

Bakersfield Regular Select Board Meeting
Monday, August 14, 2023
7:00pm

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

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

Members absent: none

Guests/Residents: Vera Lawyer, Mac Newett, Sue Ann Coffin, Pat Evans, Sharon Evans, Alice Foote, Mark Luneau, Dan and Katie Forand, Tami Brennan

Previous minutes: Todd made the motion to accept the previous minutes as amended. Lance seconded the motion and the motion carried with a vote of 5-0.

Warrants signed:

Road Commissioner's order #12-2023	\$4,384.64
Selectman's order #	\$11,738.11
Road Commissioner's order #10&11-2023	\$9,591.80

Finance- Vera gave the board updated finance reports. Josh asked if there was any update on the digital payment system. John said that the company wants us to fill out a form giving information. He said they asked about what we expected to receive for fees. John said he was unsure, people may pay taxes, permits, he wasn't sure. John asked Vera about what categories these would be paid into. Vera said that taxes would go into the General fund, zoning, clerk fees, liquor licenses, would all go into the General fund. She said the ATV stickers go into the road account. Vera said there are really only two accounts, the General fund and the Road account, with different categories in each. John said they need to draw the map and tell the company how many categories we need. John said some people may select the wrong category for their payment. Vera said that then the treasurer would have to sort that out.

Vera said that the town received the road money again from the state, that we usually receive in October. Vera said she thought it was because the state was sending it our early because of the flooding across the state. She said it was the normal amount, \$23,000.00. John asked if we have received our first bill from Fidium Fiber. Mac said the first one just came through at \$97.00. He said it came from Consolidated instead of Fidium. Terri asked why it shows negative numbers next to certain positions on the finance report. Vera said that there is no budgeted amount for those positions.

Josh thanked the golf course for putting up cones this last weekend to slow down traffic.

Mark Luneau gave the board a letter to read from his family and the listers also gave the board a letter regarding the Luneau property. Josh said that he hasn't been up to the property since they were up there in 2020. Mark said that he and his family met with the board in Feb 2020 on the issue of accessing their

property on Kings Hill Road and they left under the impression that something would be done. He said that now, 3 years later, they have the same issues. He said that it works well if the water stays low. Mark said that they are just suggesting that the board do something with that culvert, they are not asking for a road upgrade. Mark said that according to VLCT, Class IV bridges and culverts are the responsibility of the town. Mac said that the culvert up there is wide open, but the water is not going through it. He said there is a beaver dam below but it's not interfering with the road. Mark said that they got permission from the State fish and Wildlife Dept to eradicate the beavers, but you kill one and six come to the funeral. Josh said that the culvert is solid. Mark said that the ATVs up there have sloped it both ways and there is no trouble now but when fall comes and the water rises. Mark said that with the brook crossing, there are legal ramifications and best management practices. Josh said that we had talked about a culvert. Mark said that we don't have access to the heavy equipment that we did before. Mac said that the beaver dam is way out of our right-of-way. Mark said that the owner is in support of what we need to do. Lance said that the bottom line from VLCT is that the town is not responsible for Class IV roads. Mark said that for trails, the town has no responsibility. He said this is just a culvert, and this is an actual roadway #35. Josh said that the problem is that there is nothing wrong with the culvert and that through natural forces, the water pathway has changed. Mark said that the culvert was plugged and that caused the water pathway to divert. Josh said that was because of the Halloween storm but the damage didn't qualify for a FEMA repair. Lance said he wondered if someone were to take up some large boulders and smaller rocks, it would divert the water back to its original path through the culvert. Mark said that we tried to put some headers there to divert the water back in, but it wasn't enough. Lance asked if we could relocate the culverts with the natural movement of the stream. Mac said that they would have a problem getting fill there. Josh said if we take equipment up there and damage the truck could cause an \$8,000.00 repair. Lance said that this would set a precedent. Mark said that he understands about precedent, but VLCT is pretty clear about the requirements. He said that we are not trying to cause a problem. Todd said it's the law and there is no way around it. Mac said that the easiest solution would be to hire someone with an excavator to fix that. He said that the town does have the materials. Lance said we can relocate the culverts or put in a dam to divert the water. Terri said we need to study how the best to repair. Josh said there will be a solution. He said we will put our heads together for the best solution. Lance said if we put in a larger culvert, we would need to include ANR and a water study. Mac said that the culverts in place are now 3 feet and 2 feet. Terri said that we'll study and have the solution completed by fall. Mark said that Paul is up there about every two weeks, so he'll be around. Josh thanked Mark and his family for being patient. Josh said that we will have a plan in place that meets what you are looking for and we will have something in place to have that road to Class IV standards by fall. Mark said Thank you. Mark said that someone is cutting logs up there. The

board said if someone is going to log up there, they have to bring the road up to Class III Standards.

Josh asked Tami to add to the Road Agenda- Class IV roads to trails.

Conservation Commission- The BCC gave the board a handout of a time-line to keep them in the loop of what is happening.

