

Bakersfield Regular Select Board Meeting
August 28, 2023
7:00pm

Meeting called to order at 7:02pm by Josh Goss.

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

Members absent: none

Residents/Guests: Linda McCall, Jason Young, Alan B. Cook, Mac Newett, Daniel Marcotte, James Monette, Dan Forand, Katie Forand, Tami Brennan

Previous minutes: John made the motion to accept the August 14th and the August 22nd meeting minutes as written. Todd seconded the motion and minutes were approved by a vote of 5-0.

Warrants signed:

Road Commissioner's order #12&13-2023	\$28,753.56
Road Commissioner's order #13-2023	\$263.04
Road Commissioner's order #03-2023 Excavator	\$162,000.00
Selectmen's order #17-2023	\$10,145.72

Todd made the motion to enter Executive session to discuss information regarding the open road crew position. John seconded the motion and the motion carried with a vote of 5-0. The board asked Mac Newett to remain and participate in the Executive session. The board entered executive session at 7:03pm.

Terri made the 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 7:17pm. The board stated that there was no action taken during executive session.

The applicants for the Road Crew position met with the board for a question-and-answer period. The board said that they intended to conduct interviews face to face. The first applicant asked the board about health insurance and expected wages. Josh said that at this time, the road crew insurance was only a single plan with an 80/20 split. He said that the board is currently looking at plans and premiums to see if with the budget that we have, we can do better for our employees. The applicant asked about the hourly wage. Josh said that would depend on qualifications. He said that a Class B CDL was a definite and a Class A is preferred. He said that in our ad, it said that we would expect you to work towards a class A. He said that we now have an excavator, and we are looking for a trailer, and we need a class A to trailer it. The applicant said you can usually get away with moving it with a class B. Josh said but if we have a mishap and then we don't have a licensed driver would not be good. The applicant asked the title of the position. Josh said that it is part of the Road crew, he said that we do have a road description but it's on his computer and

he didn't bring it with him. He said the duties are basic road maintenance, snowplow operation, chainsaw operation, shovel work, etc. Dan Marcotte asked what the timeframe was that the board needed to fill the position from a necessity standpoint. Josh said that Dan Forand is retiring on August 31. He said that ideally this position was to be filled around August 1 so the new employee could ride with Dan and learn the job. He said they would like to hire by mid-September and the position is a full-time permanent position. Terri said that we know that the person we hire will need to give notice, so we hope to have them on fulltime by mid-October. Dan asked what the general hours/work schedule would be. Mac said that it is 5 days a week, from 7am-3pm. Mark said that they are on-call, 24 hours/day for the winter only. Josh said that on-call starts on October 1. Mark said that they are not on call in the summer so if the roads all wash out, you can't call us out to work. Dan asked how the equipment operation works; if specific people did specific jobs or everybody did all. Josh said you work where you're best fit. He said if you have excavator experience and you run it better than the crew or if you run the trucks well and spend most of your time doing that. Josh said if you're a younger guy and we need someone with a shovel in the ditch, it's all hands-on deck and you work where needed. Dan asked if there would be training on the things that they are unfamiliar with. Mark said we'll show you how we do things and then you can do it the best way for you. Josh said that money would be discussed in the interviews. Dan asked if, with the certain wage and salary, can they expect a fair amount of extra work in the winter. Josh said that when we budget for the winter, it's based on a 48-hour week, which is not likely in the summer. He said in winter it could be 60 hours a week. Dan said then you could expect to make extra. Lance said that for a rough estimate in the last year town report, page 22, shows that the three employee salaries ranged from the low 50s to the low 60s. Mark said that we got a bit of a raise, so it might be a couple of thousand more. Jason Young said that he had a lot of hours in a truck but not on the road and no CDL. He asked how you go about getting that because he would like to do that. Josh said that one of the requirements is a Class B and the board hasn't discussed about hiring someone without one. Josh said he knows a lot about the process. He said you can go to ProDriver Training classes. He said it costs just shy of \$6,000.00 for a Class A. He said if you already can operate a machine you can go through a little quicker. He said that you could get the automatic transmission restriction but if we get another truck with standard transmission, it would be good to know that. Josh said that he can give Jason the contact info. Jason asked if you hired someone without a CDL, would the town be able to pay a portion of the cost. Josh said that is something we have not discussed. Jason said that he has moved a lot of trailers. Lance said that the last thing we need is for the DMV to drive up and see a loose chain or something and find our driver not licensed. Alan Cook said that he has worked for public works before, so he is familiar with the process.

Josh said that he hoped to see everybody within the next week for interviews. Lance said we don't go through this process very often, which is a good thing.

