

Bakersfield Regular Select Board Meeting  
April 11, 2022  
7:00pm

Meeting was called to order at 7:01pm by Josh.

Members present: Josh Goss (chair), Lance Lawyer, Brenda Churchill, Terri Gates, John West

Members absent: none

Residents/Guests present: Julie Wolcott, Linda Stanley, Mark Doremus, Mac Newitt, Josh Pryor, Tami Brennan, and via zoom, Lind McCall, Dan and Katie Forand, Rodney and Deanna Allen, Gary Booska, Danielle Atherton

Previous minutes: The minutes were posted on the website, but Tami forgot to email them to the Select Board members, so they had not yet read them.

Brenda made a motion to postpone approval of the previous minutes to the next meeting to give the board a chance to review them. Lance seconded the motion and the motion carried with a vote of 5-0.

Warrants signed:

Selectman's Order #8-2022	\$5036.11
Road Commissioner's Order #14&15-2022	\$19,126.20
Road Commissioner's Order #5-2022	\$861.35
Equipment Repair	

Finance- Board accepted the finance report and requested that Maria add that third column with the balance remaining in each category.

Gary Booska and Danielle Atherton met with the board via zoom regarding a Plowing bill submitted by Gary Booska to the Select Board. Gary explained that in 2019, Waterville Mtn Rd got washed out by the flood. Gary said that during the following winter, Julian met with the Select Board and said that he couldn't get out of his residence because of snow and the board told him to find someone to plow and tell them to keep track and they would be reimbursed with FEMA funds. Gary said that he plowed and kept track and never got paid. Gary said that when the bridge got repaired around July 21 that he contacted Julian. Gary said that he has been calling Josh Goss constantly about this and received no call back. Josh had the meeting minutes from December 30, 2020, and according to the minutes the board never told Julian to find someone to plow the road. Julian had expressed concern that the road had been washed out and he had lived there for 32 years. Julian had said that his neighbor Gary Booska, had been plowing since the town couldn't get their truck up there safely because of the washout. Lance said that he remembered that the crew couldn't get the tandem truck up there because it was too wide. Mac that it was unsafe to for the smaller truck to go up there as well. Gary said that there were big dips on each side. Julian asked the board if there was any way that Gary could be reimbursed for plowing since the town was unable to plow it. Lance wanted to clarify to Gary that the town has only received \$150,000.00 out of 1.1 million that we are to receive. Lance said that 100% of the

\$150,000.00 has been applied to the FEMA loan that the town has borrowed to repair the roads and that 2 ½ years later, the town is still waiting for reimbursement funds. Gary said that Julian said that he would be paid. Gary said that that is why he plowed, to get paid. Danielle said that Gary plowed from Jan. 1 to March 1, 2020, and that he kept track of every time he plowed and that he details on the bill the inches that were plowed. Josh read from the minutes of the December 30, 2019, meeting when Julian met with the board.

“Julian Desroyers returned to express again his concern for vehicle safety on East Bakersfield Rd, by his residence. According to the town map, Julian’s residence is on a Class III Road, and he said it had been kept up well during previous years. Lance assured him that as soon as the town can repair the road from the washout last October, the road would be kept up as before. The washed-out road is presently too narrow for the town trucks, making it dangerous for the drivers to plow the road. Julian expressed appreciation for his neighbor Gary Booska, who has been plowing this section of road with his own truck, along with his concern about what he would do if for some reason Gary couldn’t plow it. He asked if there could be some financial reimbursement to Gary for plowing when the town can’t safely plow. Lance requested that Julian ask Gary to keep a record of the times he’s had to plow, and the town would try to put that expense in with the FEMA request.” Dec.30, 2019 minutes

Josh said that we didn’t have the records at the time to submit to FEMA. Josh said that this needs to be a discussion amongst the board and that they are unable to give a direct answer tonight. Josh said that there is no record of Gary coming to a meeting to present a bill. Danielle said that you have it in your minutes that he was to keep track of the plow times. Lance thanked Gary for coming forward and plowing. He said that Gary was the only one that came forward at the time. Lance said to send a copy of the bill to Tami, and she will get a copy of the bill to the board. Danielle asked how long it would be before they heard something. Lance said that he didn’t have an answer. He said that we’ve asked our FEMA rep how long the reimbursement could take, and it could take months. Danielle asked how to follow up. Josh said that the board would take the invoice and look it over and follow up with a letter. Gary said that he didn’t volunteer his time and that it was dangerous to plow at that time. Lance said yes it was dangerous.

