

Bakersfield Regular Select Board Meeting
Monday, April 10, 2023
7:00pm

Meeting called to order by Josh at 7:00pm.

Members present: Josh Goss (chair), Lance Lawyer, John West, Todd Cosgrove, Terri Gates

Members absent: none

Residents/Guests attending: Linda McCall, Dan and Katie Forand, Nigel Churchill, Tami Brennan

Previous minutes: Todd made the motion to accept the March 27, 2023, minutes amended with the corrected name spellings and a sentence correction. Lance seconded the motion, and the minutes were accepted with a vote of 5-0.

Warrants signed:

Selectmen's order #8-2023	\$6,803.34
Selectmen's order #4-2023	\$80.74
Road Commissioner's order #14&15-2023	\$12,043.40
Road Commissioner's order #4-2023	\$1,398.90

Todd made the motion to have Vera sign the External Audit paperwork for 2022. Lance said that he was not sure that Vera wanted to sign it since she was not treasurer for 2022. He felt that she was uncomfortable signing it. Todd said that Vera has said that she would sign it if we wanted her to. Josh said that if the board is giving her the go ahead, then it is just as much our responsibility as we are telling her to sign it. John seconded the motion and the motion carried with a vote of 5-0.

Visitors- Nigel Churchill said that he was meeting with the board solely to voice concern about the public welfare of the town roads from aggressive domestic animals. He said that he wants to know what's going to be done about this since we shouldn't have to be afraid of riding the back roads and we should not expect to be attacked by wild animals. He said that if he was a kid, he would probably be dead. Lance said that last week Nigel was riding his bicycle on the 1st, on Witchcat Road, around 3:30pm, and Eric Wunderlich's two German shepherds attacked him in the road and dragged him off his bike. Nigel said that he has 37 open wounds from the attack. He said he called the State Police, and they said it was not their jurisdiction. Lance said that he called the State Police also, and said that he would go up, but they told him not to. They said that he has not been trained and can't write a citation or approach him. Lance said the police booted him down to a Trooper Farmer and she said that she was sorry, but she could not respond since she has not had this training. She advised that we look into a neighboring town's animal control officer. Lance said that he contacted Enosburg's Animal Control officer, Dorothy Prescott. He said that he discussed it with Josh and in this case, we are asking her to handle this. Nigel said that the owner of the animals was there and pulled the

animals off him. He said that he went back after the incident to get the rabies certificates and he was shown two tags, one of which was out of date. He said that there was no paperwork to prove that those tags were connected with those dogs. He said that he was putting his health at risk. He said the doctor said that he probably doesn't need to go through the rabies vaccinations, but it is a risk. Todd said that Ginger can help to write a report and turn the paperwork in from the town. Lance said that there have been other incidents with these dogs. The Animal Health Officer from NY called the town office to see if the dogs had been licensed, after the dogs bit someone at the Walmart Automotive Center. Nigel said that he was not bitten, he was attacked. Terri said that we can't have those dogs...Josh said that we can't do anything, we have not been trained. He said that Lance called me, and we need to have this done. Todd made the motion that the town work with Dorothy Prescott on this case and work toward getting her under contract to act as our animal control person. John seconded the motion and the motion carried with a vote of 5-0. Terri asked what the animal control officer charged. Lance said \$25.00/hour and \$10.00/day for boarding and also charges for mileage, if excessive. Todd asked how much of that gets charged to the owner of the dog. Lance said that that is a civil suit. Nigel said that there should be legal ramifications for someone who doesn't control their dogs. Todd said that we need an ordinance. John said that we should be able to write that into the ordinance to recap some costs. Terri said that there is no enforcement. Lance said we don't have a leash law, but the owner must have the animal under control. They are not allowed to enter roadways or to chase anyone from off their property. Lance said that sometimes we catch people to register dogs after we have had an incident. Nigel said that these dogs have been there for a while. He said that the neighbors, the Duponts, brought him home. He said the only witnesses were him, the owner and the dogs. Josh said that we have a pic of the tags and we will call the vet and see what dog that tag belongs to and see if it belongs to the same dog. Josh read the tags- Paws for Thoughts Tag #028089 with an expiration date of 2022. The Blue tag #19-079 dated 2019. Tami to call and check on the tags. Nigel said that the dogs need to be observed for 10 days to make sure they stay healthy. Lance said the dogs were seen today as they were out. John said that he would go up. Terri said that we just hired somebody for \$25.00/hour so let her do the job. She said that 3 times these dogs have attacked. Todd said that the health officers should be notified and do the report. This needs to be reported to the State. Josh told Nigel that something was being done.

