

Bakersfield Regular Select Board Meeting  
Monday July 13, 2020

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

Members present: Lance Lawyer (chair), Josh Goss, Gary Denton, Sam Cribb

Members absent: none

Residents/Guests present: Marc Doremus, Brenda Churchill, Abby Miller, Kathy Westcom, David Westcom, Mac Newitt, Jamie Curtis, Larry Kryger, Tami Brennan

Motion to accept the June 22<sup>nd</sup> Select Board meeting minutes was made by Josh, seconded by Sam and passed by a vote of 4-0.

Warrants signed:

Road Commissioner's Order #7&8-2020	\$21,641.23
Dirt work	
Road Commissioner's Order #6-2020	\$1,155.31
Equipment repair fund	
Selectmen's order #17-2020	\$18,441.94

The meeting began by revisiting the minutes from the last meeting and agreeing to have Josh invite the president of the Northwest Vt. Wheelers Inc. ATV club to the next Select board meeting on July 27, 2020.

Update on the status of Crops being taken off Town Property by the Gravel Pit. Lance looked at the property with Clement and Larry Gervais and Clement said that they weren't interested in mowing it this year but would reconsider next year. Mac confirmed that Kurt Westcom was not interested in mowing it this year. The Select board agreed to have Neil Doane take the crop for free this year, to have it cut. And then would open it for bid earlier next year.

Kathy presented plans and construction needs to have a safe voting environment for voters and workers who are planning on voting at the Town Hall during the August 11 primary and November presidential vote. The Select board agreed to help construct frames of 2x4's to which clear plastic or vinyl shielding would be attached to create barriers that divide and protect both voters and workers.

David Westcom came to the meeting to discuss the change that he's noticed in the in the ATV scene. He's noticed that it now seems to be large recreational groups with large vehicles that have modified exhaust systems, loud Bluetooth speakers, road ripping tires that leave potato curls on corners. They are pretty disturbing and he came to ask what could be done to control and regulate the use of ATV's on town roads. The problem has gotten worse this summer and littering has increased over the last 2 years. Most of the ATV's have coolers attached to them with beer cans inside. The Select board discussed taking the non-road legal ATV's off the roads. Lance said the only roads closed in Bakersfield were East Bakersfield Rd, Boston Post Rd and the Avenue. The

Select board pointed out that only regular, insured, inspected vehicles and drivers over 16 with a valid license were allowed to travel club trails. The Select board encouraged residents to call the Sheriff's office consistently and continually until the Sheriff's Dept acts upon the complaints. The Town does have written ordinances along with the Vermont noise ordinance of quiet after 10:00pm, that the Sheriff can enforce. Abby will email a copy of our town ATV ordinances to the State Police. It was also noted that most law enforcement agencies have a "Do Not Pursue" policy for ATV's.

We do not have a contract with the County Sherriff's department or the State Police. The Select board has tried several times to get voter's approval for such a contract and it's been voted down every time. The question was raised as to modifying the Town Constable position, which is now vacant, to a more substantial position with proper training and extend to a 5-year term with a salary for legal enforcement for various issues here in Bakersfield. But there would unlikely be approval from voters for such a position. It was also pointed out that enforcement would also present a significant safety issue for a lone enforcer, especially at this time. Without voter support, the Select board's options for enforcement are limited.

The Select Board and residents attending, agreed that the first and simplest thing to do would be to take away the Open Road policy for ATV's. Josh will contact the Northwestern VT Wheelers ATV club president and ask them to come to the July 27<sup>th</sup> meeting to discuss these issues. Lance made the motion that if they do not attend, then the Roads will be closed as of that date. The motion was seconded by Gary and the motion passed by a vote of 4-0. Signs would be posted to that effect and a notice would be published in the newspaper. It was also noted that any law or ordinance is only as good as the enforcement that it receives. It was noted that the previous ATV club had a patrol posted each day on the weekend to monitor and make sure that ATV riders had proper insurance and licenses to travel the trails. The current ATV club has a contract with the County Sheriff's Dept to patrol ATV use on the trails and purchased an ATV for the Sheriff's Dept to help them do that. Currently, the roads in Bakersfield are considered trails.

The Select Board meeting recessed to conduct an RDAG meeting from 7:41pm to 8:06pm.