Fairfield Community Center- Linda Stanley and Julie Wolcott appeared before the board to provide information about the Fairfield Community Center. Julie said that 1/3 of all the activities we do have Bakersfield participants. 1/3 of the volunteers come from Bakersfield and put in 1386 hours in 2021. She said that 1/3 of those who participate in the meal program are Bakersfield Residents. Julie said that their Food Shelf has a different clientele but still 1/3 of those who benefit come from Bakersfield. Julie said that the numbers had surprised her. She said that they also have the outreach to the school and the

Full Tummies Program that provides vacation foods for families over Christmas, etc. Fifteen families receive meals in Bakersfield. Julie said that Linda began volunteering in January. They said that their Impact Report about the Community Center didn't make it into the Town Report this year. Julie said that the Community Center is grant funded and Donation funded. Julie asked the board if there was a point person on the board that they could contact if they had questions. Brenda asked when they had their meetings. Julie said on Tuesday. Brenda said that she would see them tomorrow. She said that she would buy a meal. Julie said that they not eating in person yet since COVID. The meals are heat and eat to go. Julie said that the Community Center is looking for a Board member from Bakersfield.

Linda Stanley said that Hannaford's is great and donates a lot of food. Terri said that her United Way goes to the Fairfield Community Center. Linda told Brenda that they hand out lunch at 1:30. Julie said that a lot of Bakersfield people got involved when it was a sit-down meal and then COVID changed it to a take, heat and eat meal. Julie said that they plan to begin congregate meals again within a month. Julie asked if they could advertise their services on the Bakersfield Town Website. The board said that Tami could take care of posting something the Community would like posted. Brenda asked if they accessed the Bakersfield Community Forum and the Bakersfield Community Facebook page to provide information about their program. They thought that they might get more exposure on those sites.

Mark Doremus met with the board regarding the NWSWD. Mark said that the term for the NWSWD representatives expire this year and Mark would need to be renominated by the Select Board to continue as the Bakersfield Rep. Terri made the motion to appoint Mark Doremus as the Bakersfield NWSWD representative. Brenda seconded the motion and the motion carried with a vote of 5-0.

Mark said that Green Up Day is coming, and they are still accepting tires. He said that we have to deliver them down to Georgia and notify them when we are coming so that someone is there to help unload them. The first 100 tires are free but after that he was not sure how much they would cost. He said that they have a moving market for the tires. He said that they had a Canadian purchaser once that fell through. He said we could take 100 down this year and 100 down the next year if we had someplace to store them. He asked if the Select Board would entertain delivery with the Town Truck. The board said if we can go down with a tandem load and cover the cost of the tires and the fuel. Mark said just for clarification, that we needed to call Georgia and get an appt to deliver the tires to make sure someone is there to help. Mac said if we could make the central collection point beside the green on Saturday, Green Up Day, and then Saturday afternoon bring the loader up and take them away, so no one sees the pile and drops off tires after the allotted drop off time, then schedule on Monday to deliver them.

Mark said that the filled Green Up bags need to be placed on the State highways because it is the State that picks them up. They won't pick them up

on the town back roads. Mark asked if the town picked up bags on the back roads and Mac said that pretty much all the bags get put on the State Highway and get picked up. He said there might be one or two that get left on roads but not many.

Lance asked Mark if the NWSWD was settling in well and were satisfied with the new North Station. Mark said that it was working very well, there are 3 lanes, and they have a good flow of traffic. He said that when it is really cold, the guy attending can go into the building to get out of the cold. Josh said that he took a load down to the transfer station in Highgate and he said that Bakersfield is much nicer and cheaper. He said that it was 2.00 for recycling and garbage is 1 ½ times what it is here. Mark said that when the landfill in Coventry fills up, then he wouldn't be surprised to see \$5.00/bag for garbage. It said it definitely will go up. He said that Coventry is a private operation, and they are accepting trash from out of state so he didn't think it would be long. Terri asked what we do about people in town who don't take care of their trash. Josh said that there is a process that we go through. They have had complaints of a bad smell and they notify the health officer, and the health officer investigates and reports it to the State. Then the State sends a notice giving the resident two weeks to resolve the issue. Mark said that recycling in Bakersfield is free for cardboard, paper, plastic bottles. John said that roadside trash pickup is 40.00/month. The board thanked Mark for his service to the town.

#### Road Report-

Mac asked the board what the division between Winter work and Dirt work was in the Road budget. The board said that it was \$170,000.00 for Winter work and \$130,000.00 for Dirt work. Mac gave the board some forms to sign. The Annual Financial Plan for Town Highways and the Certificate of Compliance for Town Roads and Bridge Standards. Mac said that the roads are looking good and that most of them are graded. He said that Kings Rd is kind of rough and if it is nice out we could grade it, but it keeps raining. Lance said that in the rain they would just be pushing mud around.