John told Historical Society and any entity that received any of the ARPA money that we dispersed, needs to create a sam.gov account. Todd said the account is a contract for ID's. John said sam.gov will supply you with an ID. Josh said that might require another meeting. John said the town needs to have the ID since the money is coming from the general fund. John told Alice to get Tami the name of group that this check will need to be made out to. Alice said that our accounts will go through the town treasurer.

Sharon said that after the BCC applied to the board in April for ARPA funds and got turned down, they started pursuing grants and which, so far, all has to do with getting the assessment done first. In May, the Better Places Grant told us we needed an assessment before applying for grants. She said in June they applied for a Robert Sincerbeaux Fund Grant to be used to evaluate the condition of the historic carriage barn and a small garage. Charlotte Barrett from Field Services at Preservation Trust advised us to get assessments of all three buildings, which included the Hearse House. Sharon said in July, after getting permission from the cemetery commission to include the hearse house, we agreed. Sharon asked the board if they should pursue grants for all three buildings together. The board said yes. Sharon said she wanted to make sure that the BCC and the town were working together on the same thing. The grant is a 50/50 split between Preservation Trust and the town. Each would pay \$625.00 for the assessments and the reward letter should be coming in the next few weeks. The actual assessment will tell us what we need to do first on up to getting it restored. This is step one. Terri said that the Hearse House is under the authority of the town not the cemetery commission. Lance said the CC relinquished the oversight of the Hearse House to the town based on the deed. Alice said that the Cemetery Commission also wants this assessment as well and have given their ok.

Todd made the motion to pay \$625.00, out of the ARPA funds in the general fund designated for matching grants, Lance seconded the motion and the motion carried with a vote of 5-0. Sharon said they would be in touch when the letter comes. After the official letter arrives, then we can reach out to Jan Lewandoski to schedule a visit.

Josh said they do have Alex Barkley working on a test grant and hopefully will apply for more grants in the future. John said that the MERP grant is for updating the heating systems, etc., for four buildings and we'll see how this goes. The BCC would go beyond this. The board told the BCC that they were doing very well, and Sharon thanked the board for their support. Alice said that the NWRPC also have people in their office to apply for grants as well.

Lance made a motion to accept Julie A Hill to the BCC, the motion was seconded by Todd and the motion carried by a vote of 5-0.

Pat said that the park bench on the Common has improved the look of the park 50%. Todd said that Ivan Stone did work on that and is planning on placing more benches on the common. They are sponsored by the BCC.

Road Report- The board discussed excavator quotes. CCR said that if we get equipment from them and we need parts that we can't get within 48 hours, then they will give a loaner free of charge. Mike Howrigan met with the board via speaker phone and Mac gave the board Mike's paperwork and quote. Josh said when they last spoke, Mike had said they would take the older grader in trade and asked if Mike had a quote of what they would offer for the older grader. Mike said \$15,000.00. The quote was \$162,000.00, and the excavator comes with two buckets, a thumb, front blade, quick coupler. Josh asked Mike if the equipment went down, and we couldn't get parts within 48 hours, would they also give us a free replacement to use so we could keep working while we waited. Mike said yes, and that they would pay for transportation for both pieces of equipment. Mike said that all three of us here have apps and we will know when the equipment goes down immediately. Josh asked Mike if he had anything to sweeten the pot and Mike said they would extend the 3-year/3000 hour warranty to a 5-year/4000 hour warranty. Josh thanked Mike and said that the board was going to scratch their heads about this, and that Mac would reach out to Mike. Mike said Thank you and that we've been a Hyundai dealer for 10 years and don't plan to go anywhere. He said that Hyundai makes a good product, and they would be looking forward to a good relationship with the town.

The board said they would rather put the old grader out to bid and sell it outright and put it in the New Equipment Fund because they could sell it for more than \$15,000.00, or keep it and use it. The board said that the Beauguard bid was \$215,000.00. Mac said that CAT was also \$215,000.00, and this one that we're looking at is bigger. Josh said that the only thing that makes him nervous about SANY is that there isn't much history. He said the Hyundais have been around for quite a while. John advised the board to watch the video that CCR emailed over before making a decision. The board noted that CCR is charging for transportation and other fees, fuel, cleaning, etc. Terri said that she wanted to see Hyundai's agreement in writing before we agree to anything so that we know exactly what we're agreeing to. The board told Mac to call and have them send up the agreement to review. Todd said we can sell the grader outright. Terri said for \$15,000.00, we might as well keep it. Mac said we can run the old one and then we would not need to get the certain blades for the new grader. Josh said that we are at the point that if we think this is the one that we want to go with then we should pull the trigger on it because this is the time of year that we would need to rent one. Josh told Mac that if we need to call a special meeting to approve this, let us know. Terri said to check and see if we don't have a trade-in, if we could get a better price. Mac said he doesn't think so, since the quotes came in before the request of a trade-in, but it doesn't hurt to ask.