John said that he tried to get a hold of the owners of a dog on Rt36 in response to the email that the board received. He said that he spoke with the brother and has not heard back. Terri said those dogs are usually contained with an invisible fence.

Lance said that if the board wanted to hire Dorothy Prescott for the rest of the year. She said that it would be \$5.00/day for cats, \$10/day for dogs and

\$0.56/mile for mileage. There would be a bill for any food and a monthly retainer of \$325.00, based on 3 calls a month, and \$25.00/hour. Terri said that if we are going to pay for someone, then maybe we can get someone in town. Josh said we would have to get them trained. Lance said that nobody wants to do it, we have tried for years. He said the constable has always been a paid position. Josh said that we are looking at \$325.00/month plus fees and asked if we should look at our fees. John said that our fees are way out of date. Todd said we need to update the fees, and Terri said to redo the ordinance. Josh said that if we have somebody to enforce an ordinance, we should have our laws up to date and efficient. John said that our ordinance is 23 years old. John asked that if we put her under the stipend of \$325.00 for April, whether for three dogs or zero dogs, for the dog bite incident, is it the first that gets charged is the stipend and it is \$25.00/hour until the stipend is used. He said that would be \$25.00/hour for 13 hours, so the first 13 hours would be covered. So, if she works for 15 hours, then we would owe her for two hours. Lance said he believes that is correct. He said it's a flat rate for up to 3 dogs, and then boarding, travel and food. John said that some sort of report needs to be filed. Josh said when there are tickets to be written, the dog catcher should be quick with the ticket book as the tickets will help offset the monthly cost. Todd asked who they would come to with the ticket. Josh said they would come to us, the Select Board. John said they must rewrite the fees ASAP. Todd said they should ask Dorothy what the fees are in Enosburg. John made the motion to offer a contract to Dorothy Prescott, with the numbers as stated, as the Animal Control officer for Bakersfield, for term of 6 months and then each party can reevaluate. Todd seconded the motion and the motion carried with a vote of 5-0.

The board said that Kevin Curly called up about registering his dogs and said that he works the same hours during the day, and he has a hard time to get to the town clerk's office and asked for a drop box. Todd suggested a slot in the door. Josh said the drop box could be for many things. The forms are on the town website, and they could drop off a check and the form in the drop box. Josh made a motion to put a slot in the door. John said that his concern was that the door had a big pane of glass. You would have to have lock sealed box off the other side of it. Terri said we have to look and see what's available. Terri said she would take a picture of the lockbox at Fairfield. The board decided to continue the discussion after more research.

Roads- Josh said that Mac was not able to be here tonight, but we can text him. Terri wanted to know what they did to Waterville Mtn Rd. She said that she called Mac on Friday. John said that he thought they were working on the Roads on Friday. Todd said there was a ditch with water running across the Waterville Mtn Rd. Dan said he checked the road today and it was looking pretty good, just muddy. Terri asked what about the washout. Josh said that the water comes down the hill so fast that the water goes over the culvert. Dan said it isn't worth going up there, it is easily passable. The washout is only a

couple inches deep. Todd said that we need to put up signage to warn people going up there. Josh texted Mac and asked if he could put up a couple of cones up on Waterville Mtn. to warn travelers. Josh said that Waterville Mtn is a class IV road from the bottom of Bear's Den Hill to the top of the hill. Mac said he would put up some signs tomorrow. Terri said that she was impressed with King Rd. Josh said that they have been hauling stone for about a month and he's been very impressed with how it looks.

Josh asked for a treasurer update. Tami said they have had no more applicants. Josh said that someone reached out and wanted to know the pay. He asked what their skills were, and they asked what the job entails. John shared an email from VLCT answering the question that he had asked them regarding whether the board could change the treasurer's pay from salary to an hourly rate without having to go before the voters. The board also received an email from the secretary of state's office responding to the same question that Maria had sent, saying the town should check with their attorney or the VLCT attorney. VLCT said they believed the board had the right to change to an hourly wage for the appointed position without a town vote.

