Addresses of abutting landowners (as furnished by Petitioners)
- 3) Brookline Selectboard response to Petition
- 4) Brookline Selectboard Public Notice of Hearing
- 5) Copy of Brattleboro *Reformer* legal notice of Public Hearing

Received (at 5:00 pm
12/5/12
W. H. Parker Jr.

December 1, 20012

Board of Selectmen

Town of Brookline, Vermont

We, the undersigned voters in the Town of Brookline, pursuant to Title 19, Section 708 of the Vermont Statutes Annotated, hereby petition the Select Board of the Town of Brookline to accept as a Town Class III highway that portion of Merrill Drive beginning at the intersection of Merrill Drive and Grassy Brook Road and ending at the intersection of Merrill Drive and Bush Lane. This is approximately 950' of Merrill Drive.

PETITION

Print Name

Mailing Address

Sign

Print Name	Mailing Address	Sign
J Tracey Brooks	26 Merrill DR	J Tracey Brooks
Eric Schmitt	12 Bush Ln. Brookline	Eric Schmitt
Mike Staats	P.O. Box 67 Newfane	Michael Staats
JOANNE STAATS	153 Whitney Hill Rd, Brookline	Joanne Staats
Terry Carey	P.O. BOX 125 Newfane	Terry Carey
Robyn Ziegner	21 Whitney Hill Rd.	Robyn Ziegner
Barbara Bourne	24 MARSH DR. Brookline	Barbara Bourne
Kerry Bourne	" " "	Kerry Bourne
Kevin Brooks	222 Hill Rd Brookline VT	Kevin Brooks
Haley Staats	153 Whitney Hill Rd, Brookline	Haley Staats
Kim Searby	58 Whitney Hill Brookline	Kim Searby
Rachel Rice	24 Bush Ln Brookline	Rachel Rice
JOHN REINHARDT	143 Grassy Brook Rd.	John Reinhardt
Lynn Reinhardt	143 Grassy Brook Rd	Lynn Reinhardt

— AButting landowners —

Tracy Brooks
26 Merrill dr.
Brookline, VT.
05349

26 Merrill drive
2 Bush lane

Mike Starts
P.O. Box 67
Newfane, VT.
05349

23 Merrill drive

Paul Werner
155 Blue Hill Ave.
Fairlawn, N.J.
07410

3 Bush Ln.

Aimee Parzych
175 Rossi dr.
Bristol, Conn.
06010

9 Merrill drive

Laura Brissette
49 Fitts Rd
Wardsboro, VT
05355

Quitclaim on Rd.

*Copy Certified letter
Sent to Petitioners &
Abutting Landowners*

Town of Brookline
P.O. Box 403
Newfane, Vermont 05345-0403

December 12, 2012

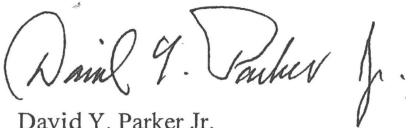
To: Petitioners, Interested Parties, & Abutting Landowners
Merrill Drive
Brookline, Vermont 05345

On **December 5, 2012** the Brookline Selectboard received, and duly recorded, a petition from twenty-five (25) registered voters/landowners, pursuant to Title 19, Sec. 708 of the Vermont Statutes Annotated, to accept as a Class 3 highway the portion of Merrill Drive, beginning at the intersection of Merrill Drive and Grassy Brook Road and ending at the intersection of Merrill Drive and Bush Lane. The petition cites the portion of Merrill Drive requested for acceptance to be 950' in length.

As such, the Brookline Selectboard, under our obligations as prescribed by Title 19, Sec. 709, has set the date of **Wednesday, January 16, 2013 to hold a Public Hearing at the Brookline Town Office at 736 Grassy Brook Road at 7:00 p.m.** on this matter, at which time the Board will receive testimony from any petitioners, persons interested, or persons owning lands through which the highway may pass or abut. Scheduling of a site visit will be part of the discussion on January 16, 2013.

Notice of this hearing will also be published in the Brattleboro Reformer no later than ten (10) days prior to the January 16, 2013 Public Hearing date.