Jamie Curtis has asked the board if they can have the road crew cut some of the trees back on Pudvah Hill Rd, since there is not enough room for two cars to pass. Terri said there are some large potholes on King Rd. Mac said they would be grading there again soon. Lance said that he owed the town for 3 hours of use of the stump grinder. He asked the town to send him a bill. He asked the board if it was agreeable with the board that he pays for 1/3 of the bill for the stump grinder and the board agreed. Terri asked if Hyde's Hill was all good and Mac said that it's working nicely. Josh asked about Waterville Mtn Road and Mac said they put a 50/50 mix of stone on the hill. He said the excavator will clean the ditches out. John asked about the far side of Joyal. Mac said they pulled the sides in and put gravel over the top. He said they went back up with the grader and it was packed in good.

The board asked Tami if we had received any applications for the Road Crew position. Tami said they had had two inquiries but they both have families and Bakersfield insurance doesn't include families so they can't afford to work here. Since the board hadn't formally accepted the board's resignation letter at the last meeting, Todd made the motion to accept Dan's letter of resignation, John seconded it and the motion carried with a vote of 5-0.

Treasurer Update- Tami said that she had spoken to KBS, and they said that an accounting firm would charge about \$200.00/hour and Bakersfield couldn't afford it. She spoke to Youngs accounting as well and they said that they couldn't do it because of taxes. They would be unavailable from the end of January to the beginning of August. Tami said that the woman she spoke at Youngs said that she was going to check with someone who had their own bookkeeping business and let her know if the woman might be interested. Tami said she spoke with VLCT, and they said that we could have our treasurer enlist a firm to do some of our bookkeeping duties, but we are still required to have our own treasurer and our treasurer is required to look over the bookkeepers work and sign off on that work because it will be our treasurer who must defend an audit. Vera said that in that case it would be better to have the treasurer do the work themselves. John said that we should speak to neighboring towns to see if they wanted to pick up an additional town. John asked if the only way to get a part time treasurer was to look at moving when our taxes are due. Lance said that we can't set the tax rate until July because of the state. Josh said we could go to a fiscal year and do an 18-month tax. Lance said we tried that. Josh said we could try someone from the tech center as an intern here. He said that colleges offer internships. Lance said than in a year you could have the same problem. The board told Tami to check with neighboring towns and run the ad in the Burlington Free Press.

MERP Grant- John said we have done the paperwork and the next step is the covered tour. Mac has the keys, and they will contact and schedule with Mac. He said Vera gathered up all the fuel and electric bill for the four buildings for the last 3 years and that is all sent in.

New Mail- Josh said they have had a lot of people reaching out to help for flood damage and thankfully we didn't have any damage, but he put them in touch with the Gervais Farm in case they can help with crop loss.

Josh spoke on the letter from the listers regarding the Luneau property. The Luneau's were asking for a reduction of their taxes because their land was inaccessible. The listers felt that their assessment should be adjusted. So if we fix the access, then they can readjust it back. John said it is accessible for one season a year. We are responsible for culverts and bridges. Josh said that our blocked culvert was the cause of the change in the path of the brook. He said this is not going to be a quick fix. He said after this is fixed, we start trying to reclassify Class IV roads to trails.

Brigham Academy Update- Lance said that he got in touch with Kathy Lavoie and the interested party is still interested and still anonymous. Terri said we are going to give this person a deadline. Lance said he is not going to give anybody an ultimatum regarding Brigham. Lance said he needs permission from the board to have documents looked at by the town attorney in regard to the grant that will reimburse us for expenses paid so far. He said presenting these papers to Mike Gawne is the last step before applying for repayment. Lance said they are not long contracts, he thinks it will cost under \$500.00. John made the motion to have the contracts pertaining to Brigham and the grant reviewed by our town attorney. Todd seconded the motion and the motion carried with a vote of 5-0.

Boston Post Speed Limit Change Discussion- The board discussed changing the speed limit on Boston Post Rd in Bakersfield to 35 mph. John said on page 10 paragraph 3 of the documents regarding change of speed limit on town roads, it mentions that the town can do a speed study. He said that NWRPC does this for free. He said they put down strips for a week and measure speed, weight, etc., and observe. Josh said the Sheriff's office also would be willing to do that. Josh asked if they could do multiple studies, one on the flats and one up on the hill. John said this is a free service to get the speed and the data and then we can make a motion. John said he will see if we can get two studies done back to back. He said NWRP will just record the data and send it over. Josh said that the way he reads the speed limit change procedures, the board can change the speed limit without the study, but the study would back us up. He said we don't have to advertise or publish the change and those who want to make an appeal to the change have 60 days to get 5% of the voters to sign a petition to appeal. Josh asked Tami to add Speed Limit change to the agenda under roads until this is finished.

Todd made a motion to go into Executive Session to discuss employee health benefits. The board requested that Mac stay. Terri seconded the motion and the

motion carried with a vote of 5-0. The board entered Executive Session at 8:54pm.

Lance made a motion to exit Executive Session, John seconded the motion and the motion carried with a vote of 5-0. The board exited Executive Session at 9:18pm.

John made a motion to adjourn the meeting and the motion was seconded by Todd and voted to accept by a vote of 5-0. The meeting adjourned at 9:20pm.

Meeting minutes recorded by Tami Brennan.