Josh asked Mark if he saw any issues with upgrading to a Class A license. Mark said he has no interest in getting a Class A. He said that he has done the job with a Class B for 20 years. He said he's been moving excavators for 20 years and never had a problem. He said if the board tells him that he has to get a Class A, that he will resign. He said that the town could opt to not get a trailer and then just hire someone to move the excavator. Lance said that is one of the possibilities that we are thinking about. Mark said that he used to drive over to Berkshire and pick up a trailer and come back and move the excavator and then take the trailer back. Mark asked how the Class A would be paid for. He asked if he would have to go drive a truck with a trailer. Josh said you could take our truck. He said that you would have to go to class, but he could use our truck and our trailer. Mark said he wasn't interested.

Linda said that Saturday, there will be a dedication of the Historical marker at the Bakersfield Historical Society, and they would like a Selectman to be present. She said that the marker was given to us by Vermont Preservation Trust and there will be an ice cream social after. The board said they would try to get someone there.

Roads-Mac said that they received the excavator and they played with it a couple of times and some codes came up and Pete's came up and looked at it. They said to power off and then on and the code went away. They think it might be a loose wire or connection. The guys started putting up the sand piles. Mark did some stump removal. Mac said it worked good and is everything we need. Mac said that Kathy put it on the insurance today. Josh asked how the roads look. Mac said not bad.

The board received a letter from a resident for installing a culvert. Mac said that there is an access permit for the driveway. He said that he told him that we were getting an excavator next week, but he didn't want to wait. He said he was going to do it himself and buy a culvert. Now he has sent a bill.

Mac said he's been looking at a lot of policies in the state and about 50% will maintain a culvert and 50% will not. Mac said we've never written a policy for that. Mark said that if someone asks us to look at a culvert, it's their opinion against ours. Mark said that should be a policy that we make. He said there are probably 200 culverts/driveways in town. He said it would probably be a good thing if they were not a burden on the town.

Mac said the water was still running through the culvert, and it was that the bottom was rotted out. He said it was not urgent.

Terri said the board should invite Granger into discuss the bill. Josh said that without a policy in place, we don't have anything to go on one way or the other. The board said that the bill opens a can of worms. They said they understand the frustration that Mr. Heinlein has but if everyone in town got frustrated and ripped up their property and charged the town, we'd go bankrupt. Lance said he was asked to wait. The board said that they do not see the town paying the bill at this time. The board asked Tami to invite Granger Heinlein to the next meeting to discuss the situation. Todd said that he feels that we need to get a

policy in place to put this to bed. If they are not satisfied with what Mac says, they must meet with the Select Board before taking action. Josh said if it's not brought before the Select Board, then the letter just becomes a He said, he said, situation, so it needs to be brought before the Select Board first. If there is a disagreement with the Road Crew, then they must appear before the Select Board. The board said that a homeowner cannot submit a bill to the town without prior approval.

Terri said that we shouldn't have told him to do the work. Mac said that they didn't tell him that. Mark said that you need a permit to work in the Town Right-of-way. He said that is state mandated, the town has to sign. Mark asked why a logger doesn't need a road access. The board said they are same as farmers. Ag doesn't need a permit. If a culvert is Ag related and still being used in an active Ag situation, then leave it. If it's failed and hasn't been used in 20 years, then take it out. Mark said that you need a policy for that. Josh said yes, we do. Mark said that have a hard time maintaining the roads with driveway accesses that have been put in and not permitted and been put in wrongly. Lance told Mark that when we do make a policy, that he would like Mark to be involved because his input is valued. Josh said that they are not denying that the culvert needed to be replace, but we seem to agree that it should have been handled differently on both ends. Mark asked what authority is it that the Road Commissioner has. Terri said all authority. Todd said they just need an avenue to go to if they disagree with the Road Commissioner. He said we'll probably always agree with the Road Commissioner. Then they would come to the Select Board with the Road Commissioner present. Mark said as long as you have the policy. Mac said he told Granger if he didn't like how the culvert was working, that he could dig it up and see if it's no good. Mac said when he found it was no good, he could have come to us because he said he thought they had some culverts down there. Lance said that the initial culvert is to be put in by the landowner incurs the cost of putting it in to our specs, then it is the town's responsibility to maintain it. If someone says a culvert has failed, then the road crew goes out and makes the judgement. Josh said he has no doubt that the culvert would have survived until this week since there was still water going through it. Terri said we should pay him for the culvert. Josh said he went off and bought a culvert at Bates. He said we get a better deal, and we could have given him a culvert to our specs. John asked if the culvert that he placed up to our specs. Mac said yes, he did a good job. He said he used a 15inch black plastic culvert. He said that he didn't think it was a high-performance one so it may crush with sap hauling over it. John asked if we had a galvanized culvert down there to our specs. Lance asked if the original access permit specify the type of culvert. Mac said he thought the permit was old enough that it didn't specify.

