

Bakersfield ARPA Meeting
April 4, 2023
7:00pm

Those attending: John West, Alice and Gary Foote, Sharon and Pat Evans, Linda McCall, Sam and Nicola Cribb, Larry Krygier, Mark and Janet Laroche, Rosalie Williams, Matt Hull, Linda Stanley, Katheryn Rosenburg, Tami Brennan and via zoom, Steven True, Rodney and Deanna Allen.

John West welcomed all and explained his appointment by the board after the re-elections was to ensure that a member of the Select Board act as the ARPA administrator. He also explained that the ARPA administrator's job is not to be in charge of the ARPA funds but is solely responsible for collecting the ARPA proposals and data to be given for consideration by the Select Board. John said that is why we have gone to fewer meetings. There is to be this meeting when all proposals will be collected and then the final meeting with the Select Board on April 12th, to finish discussion and to award the funds.

John said that the meeting tonight is to perform due process and to collect the date and paperwork for all ARPA proposals, and then hand it over to the Select Board for review and determination.

John said that he has spoken to the person who is in charge of the ARPA program at Vermont League of Cities and Towns, and the Citizen's Review Committee that was spoken of previously, that was said to be created to review and determine what proposals will move up to the Select Board for consideration, was a suggestion in the event that there were hundreds of ARPA proposals, but we only have around 12, and I was told that we don't need a Citizen Review Committee for only 12 proposals.

John said that Katie Buckley, the ARPA overseer at VLCT, will be reviewing all your documents to see if they fit the Final Rule. If after VLCT reviews it and they decide to remove it, then understand, it will be removed from Bakersfield's consideration. He said there is always the possibility that your request will be removed. John said, if there are remaining funds post the April 12th meeting, we will reopen ARPA requests in September after the summer.

John said that at the April 12th meeting, the Select Board will vote to award or not to award the ARPA proposals, dependent on what they feel is appropriate. He said no funds will be distributed at the meeting on the 12th. All funds awarded that night will be included on a warrant presented at the next Select Board meeting on April 24th, for the Select Board's signature to approve payment and then the checks can be written in the day following or so. John said that organizations should have access to their awarded funds by May 1st.

John said that there will be a document which those accepting awards will be required to sign in order to receive funds, releasing the town from any liability and stating that the town is not responsible for any taxes or fees that may be due by the receiver. That will be the responsibility of the recipient, to report

and/or pay for any taxes and fees related to receiving these funds, whether as an individual or an organization.

John asked those attending if there were any ARPA proposals that he had not received yet. He read off the list of written proposals that he had received so far:

The Conservation Commission
Brigham Library
Mark and Janet Laroche
Fairfield Community Center
Bakersfield Volunteer Fire Dept
The Historical Society
Town of Bakersfield Road Dept
Town of Bakersfield Town Clerk
Town of Bakersfield - Hearse House
Lucas James Williams Memorial Fund

John explained that he would scan these proposals and send them to all Select Board members for review and to Katie Buckley at VLCT for review as well. He said that at the Regular Select Board meeting on April 10th, there will be an executive session warned to be held at the end of the meeting, when the Select Board will discuss the proposals and put questions together to ask at the meeting on April 12th at 7:00pm. John said no decisions will be made in executive session. John said that the board is requesting that someone be present on behalf of each request being made in order to answer questions and provide information to the Select Board at the meeting on the 12th, to determine if your organization will be funded. John said to be sure to send someone with knowledge as the answers to these questions can be the determining factor as to whether your organization will receive funds.

Pat Evans asked if the public will have access to the board's discussion held in executive session. John said that there is no public account of what is discussed in executive session. He said no decisions will be made. He said if we made a decision in executive session, then we'd have to come back into session in order to have the decision recorded, but executive session is not put on record.

Rosalie asked if the decision-making approval will need to be unanimous vote, or a 2/3rds vote, or how will that be decided, and if it will be done in executive session. John asked if she meant for determining the award and she said yes. John said it would be determined by majority vote. John explained that he is currently a CEO of a company, and he has been in cooperate business for most of his life and that executive session is really for the purpose of brainstorming. This will be to get our questions in order and out of our heads and on paper.

