

Bakersfield Regular Select Board Meeting
Monday, January 25, 2021
7:00pm

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

Members present: Lance Lawyer, Josh Goss, Terri Gates, Sam Cribb, Gary Denton

Members absent: none

Residents/Guests present: Mac Newitt, Brian Pecor, Brenda Churchill, Rhoda McLure

Motion to accept the minutes from the Jan 11th meeting, with the correction of the new addresses due to the 911 adjustment are 515 North Main St. and 513 North Main Street, was made by Sam, seconded by Gary and voted to accept 4-0, Lance abstaining because he was absent at the Jan 11th meeting.

Motion to accept the minutes from the Jan 19th special Select Board meeting was made by Terri, seconded by Josh and voted to accept 5-0.

Warrants:

Road Commissioner's Order #3&4-2021	\$15,109.57
Selectman's Order #2-21	\$10,667.54
Selectman's Order #01-21	\$31.78
Road Commissioner's Order # FEMA	\$13,063.18

Rhoda McLure met with the Select Board to review the contract between the School and the Town regarding each party's responsibility for the School Generator. The Town is pay for the maintenance and the School is to pay for the fuel. Rhoda said that she would make sure that the maintenance man at the school fires up the generator once a week.

They also discussed the school parking lot. The School has traditionally contracted to have the parking lot plowed and the Town has sanded the lot as a courtesy. The school's contract with Ross does not include sand. Recently, the town was told that they could not use the gym for public use anymore, even though the town sands the parking lot. Traditionally, the town has used the gym for bereavement dinners etc. Rhoda said that she had no problem with the Town using the gym for public use, dinners etc, except for the current restrictions due to COVID. The board said that in order to sand the school parking lot, it would have to be early morning, before the arrival of vehicles, or in the evening, when the parking lot is empty. Mac said that early is fine if Ross has already plowed. Rhoda said she would check to see what time Ross was planning on plowing in the mornings. Rhoda also said that there were times that Ross did spread sand by hand. Josh said that the town should be able to keep sand on the bus drive even when there are cars in the parking lot. The Select Board told Rhoda to call Mac if there is an emergency, but to bear in mind that Mac's first priority are the roads for road safety for the buses. The Board asked Rhoda if knew of the town's agreement with the school to be used as a Red Cross shelter, and she said that she was. Lance said that he was

told at the door of the gym, they it was not available for use because they had basketball practice. It was noted that during, and after, the Oct 31, 2019 Storm, the gym was used for people to charge phones, get warm and dry and use the bathrooms. He would hate to have residents turned away at a time of need.

The board also spoke of the current project of a Canadian company working to convert the Brigham Academy into a Residence for Elderly Housing and that the project was still active and looking to move forward. Brigham is currently looking for a planning grant. The Vermont Historical Society, the NWRPC, the Preservation Trust and Frankly County Industrial Development Corporation all have an interest in the project. Lance said that this was probably the last chance that the Brigham building could be saved. The agreement with the school, regarding the Old Brigham Academy, was that the school could use one room for storage and that the school currently has three rooms full which will need to be cleaned out at some point. Rhoda said that she and Connie intended to go through the stored items and probably would scrap some of them and that it might be time for the school to move ahead and build a small storage unit. She said that last year the subject about building a storage area for the school was discussed and the School Board wasn't ready to build. The board also noted that the school budget keeps rising...over 17 million dollars this year.

The topic of students climbing on the granite monument in front of the Brigham Academy, placed by the Historical Society, was discussed. The Board's concern was one of liability if a student should get injured. Rhoda brought to the board's attention, that the school had been using the front lawn of Brigham for the students recess area since there was a need to spread out the children. Each class can only go to recess as one class, with no intermingling with other classes during recess due to COVID and the extra space was needed. The Board gave their ok to use the lawn to meet this need.

Rhoda asked the board if they knew where the property lines were that divided the school property and the Brigham academy. Lance said the line was about 10 feet north of the Brigham building and it ran straight to Rt 108.

Rhoda told the board to let her know whatever the Town needed and whenever they needed it and that she wanted to keep a good relationship with the board. The board thanked Rhoda and said that they appreciated her coming.

Discussion on the Budget warning-

Terri and Brenda Churchill had attended the Zoom meeting training given by Roger. Roger said that there should be a moderator and a host, who manages the attendees and a co-host who manages the chat box. The Host receives the questions from the resident verbally, to pass onto the Select Board and the co-host receives questions from the chat box and passes them on to the Select Board. When a resident is selected to ask their question on zoom, their microphone would be unmuted so that they can be heard and they would be seen on camera while they are speaking. Participants will need zoom capabilities to participate. Terri said that the School Board runs all their meetings on Zoom. The board asked Brenda if she would be willing to host the

informational meeting on Feb. 24th at 7:00pm. She said that she would and that she had spoken to Euen about working together.

It was also noted that most towns are having a second informational meeting as a follow up. Josh made them motion to hold a second informational meeting on Friday, Feb 26th at 7:00pm as a follow up to the first Informational meeting on Feb 24th at 7:00pm. The motion was seconded by Lance and approved by a vote of 5-0.