It should also be noted for the public record that two (2) members of the Brookline Selectboard have formally recused themselves from this discussion and any subsequent vote. Those Selectboard members are hereby identified as Thomas Staats and Stanley Noga Jr.



David Y. Parker Jr.
Selectboard Chair

cc: Brookline Selectboard
Brookline Town Clerk
Robert Fisher, Town Attorney

PUBLIC NOTICE
TOWN OF BROOKLINE

NOTICE IS HEREBY GIVEN that the Selectboard of the Town of Brookline proposes that, pursuant to Title 19 Vermont Statutes Annotated, Chapter 7, as Amended, a portion of a roadway in the Town of Brookline known as and called "Merrill Drive" be LAID OUT and ALTERED as follows:

The Highway to be LAID OUT AND ALTERED is described as follows:

That portion of Merrill Drive beginning at the intersection of Merrill Drive and Grassy Brook Road and ending at the intersection of Merrill Drive and Bush Lane.

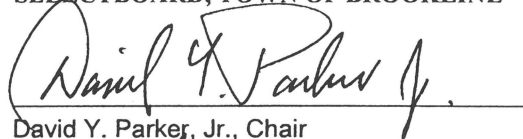
The roadway being considered for laying out and altering is approximately 950' in length.

THEREFORE, pursuant to Title 19 V.S.A. Chapter 7, you are hereby notified that a public hearing will be held by the Selectboard for the Town of Brookline on **Wednesday, January 16, 2013, commencing at 7:00 p.m.** at the Brookline Town Office at 736 Grassy Brook Road, Brookline, Vermont. The site visit will be scheduled during the public hearing.

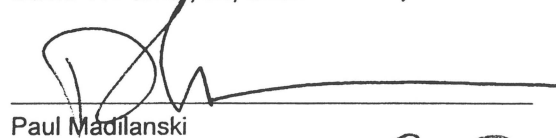
The purpose of the hearing shall be to hear all persons interested in said public highway laying out and alteration.

Dated at Brookline, Vermont this 14th day of December, 2012.

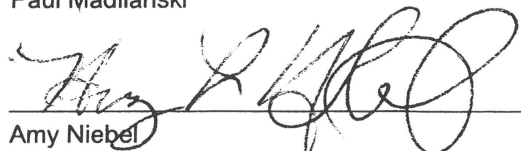
SELECTBOARD, TOWN OF BROOKLINE



David Y. Parker, Jr., Chair



Paul Madilanski



Amy Niebel

RECUSED:
Thomas Staats
Stanley Noga, Jr.

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3PM Monday

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Public Notices

PUBLIC NOTICE TOWN OF BROOKLINE

NOTICE IS HEREBY GIVEN that the Selectboard of the Town of Brookline proposes that, pursuant to Title 19 Vermont States Annotated, Chapter 7, as Amended, a portion of a roadway in the Town of Brookline known as and called "Merrill Drive" be LAID OUT and ALTERED as follows:

The Highway to be LAID OUT AND ALTERED is described as follows:

That portion of Merrill Drive beginning at the intersection of Merrill Drive and Grassy Brook Road and ending at the intersection of Merrill Drive and Bush Lane.

The roadway being considered for laying out and altering is approximately 950' in length.

Public Notices

THEREFORE, pursuant to Title 19 V.S.A. Chapter 7, you are hereby notified that a public hearing will be held by the Selectboard for the Town of Brookline on Wednesday, January 16, 2013, commencing at 7:00 p.m. at the Brookline Town Office at 736 Grassy Brook Road, Brookline, Vermont. The site visit will be scheduled during the public hearing. The purpose of the hearing shall be to hear all persons interested in said public highway laying out and alteration.

Dated at Brookline, Vermont this 14th day of December, 2012.

SELECTBOARD, TOWN OF BROOKLINE
David Y. Parker, Jr., Chair
Paul Madilanski
Amy Niebel

RECUSED:
Thomas Staats
Stanley Noga, Jr.