Josh said that he spoke to Mark and Mark said that for a grader, having 6-wheel drive will be a requirement. He said that he doesn't think that he could move what he needs to move without it. Josh said that was really good for them to know as they look for equipment. Tim Pudvah said that United John Deere had one coming in for trade next week. A 772g 2012 All-Wheel Drive version with 6-wheel drive and he said that if we were interested to let him know. Mark and Mac and some Select Board members could go down and check it out. Terri asked if we were still thinking about purchasing a Backhoe. Mac said that would be nice. He said we have a beaver problem on Barnes Rd in the middle of a culvert. Lance said that beavers were at it again on Cross Rd. Lance asked Mac that if we had a Backhoe, would we still need to rent the excavator and Mac said yes, they would. He said that they wouldn't be able to do all they need to do with just the backhoe. John asked what the price difference was between new and used. Mac said about \$300,000.00 for new vs. a good used 6-wheel drive should be around \$150,000.00-\$175,000.00. He said if it's at a

dealership, there would probably be a 20% markup. John asked about getting an all-wheel drive 4-wheel and converting it. Josh said that the Johnson grader had 6 wheels but only the back 4 were powered. The front two were not. He said that the John Deere has power on all 6 wheels. John told Mac that the lady who had put in a call about Egypt Rd, had called back to thank the crew for a great job. Mac said that they had taken up a couple loads of gravel and done some grading. Terri asked if we would trade in our grader and the board said that would depend on where we buy the grader or we could just sell it outright. They said that a sugar maker might be interested if they made their own roads. Josh asked Mac if the pager was working ok. He said that one of the bus drivers said that his page wouldn't go through. Mac said that he got it on his pager, but you can only leave a brief message, or it cuts you off.

**The board told all residents to be aware that when you page Mac, leave a brief message containing your phone number, your name and the road name and Mac will call you back. There is not space for a long recording.**

Mac said that he and Lance would be working on the Quarterly Report for FEMA tomorrow morning. FEMA said that they would now pay 90% of the cost, instead of 75% for the storm damage. He said that we will receive a check but that it is going to take time. Brenda asked if we could put the plowing job into FEMA. Lance said that he thinks we may be able to put the plowing job in at the end. Tami gave the board a copy of Gary Booska's invoice and Josh said that the board would discuss it. Terri said that she doesn't find the bill to be acceptable. She said that he charged \$200.00 for each plow no matter what the inches. The board said they would have to compare Gary's record of inches to what the Road crew had recorded for those dates in their records. John asked Mac if we ran plows when there was 3 inches of snow and Mac said yes, especially on a road like that. Lance said that Julian sanded with his truck and Mark was able to make it up there to sand as well. John asked if Gary traveled from Colchester to plow Julian out. The board said no that Gary Booska lives at the top of the hill. The board also said that they would check with some local private people who plow and get a few quotes to compare rates, and then they would get back to Gary. John said that his driveway was about 900 ft long and it costs \$40.00-\$50.00 to move the snow. Lance said that the area Gary had plowed was about ½ mile long.

Linda McCall gave the board the Historical Society's application for the ARPA funds. She said the packet contained a letter for what they need and also copies of denials for grants from Preservation Trust because of the loan that they have on the building. Brenda said that she will come to the Historical Society meeting this Wednesday morning.

The board signed a Town of Bakersfield building/Land use agreement with Sue Ann Coffin for the purpose of taking a test.

Josh asked the board if the board member's personal phone numbers were required to be made public according to VLCT. He said that board members

have received many calls to our homes during times that are not Select Board times. He said that it should be sufficient that the pager for the Road Commissioner is published. He said that the Town Office hours and phone number and the number for the town garage, are on the town website and that when people had issues that needed to be addressed, they should come to a board meeting when all the board is present, and it would be placed in the minutes for a record. John asked how people would get placed on the meeting agenda. He was told that they would call Kathy or Tami. Josh said that as a small town, having all our information public, we can get ourselves into trouble. Brenda said that she would contact VLCT on that but that she believed as elected officials that our contact information needs to be available to our constituents. She said that State public officials have their office numbers and cell phone numbers available. Terri said that is what the Town Clerk is for. Josh made a motion to remove the board members personal phone numbers off the town website. There was no second and discussion continued. Josh looked at the surrounding town websites...Enosburg, Fairfield, Montgomery... and no surrounding town had the Select Board members personal phone numbers on their town websites. Josh said that when he tried to contact the chair of the Johnson Select Board. He was asked to leave a message and the chair would be in contact with him. He was not allowed the chairs personal contact information. John said that the Select Board could have a Town issued Select board email as a way for people to contact the board instead. Lance said that occasionally he has been at the receiving end of petty complaints, but most call with legitimate concerns and they have a right to be able to contact people. Terri said to call the Town Clerk. Lance said we can take the information and put it on the next agenda. Tami said that people need to be able to contact someone other than the Town clerk outside of Town Clerk hours and that the Town Clerk's job description has nothing to do with Select Board Business. The Town Clerk is to maintain public records and access to them and has no authority to be involved in Select Board matters. Tami said that to ask someone with an immediate concern to wait two weeks until the Select Board meets again, without being able to talk to someone in the meantime, is not realistic. Josh said that he received a call last night at 10:45pm from a resident to say that there was a dog in the middle of the road. He said that in his house, a call that late brings the expectation that someone is in the hospital or worse. Lance said that the animal control officer position is vacant and thus filled by the Select Board. John agreed with Brenda that when she finds out from VLCT what they expect, then that is what we should do. John asked if the town had a leash law. He said that there are a lot of canines running all over the place. Terri said there is only a leash law in the village. John said there was a dog up on Butternut Hollow that came into his yard and had been gone from home for 3 hours and is never put on a lead. Brenda said that she will contact VLCT tomorrow to get an answer to their question about having personal phone numbers of the board on the town website.