Marc Doremus gave an update on the NWSWD progress on upgrading the collection site on Main Street. They now have the cash drawer inside the fire Dept. building and would like permission to move a few other things inside as well. After discussion, it was decided to keep the Port-o-let outside on the Northside of the building. They are hoping to get the dirt moved and all done by the end of the month. Some discussion took place on traffic patterns as well.

Lance Boardman received a grant of \$1500.00 last year, for an Eagle project working with the Bakersfield Conservation Committee to make improvements to the Shadduck Mountain Trail by adding trail signs, benches, etc. This will

become a recurring project for the troop. There was also a grant received to plant a pollinator garden near the school. Dorothy Allard had given 250 acres to the Bakersfield Conservation Committee.

Property Taxes- Abby explained that the deadline for completion of the Grand List is typically June 4 but has been extended until August 15<sup>th</sup> by the state. There is nothing she can do toward Property Tax bills until the Grand List is done. And when she checked on the State website for our school district, our school district was not listed. She plans on reaching out to Jean Marie to see what's going on. The State offices are still only open one day a week. The Homestead declaration and Property Tax claims deadline has been extended to August 1<sup>st</sup>. Abby plans to attend the August 10<sup>th</sup> Select board meeting for the Select board to approve the Property Tax rate. Tax bills are due to the town on the first Monday of October which will be Oct 5<sup>th</sup>, 2020. State law allows 30 days from the date that the tax bills are mailed for the tax bills to be paid. Abbey needs the Grand list, the Homestead declarations, and the Education rates in order to process the Property Tax Bills. The State has issued a provision that municipalities can opt to waive penalties and interest on late tax payments up to Jan 1, 2020. While taxes are still due to be collected on Oct. 5<sup>th</sup>, after discussion regarding the impact of some of the tax payments coming in late, Josh made the motion to waive penalties and interest on 2020 property tax payments until December 1<sup>st</sup>, 2020. **The tax payments must be received in full at the Town Clerk's office by noon on December 1<sup>st</sup>, 2020 in order to have the penalties and interest waived. A December 1<sup>st</sup> postmark will not be accepted to qualify for the exemption.** The motion was seconded by Sam and the motion passed by a vote of 4-0. A letter to this effect will be mailed with the tax bills. Abbey will draft a letter for the Select board to sign at the time of setting the tax rate.

Road Report- Lance and Mac met with the FEMA engineers involved in 5 or 6 of the town projects...The Lost Nation Rd culvert; the bridge taken out to possibly be replaced; Jordan Rd; Waterville Mtn Rd; Cooked Brook; Belvidere Mtn Rd. The Agency of Natural Resources is really busy and suggested that we have a private engineer plan the repair and submit the plans to FEMA and they would reimburse the bill. Lance said the State of VT is still sitting on our Hazard Mitigation Plan. It has been submitted and is apparently sitting on a desk at VT FEMA. Lance is working on sorting that out. Abbey had prepared a spreadsheet with projected costs of repairs to submit to FEMA. Mac said we will probably need a subcontractor for the work on Waterville Mtn road and possibly others.

The Select Board went into Executive Session beginning at 8:51pm and ending at 9:21pm to discuss Budget preparation.

There is a need for a new Chairman of the Board of Civil Authority since the resignation of Emily Houston. The Governor's office appoints people to the BCA and will need to appoint a replacement.

Many complaints were brought forward regarding the quality of the present road side mowing. The discussion addressed the possibility of renting a tractor and mower for the town to use to mow or hire another contractor who had the proper equipment large enough to do the job well. Mac suggested talking to Dan about possibly contracting to mow roadsides for the town since he had the right equipment or possibly leasing his tractor to the town for this use. Abbey will print up a Contractor Service agreement for Mac to have the Contractor fill out, along with a W-9, proof of insurance, contractor services, and non-employee work agreement. No check will be issued until all that is done to prevent a workman's comp issue.

There was a complaint received that the stump in front of Brigham Academy is ugly. The proposal is to cut it down with a chain saw to the height of a picnic table. Josh said he will do it.

Gary made the motion to adjourn the meeting at 9:33pm, the motion was seconded by Sam and the motion passed by a vote of 4-0.

The next Regular Select Board meeting will be held at the Town Hall on Monday, July 27, 2020 at 7:00pm.

Meeting minutes taken by Tami Brennan.