Commercial Real Estate

Businesses for Sale
Business Properties/Sale
Business Rentals
Commercial Land
Income Properties
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Manufacturing Property
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Real Estate Brokers
Retail Property
Warehouse Property

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845-462-1800

Office Space

Careers

Help Wanted by position
Help Wanted (alpha)
Medical Positions
Odd Jobs
Professional Positions
Sales Positions
Business Wanted
Business Opportunity
Child Care Needed
Child Care Provided
Elderly Care Needed
Elderly Care Provided
Employment Wanted

Help Wanted

Dental Assistant needed for expanding dental practice in Brattleboro. Must be x-ray certified and licensed in

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Horses
Livestock Boarded
Livestock Supplies
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Pets and Supplies
Poultry and Supplies

Pets and Supplies

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Leather, Loaded
Auto, 68K, \$12,995

2009 Legacy SE
Auto, 43k, Sunroof, Alloy
Wheels, Charcoal
\$12,995

2010 Impreza Sedan
Auto, 21K Blue with Tan interior, PW, PL, Cruise
\$12,005

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2005 Jeep Liberty
4 cyl., 6 speed, 4WD,
Black w/gray interior,
AM/FM/CD/AC, PWR Locks
& Windows, Clean CARFAX,
1 Owner, ONLY 90k Miles,
Warranty, \$7495

2003 Saab 9-3 SE Convertible
Turbo, 5-speed, Burgundy
w/Black Leather int, Black
Top, AM/FM/CD/AC, Heated
Seats, Only 94k Miles, Warranty \$6995

2006 Subaru Outback Wagon
Green w/Tan Interior,
AM/FM/CD, A/T, AC, PWR
Windows and Locks, 4
Brand New Tires, Warranty,
\$8995

2004 Subaru Forester XS,
4WD A/T. silver w/gray

Trucks & Vans

1999 DODGE PICK UP
2500 and plow. 4wd. Less
than 60k mi. Original owner
\$6000 or best reasonable
offer. 802-779-5157

CHEVROLET 1990 Silverado
1500 Regular Cab with
plow. \$1590. 157100 miles,
red, manual, V8 4WD
(802) 251-1000
ucm@brattleborosubaru.com

CHEVROLET 2003 Silverado
1500 Extended Cab
\$3983. 202795 miles,
white, automatic V8 4WD
(802) 251-1000
ucm@brattleborosubaru.com

Wanted Automotive

BUYING VEHICLES running
or not running, paying up
to \$500 802-376-4581

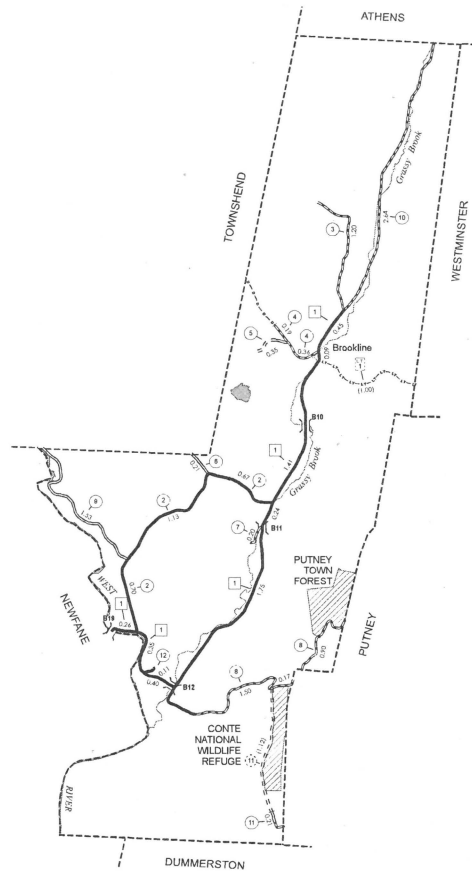
TOWN HWY. No.	CLASS 3	CLASS 4	LENGTH IN MILES
2			2.50
3			1.20
4			0.55
5			0.35
6			0.21
7			0.20
8			2.57
9			1.25
10			2.64
11		(1,12)	0.21
12			0.11
TOTAL	12.07	1.12	

Can this be rotated 90°?