The board opened mail from the Dept of Librarians regarding the naming of the brooks in town that bore no name. Pat Evans had told the board that the Conservation Commission was going to go back and review the proposed names for Heron Brook. The board said that they would postpone action on this until they hear back from Pat Evans.

East Bakersfield Culvert- Brenda said that the board had wanted clarification regarding the offer of a design to replace the culvert on East Bakersfield Rd and had received that clarification from Luke Brisetti. Brenda said that it looks like a good idea to have it done and have it in our file cabinet for future use. Josh agreed and saw no reason not to accept their willingness to create a design at no cost with no obligation from us. Brenda made the motion to contact Luke Brisetti and move forward with his proposal. Lance seconded the motion and the motion carried with a vote of 5-0.

**Josh said that we have had some complaints about ATVs and reiterated that the roads are not open at this point. The ATV ordinance defines the opening of the roads to be May 1<sup>st</sup>. If you have ATVs on the roads now, you are on them illegally. Please stop! We don't want to close the roads to all ATVs.**

The board asked Tami to amend the ATV page on the town website to include the statement that all returned checks for non-sufficient funds, that had been written to purchase ATV stickers, would receive a service charge due, equal to the amount charged by the bank.

The board opened the unpaved roads on the West side of Rt 108. Josh said that he saw no issues with opening the West side. He said that they are being used now anyway. He said that they would add NO ATVs signs to the roads that remain closed to ATVs. **They will keep the Avenue closed.** ATVs can come down Egypt Rd. **And they will close Brigham Academy Lane.** Someone said that there were too many ATVs that were riding the trails that were parking their trucks and trailers at the school. Terri asked if the school prohibits ATVs and snow machines. Lance said that the school principal has given a couple of students permission to cross school property. The board said that if a town road is closed, then it is closed to ALL ATVs. A resident on a closed road, if he chooses, can ask to cross private land to access an open road, that is up to them. If you need access to RT 108, we request that you use Egypt Rd.

Lance made the motion to open all of the **UNPAVED** roads on the West side of RT 108 and riders to keep in compliance to our ATV ordinance. Brenda seconded the motion and the motion carried with a vote of 5-0. Josh and Lance asked Mac to order a couple of NO ATVs signs and to place them on each end of the Avenue and at the end of Academy Lane. Three signs total.

External Audit- Tami said she sent the letters out again to the accounting firms that we originally requested audit quotes from, with the exception of Sullivan

and Powers, the firm that responded with a quote. The board tabled this item until responses are received.

Town hall Furnace replacement- Josh asked the board at what temp the heat pump began to lose efficiency. John told that he believed if he remembered correctly that it was at 10 degrees and below.

Building Use Permit for Sue Ann Coffin to use the Town Hall for an exam.

ARPA funds- The Dept of Treasury has updated the Final Rule and John attended the meeting. Within the last two weeks they have made modifications to the Final Rule. In a nutshell, they are recommending that we should only spend the funds for day-to-day operations. If you wouldn't use taxpayer money for something you intend to use the ARPA funds for, then you shouldn't use it. They asked if a grader or backhoe would qualify, and Brenda said those would be acceptable. Terri asked where this information was. Brenda said that it is right on the VLCT website. John said that VLCT meetings are recorded, and he will send an email and a link. He said that they don't give you much notice for a meeting.

Brenda made the motion to adjourn. Lance seconded the motion and the motion passed with a vote of 5-0.

The meeting adjourned at 8:53pm.

The next Regular Select Board Meeting is scheduled for Monday, April 25<sup>th</sup> at 7:00pm

Meeting minutes recorded by Tami Brennan.