Grant writing proposal- John said he had forwarded an email to the board from Alex who sent a couple of drafts of proposals and asked if they had had a chance to look it over. Terri said she couldn't open it. Todd said that he noticed that one proposal was for a trial period and another for a full contract. John said that the board has already discussed and decided to give him a short-term contract to see how the first comes out. John said that Alex is looking for 8 hours/week for around \$20,000.00/year. Todd said to tell him to do what he can do, and we'll go from there. Lance said that he was comfortable with a short-term contract until we see what he can do. Josh said we do have other people in town that write grants. Josh told John to reach out to Alex and tell him that the MERP grant is the grant that we would like him to pursue. We'd like him to apply for a grant to replace the heating systems of the Town Hall, both town garages, and the library. Josh said we will need somebody to come and give us a quote on all four buildings and we'll need John to get back with the heating companies. John asked if we are going to go with oil or something else. Terri said the library would do good with a heat pump since it is a small space. Josh said any good heating installation company will give us good advice on this. John said if we do put in an electric boiler in the Town Hall, we need to update the electrical service first. Lance said we should get Efficiency Vermont to come and give us a plan. That should be our first call. John to call. Todd said we should go for a total energy efficient update.

ATV stickers- Tami asked the board about ordering ATV stickers. She said people are calling wanting to know if we have the stickers in for this year. She said that we sold under 200 last year, but we need a different color. Josh said if we order 500 again for \$75.00, and we sell 10 of them, they have paid for themselves. Tami said she would try to order 300 and see if it cost less and

then if we needed to order more, we could do that. The board said yes, and Tami will order the stickers.

Terri said that when the board voted, they voted to pay Tami for March 15th and then no more. John said that he made a motion at the last meeting to use Tami one more time to capture the notes of the ARPA meeting for April 4th and to be paid accordingly with the wage she had been receiving. He said I spelled it out. Terry said that she's going to have to read that again. Todd said that was why he signed it. Terri said she wanted to see the minutes from the last meeting. The board said they were just approved. She said the paperless minutes were not working. Tami said Terri can print the minutes off the town website to have a paper copy.

Brigham Academy Update- Josh said that he spoke to Patrick Schnell, the grant administration guy for the Brigham Academy grants and in the past, they were under the impression that Josh had to sign as Select Board chair. Josh said he is fed up with the site system and that Lance navigates it better than he does, and that Lance is the one that uploads all the info for the Brigham Academy anyway, so Josh asked for signatures from the board saying that Lance Lawyer and Kathy Lavoie, have the authority to sign for the Brigham Academy Reimagined project. The board signed.

The board asked if John got the ARPA proposals from Brenda. John said that Brenda said they were in a box somewhere at the Town office. John said that all the proposals were updated, so they had to be redone anyway.

Todd said that he thought that the board should have the Zoning Administrator update the board once a month on zoning matters in town. The board said that the treasurer's report is on the first meeting of the month, so to request that the ZA update on the second meeting of the month. Tami to add that to the agenda and notify the ZA. Lance asked if the board was going to request zoning hours and Tami said they were already posted on the white board on the Town Hall. Tuesday 3-5, and Wednesday 9-noon, and also by appointment.

John gave an ARPA update on video equipment. He said that he mounted the bracket to hold the video screen for zoom meetings, to the pole in the town hall. He said that he already had the TV mount but when picking up the two 5 inch u-bolts, no one was a Vaillancourt Repair to accept payment, so they billed the town's road account. Josh said that they will have the \$20.00 off payment made from the ARPA account vs the road account, when we receive the bill.

John said that he received the ARPA expenditures from 2022 that needed to be reported by the end of April. He said he watched the video, and all has been reported. He said we have \$389,000.+ and we don't need to report the interest

because they don't care about the interest. All is accounted for and reported so we are all done until next April.

Tami said that we have one elected auditor and two appointed auditors, all whom we are very thankful to have but none have acted as an auditor before and would like to take a class. Tami asked if the board would pay the fee of \$75.00 for an auditor class through VLCT. The board said yes. Tami also asked if they would pay for her Open Meeting Law class for \$10.00, as the Planning Commission had a lot of questions about the restrictions of the Open Meeting Law. The board said yes.

John made the motion that the board now move into Executive Session. The board entered Executive Session at 8:20pm. The board exited Executive session at 9:06pm with no decisions being made

Meeting minutes recorded by Tami Brennan.