MILEAGE SUMMARY

CLASS 2	4.950	
TH-1	TOTAL CLASS 2	4.950
CLASS 3		
	TOTAL CLASS 3	12.07
	TOTAL TOWN	17.020
	TOTAL STATE	0.000

TOTAL, TRAVELED HIGHWAYS, FEB. 10, 2013: 17.020
 (Excludes Class 4, Legal Trail, and Unidentified Corridor Mileage)



- HIGHWAYS**
- INTERSTATE OR DIVIDED HIGHWAY
 - STATE - HARD SURFACE OR PAVED
 - TOWN - HARD SURFACE OR PAVED
 - GRAMEL
 - SOIL OR GRADED AND DRAINED EARTH
 - UNIMPROVED OR PRIMITIVE
 - IMPASSABLE OR UNTRAVELED
 - LEGAL TRAIL
 - DISCONTINUED
 - HIGHWAY CLASS CHANGE
 - RAILROAD
 - INACTIVE RAILROAD
 - P PARK AND RIDE
- PUBLIC LAND - GREEN MOUNTAIN NATIONAL FOREST**
- PUBLIC LAND - STATE/MUNICIPAL**
- POLITICAL SUBDIVISIONS**
- STATE BOUNDARY
 - COUNTY BOUNDARY
 - TOWN BOUNDARY
 - VILLAGE BOUNDARY
 - URBAN COMPACT BOUNDARY
- WATER BODY**
- STREAM OR BROOK
- BRIDGE OR CULVERT**
- () BRIDGE OR CULVERT GREATER THAN 20'
 - || BRIDGE OR CULVERT 6' - 20'
- STATE BRIDGE OR CULVERT IDENTIFIER**
- TOWN BRIDGE OR CULVERT IDENTIFIER**

- FEDERAL CLASSIFICATION IDENTIFIER**
- FAU URBAN ARTERIAL OR COLLECTOR
 - MA MINOR ARTERIAL
 - MJC MAJOR COLLECTOR
 - MNC MINOR COLLECTOR
 - PA PRINCIPAL ARTERIAL

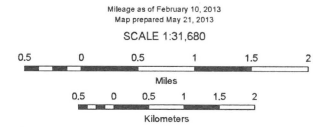
DISCLAIMER:
 The untraveled highways (laid-out town highways), discontinued highways, and legal trails hereon are those of which the Agency of Transportation has record, others may exist.
 Highway and bridge data by the Agency of Transportation. All other data from the Vermont Center for Geographic Information. Only named streams are shown.

Vermont State Plane Coordinate System
 North American Datum of 1983
 SPIC5_zone, Identifier: 4403
 Geodetic Reference System 80
 4,000-meter grid, Easting - Northing



VERMONT GENERAL HIGHWAY MAP
Town of Brookline

WINDHAM COUNTY
 Transportation District #2
 Prepared by the
 Vermont Agency of Transportation
 Division of Policy, Planning and Intermodal Development
 in cooperation with
 U.S. Department of Transportation
 Federal Highway Administration




State of Vermont
Operations Division - Dist.#2
870 US Route 5
Dummerston, VT 05301
www.aot.state.vt.us