There was also discussion regarding a topic to possibly place on the ballot, brought to a Select Board member by a resident, and whether or not to place it before the voters on this year's ballot. After mixed opinions, Josh put forth the motion to add... "Shall the town of Bakersfield permit the operation of licensed cannabis retailers and integrated Licenses, subject to such municipal ordinance and regulation as the Select Board may lawfully adopt and implement?", noting that the town can add their own restrictions to it. Gary seconded the motion and the motion failed by a vote of 4-0, so the article will not be added to the ballot at this time.

There was discussion about electing a moderator but no moderator will be needed this year due to Australian ballot.

Brian Pecor came to inquire of the town about who was haying by the Gravel Pit because it looks like crap. Brian said that he and Gary Rounds were willing to hay it. The board said that they believed that the town had previously received 2000.00 for the hay, but that the first year, the hay would most likely be pretty junky. Brian said that he didn't want to pay anything for it. The town said that they would consider a two-year contract, the first year free and the second year would be whatever Kurt was paying in the past. Brian said that he would speak to Gary about it and let the board know. They also discussed the guard rails needed on East Bakersfield Rd.

Budget overview-

Winter work and Dirt Work will be combined within the line-item Road Work. The Truck line item is for two truck payments.

Terri brought forth the discussion as to ask the town to vote on an article to change the Town Clerk from an elected position to a position appointed by the Select Board. Lance read a portion from the State Statutes regarding the position of the Town Clerk along the lines of...as long as the Town Clerk maintains the town's records in a lawful manner, it is not up to the Select Board to dictate the methods of the Town Clerk.

Terri said that if the position of Town Clerk were an appointed position, the person in this role would not need to be a town resident and that would create a bigger applicant pool to draw from when the position is needed to be filled. Lance urged that the article not be placed on the ballot at this time.

Terri made the motion to add said article to the ballot... "Shall the voters of Bakersfield, authorize the Select Board to appoint a Town clerk as provided in 17 V.S.A. & 2651e, after the current term expires in 2024." The motion was seconded by Josh and the motion passed by a vote of 4-1. The article will be added to this year's Australian ballot. Terri also wanted to make sure that someone explained to Kathy that this had nothing to do with her and to assure her that nothing would change for her if the position changed from elected to appointed.

Lance made the motion that the board accept the warning for the budget for 2021 as amended. Gary seconded the motion and the motion passed 5-0.

Road Report-

Mac asked the board if they had decided on a preference for the width of Goat Path Bridge. The board asked Mac if the one lane, 16 ft bridge was wide enough to plow ok and Mac said that it would be. A one-lane bridge would cost \$595,000.00 and a two-lane bridge would cost \$790,000.00. Lance said the only other option that the town had was to modify the entrance at the north end instead of replacing bridge which could be a longer term solution since the bridge may have an expiration date of 50 years. Mac said that many bridges last much longer than that. The Board believed that most of the town would want the bridge replaced.

Terri made the motion to replace the bridge with a one-lane bridge. Josh seconded it and the motion passed by a vote of 5-0.

Lance asked the Board to review the Handbook for Vermont Select Boards section regulating Executive Sessions, especially that executive sessions need to be warned and anyone discussed in the executive session has a right to be there.

The board signed the Road Mileage form for this year's Road Mileage report to VTrans.

The implementation of using a pager service to reach the Road Crew 24/7 was discussed. Tami presented the contract terms given by CVC paging. Josh made the motion to order the pager to have the Road Crew give it a try. Sam seconded the motion and the motion passed with a vote of 5-0.

The Personnel Policy is to be printed off and signed by the Select Board tomorrow.

The Warning for the Ballot is to be amended and printed off to be signed by the Select Board tomorrow.

Terri asked about her zoning question regarding her neighbor's addition. Josh said that he pulled the 2020 zoning permits and did not see a permit but that all permits are valid for two years. An addition to an existing structure requires

a permit even if it is under 100 sq. feet, whereas a detached accessory structure of 100 sq ft or less and under 35 ft high, qualifies for an exemption. The setback for that area of town is 10 ft.

Lance read a letter from the neighbor out to the board. The Board said that they would turn it over to the new zoning board administrator to do a site inspection.

The Board discussed the warning agendas for the 24th and 26th informational meetings, at 7:00pm.

The informational agenda to start with article 4 and then go item by item, if there is discussion, they will address it and if no discussion, the board will move on. The meeting will last until 9:30pm. Brenda asked if the board was setting time limits on discussion for each article, per subject, per person...so that she could explain the expectations at the beginning of the meeting. The board discussed the possibility of asking Sarah Jo Marcotte to co-host as well or perhaps Sharon Evans, since each were familiar with Zoom.

The first informational meeting will be recorded and available on Northwest Access Tv for review. Then the second informational meeting will be for follow up and additional questions not addressed at the first informational meeting. The board plans to go through items 4-22, in that order until 9:30, and then recess until Friday at 7:00pm.

Josh will alert Roger that the town will need the zoom equipment for Wed, the 24th and Friday, the 26th.

Terri made the motion to go into executive session with Mac to discuss personnel on the Road crew at 9:37pm. The motion was seconded by Gary and the motion passed with a vote of 5-0.

The next Regular Select Board meeting will be held on Monday, February 8th, 2021, at 7:00pm.

Meeting minutes recorded by Tami Brennan.