Sharon asked if they will be allowed to ask impromptu questions as well or only those they bring to the meeting. John said that many times the answers to questions will trigger other question and follow up questions will be allowed. He said we want to make sure that everyone has their due and we make the most appropriate decision as possible.

Rosalie asked if, for example, someone asked for \$3000.00. Can the Select Board cut the amount back, or award more than asked, or is it only for what is asked for. John said that was a good question and that has not yet been discussed. He said that his personal opinion, and he is one of 5, is that the board may decide to lower the amount, so you may not get the full amount requested, but you may still get something.

Rosalie asked if there were to be no appeals. John said Katie Buckley at VLCT has been clear that ultimately the board makes the final decision, so you would be making the appeal to the same board that just decided on the award. John said that the board's responsibility in this is really a rough position in to be honest. We want to look at everyone's request and give each person a fair opportunity.

Pat asked that if the board has the authority to alter the final amount, if this would be done in executive session or later. John said it could happen in executive session or live, during the meeting on the 12th, at which the final decisions will be made.

John said to the Fairfield Community Center, we talked on the phone earlier and did you decide to divide the proposal or leave it as one. Katheryn Rosenberg said they decided to leave it as one. She said it has both loss of income, as well as capital improvements. She asked that they be looked at individually and they are not asking for a total of those two. She said that it has the money they lost by not being able to do fund raising and how we want to spend it. She said their proposal includes a lot of 990s but there is no 990 for 2022, as they have not filed yet.

John said told those attending, that from organizations, they are requesting a profit and loss form, in an effort to be totally transparent. He said that from 501C3s, they are requesting 990s as well, if they are asking for loss of funds due to fundraising or loss of income. He said we did not request this from organizations such as the Historical Society, as they are asking for what it cost to prevent their building from falling down and couldn't get the people out there to fix it during Covid.

Steven True spoke on behalf of the Fairfield Community Center and thanked John for their conversation earlier. He asked John if he could expand a bit on the contents of the Final Rule and its criteria that they are looking for. He said

that he's concerned that their application hasn't addressed the criteria of Final Rule and if John could explain what is necessary.

John said that, to be honest with Steven, the Final Rule is not a small document and is several hundred pages long and he wouldn't be able to do it justice. He said that on the agenda for tonight on our town website, there is a link to the Final Rule if you'd like to take a look at it. John said the wording is broad and in-depth. He said they have changed the Final Rule several times now. He said it's the Final Rule until the next Final Rule. He said this has led to Analysis Paralysis. John said I'm not blaming Brenda for the Analysis Paralysis. She was afraid to move forward in case something changes. But if we get approval from VLCT that the requests we grant meet the criteria at the time, we should fall under the Grandfather clause, so if we dispense today and the rule changes, there will be no basis to tell us that we have to pay back the money. John told Steve that he would encourage him to take a look at the Final Rule.

John asked if there were any more proposals or anymore questions. Seeing none, he thanked everyone for attending and that he needed the updated proposals they had given him, since I couldn't get my hand on the originals and many requests had changed, and reminded those attending with proposals, that they will need someone to attend the meeting on the 12th.

John summarized the scheduled meetings:

April 10th- Regular Select Board Meeting on April 10th will discuss the proposals in executive session to come up with questions for the meeting on April 12th.

April 12th- Special Select Board Meeting to finalize discussion and award ARPA funds.

April 24th- Regular Select Board Meeting when the ARPA awards warrant will be signed by the Select Board, authorizing payment of awards.

Award checks to be written the following day or so.

Rosalie asked, so after tonight, there will be no more applications.

John said that is correct.

Nicky asked if the board comes up with questions on the 10th, will they give us a head's up ahead of time. John said he couldn't really say. He said we're not supposed to make decisions. He said he's not sure if they will be in contact ahead of time.

John said he appreciated everyone coming out and said that it's getting close! The meeting ended at 7:30pm.

Meeting minutes recorded by Tami Brennan.