[phone] 802-254-5011
[fax] 802-251-2000
[ttd] 800-253-0191

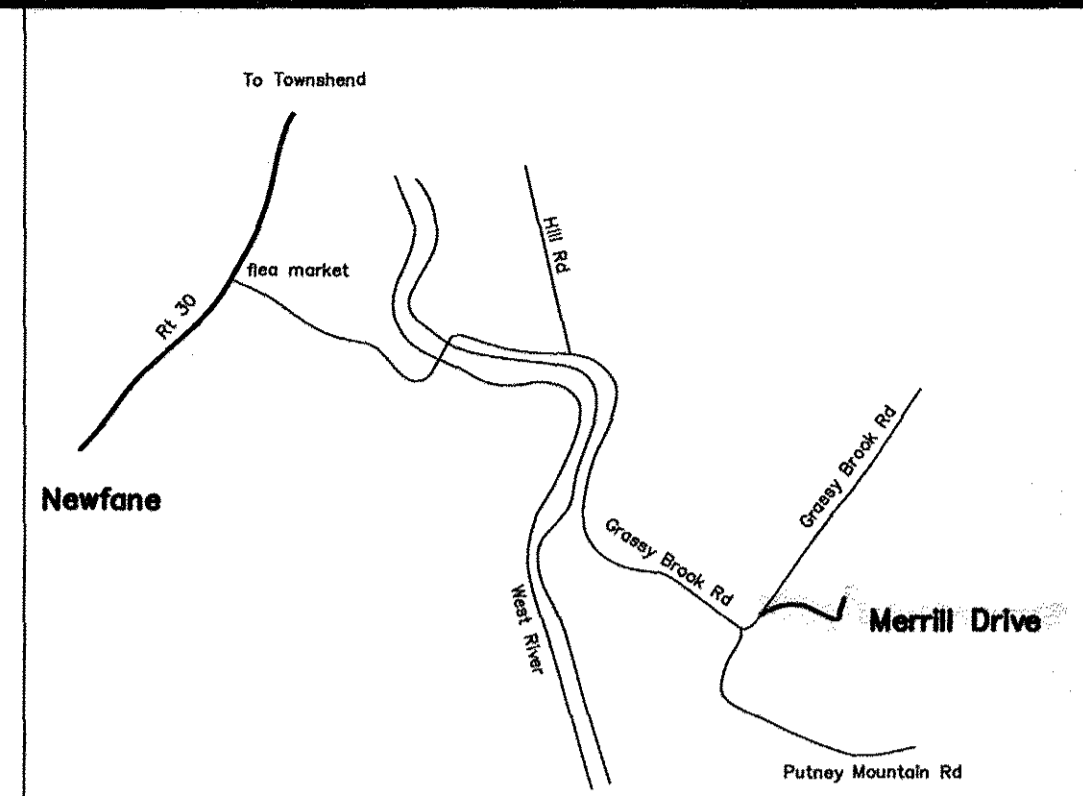
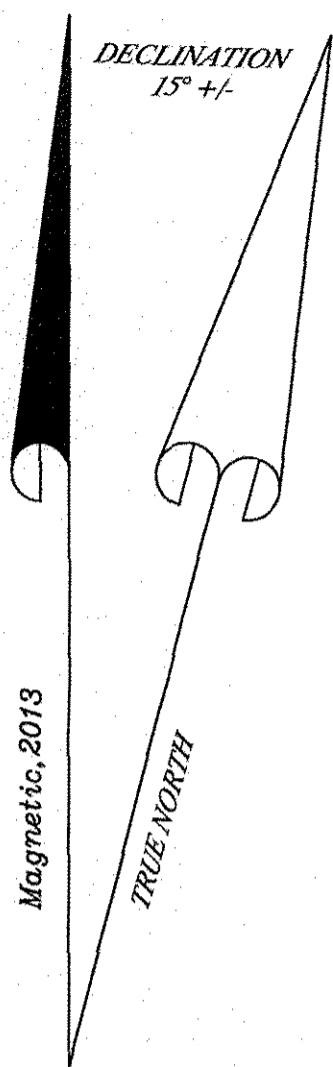
Agency of Transportation