Josh asked John if he had received the results of the Speed Limit Study by NWRP. John said, not yet, as they are still compiling the data. John said the state wants a copy as well because someone has called the state. He said he

expects it soon. Josh said the study is to help with the speed limit change, but not to determine if we change the speed limit.

Class IV Roads to Trails discussion- The board said that they have received more info and they have also received complaints and comments about the road repair. Josh said that he looked through VLCT and he could not find the statement at the bottom of Mr. Luneau's paperwork anywhere. Lance said that the packet that we requested regarding Class IV Roads and policies include Chapter 10 on Highways and Bridges in the Select Board handbook and info sheet have been provided here. Josh said he looked for road policies for our town and if there were any in place before the 5-member board, he couldn't find any of them. He could only find some in the town plan which is a guiding document. He said Class IV Roads receive little to no maintenance. The state says they are to be maintained to the benefit of the municipality or an excess of public request. The board said that one parcel at the end of a Class IV Road is not an excess of public request or benefit of the municipality. He said he couldn't find the wording that said that a Class IV needs to be passable for one season a year. Todd said that St. Mikes students have complied information and there have been a couple of situations that have made it to the Supreme Court. The board said that what we do for some Class IV roads we have to do the same to all Class IV roads. We have 9 or 10 miles of Class IV. They said they have already had a couple of calls saying that they want theirs done next. The board said that he didn't want to cost the town any extra money or problems. Josh said it is in our best interest to adopt a Class IV policy sooner rather than later. Josh said a Class IV Road policy can be as simple as there will be no upkeep for Class IV roads. Mark said that is what was told to us when our Class IV Road failed to our camp 20 years ago. Josh said that he thought that adopting a policy is as easy as a meeting. Terri said that you have to create a policy, then bring the policy to the board and the board would adopt that policy as a first hearing. Todd said that they should confirm that with an attorney. He asked what the town of Enosburg has done to take their Class IVs and make them legal trails. The board asked Tami to look into Class IV Road policies in adjoining towns and bring their models to the next meeting, and to also look up policies on driveway accesses in other towns. Land reiterated what was said at the last meeting, that we work toward not having any Class IV Roads and we throw them up for legal trails, so not throw them up completely. John asked Mac if they are going to start grading soon. Mark said they have been grading here and there between rainstorms. John said that we are losing the sides of the roads on Witchcat and Joyal and on East Bakersfield Rd, they are getting to be washboard. Mac said that's what they have been doing. He said they did from Witchcat to Barnes Rd between the showers.

Update on MERP grant- John said that they uploaded the utility information.

The board asked Mac if they submitted the Stormwater Management for the pit. Mac said, yes. He said it needs to be done online but they tried to do it

online and the portal wouldn't let them do it. He said that Mark always files it quarterly by paper. Josh said we can look into getting this setup online. John can help. Mark said he needs some computer classes.

Brigham Academy Update- Lance said that invoices totaling \$43,000.00 have been submitted to the GEARS portal. The contracts with Kathy Lavoie of NWRP and Paul Dryer have been submitted to our lawyer for his review and he hasn't gotten back to us yet.

Employee Health Discussion- The board discussed what it would cost to offer a family plan to our 3 Full time employees. The numbers that Terri read off from a chart that she had from BC/BS were:

+Platinum plan for family with \$3000.00 deductible would be \$2794.69/month...

80% cost to the town=26,829.02/year....20% employee cost=6707.25 or 257.47/pay period

+Gold plan for family with \$11,200.00 deductible...80% cost to the town=22,430.78/year....20% cost to employee \$5,677.00/year or \$233.65/pay period

+Silver Plan for family with \$18,200.00 deductible...80% cost to the town=\$17,997.02....20% cost to employee=4,499.25 or \$187.87 per pay period

Terri said that she doesn't think at this point we can afford to offer a family plan. Terri said we should go back to looking at an HSA if we offer a family plan with a high deductible for day-to-day expenses. Josh said we could offer a flat rate of \$1,800.00/month for each employee. He said that for a single plan it would mean full coverage and people with families could choose their plan and put that amount toward the premium. Mark asked why they were willing to do this now for them and not for us. Josh said that we are looking at a lot of younger guys. Mark said they have been here 20 years and you took money away and now you are giving them more. Todd said he worked for IBM, and they took half his retirement away. Lance suggested offering \$1,200.00/month toward premiums, and they choose their plans. The board asked Tami to reach out to BC/BS and MVP and ask them if their reps would meet with the board to discuss plans. The board said they were willing to set up a special meeting for when the reps could meet.

John made the motion to adjourn the meeting, Todd seconded the motion and the motion carried with a vote of 5-0. The meeting adjourned at 9:10pm.

Meeting minutes recorded by Tami Brennan.