Memorandum

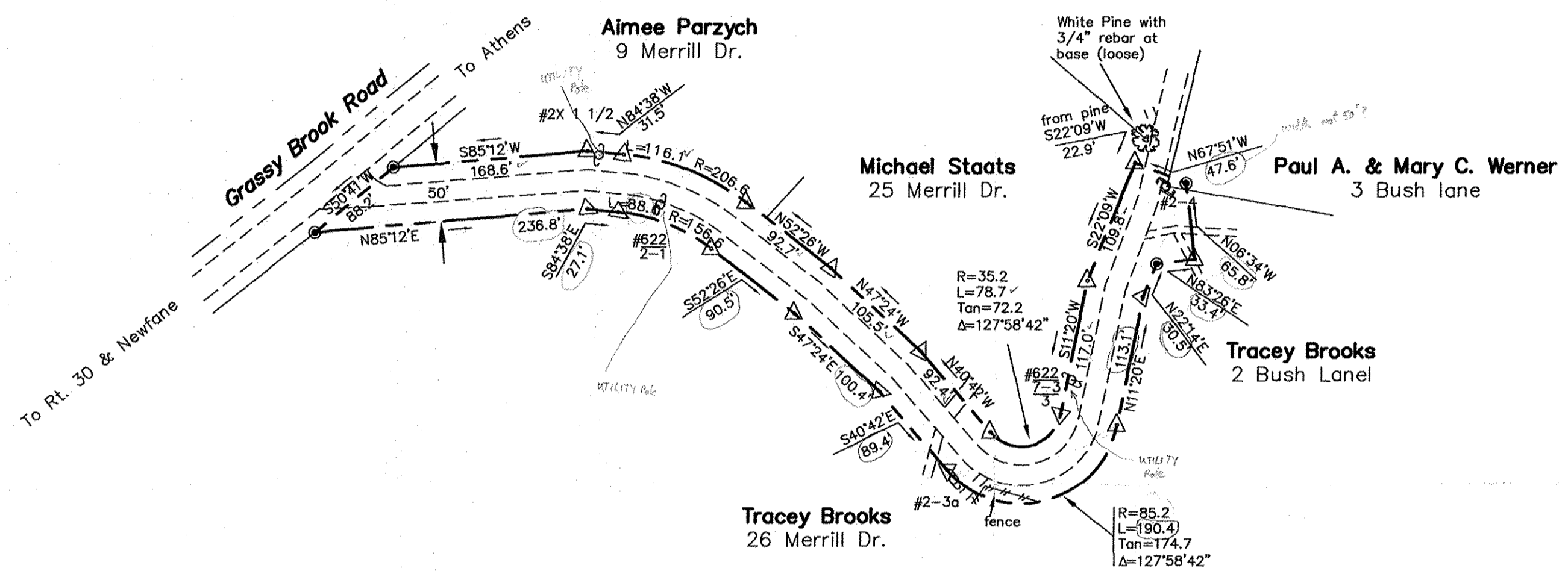
To: Johnathan Croft, VTrans Mapping Unit
From: S Ovenden 
Date: 10/2/2013
Re: Town of Brookline Request to Increase Highway Mileage

Per our email communication on 10/2/13, I am attaching the information that the Town delivered to District 2 in August 2013. The Road Commissioner is:

Tom Staats
Home: (802) 365-7584
Mobile: (802) 380-4219
E-mail: tstaats.brooklinevt@gmail.com



~Location Map~
Not To Scale



~Notes~

1. The purpose of this survey is to show the limits of Merrill Drive to be dedicated to the Town of Brookline.
2. Abutter information provided by Michael Staats.
3. Total centerline distance is 976+/- feet.

PRELIMINARY

GRAPHIC SCALE



(IN FEET)
1 inch = 100 ft.

CERTIFICATION:

1. This survey is by theodolite and E.D.M. All bearings are based on Magnetic North, 2013 by observation and are intended to define angular relationships between courses shown.
2. This survey is based on field measurements, physical monuments found.
3. All iron pipe and rebar descriptions refer to the outside diameter unless otherwise noted.
4. This plat reflects conditions at the time of the survey.
5. In accordance with 26 VSA 2596, I certify that this survey is consistent with the information noted to the best of my knowledge and belief.

LEGEND

IRON PIPE FOUND	○
5/8" REBAR SET	⊙
PROPERTY LINE	—————
TRAVELLED SURFACE	-----
RIGHT OF WAY LIMIT	-----
UTILITY POLE	⊕
UNMONUMENTED POINT	△

Survey of
Merrill Drive
For Dedication To The
Town of Brookline

Brookline Windham Co. Vermont

DAUCHY-CREAMER ASSOCIATES, LLC

Land Surveyors
P.O. Box 487
Jamaica, Vermont 05343-0487
802.874.4861

Date: March 26, 2013	Scale: 1"=100'
Drawn by: WC	Checked by: HT
Field Crew: HT, EB	Research By: MS

This plat conforms with VSA Title 27, Section 1403.

Drawing No.: DC-0880 Surveyor: William R. Creamer, LLS#681

William R. Creamer