

Bakersfield Regular Select Board Meeting
July 24, 2023
7:00pm

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

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

Members absent: none

Residents/Guests present: Mac Newett, Dan Forand, Katie Forand, Vera Lawyer, Dana Kittel, Carl Stone, Alan Lawyer

Previous minutes: John made the motion to accept the July 10th minutes as written, Lance seconded the motion and the motion carried with a vote of 5-0.

Warrants signed:

Road Commissioner's order #11-2023	\$801.82
Selectmen's order #02-2023 BCC	\$128.00
Road Commissioner's Order #7&8-2023	\$8,420.41
Selectmen's order #15-2023	\$23,736.19

Finance- Vera met with the board with an update regarding the proposed digital payment system. Vera said that they met with the company that would provide the service and we can have a machine in the office, or someone could pay online and enter their card number, but there would be no taking people's credit card number over the phone. Vera said it's too easy to make a mistake and then make us liable. She said that Kathy agrees. Vera said that there would be wording on the town website making people aware that there will be an automatic additional service charge of 3% on all payments using a credit card as a service charge. John said that the unit is free to us, and the 3% service fee is paid by those who use the service. John said that the company closes the books daily at 8:00pm. He said payments are pending during the day until the time of closing. John said that the only thing that would not be covered would be a printer. He said that they suggested that we use our big printer, but he said it would only cost about \$50.00 to get a printer that would print receipt size receipts, but that would be the only expense. This can take payments for the road, town account, and zoning, etc., anything that the board decides to take payments for. Vera said there would be no storage of card information. She said that we will not be saving any of that at the office. John said that we just need the approval of the board to move forward. Lance made a motion that the town move forward on acquiring a digital payment system. Todd seconded the motion, and the motion carried with a vote of 5-0. Vera asked John to help get things started. Vera said she doesn't expect that many people will pay their taxes with a 3% service charge added. But she said if someone forgets and has to pay their taxes remotely on the day that they are due, then 3% is probably better than the automatic 9% late charge the following day.

Vera gave the board tax rate information and the board set the 2023 municipal tax rate at .6436%. The state has set the 2023 homestead education rate at 1.4115%, and the non-homestead education tax rate at 1.7051%. This brings the total 2023 homestead tax rate to 2.0551%, and the non-homestead tax rate at 2.3487%.

John asked what the 2022 tax rate had been and Vera said that the homestead rate was 1.9887% and the non-homestead rate had been 2.2596%. The board said that was about a 7-cent/100.00 increase for homestead and about 9-cent/100.00 increase for non-homestead.

Josh gave each board member a Guide from the State of Vermont for Setting Municipal Speed Limits. He said he wanted them to read it over and at the next meeting we can discuss the speed limit needs of the town roads.

Golf Course- Carl Stone and Dana Kittel met with the board to discuss the golf course accesses by the board's invitation. Josh said that the conversation started out with a request from Todd for some signage which led to looking into who is responsible for signage. Dana said that they will pay for the signs. Carl said we'll do whatever you want us to do. Dana said that the Act 250 process that they went through when they expanded to 18 holes didn't say anything about signs when we met with everyone. Josh said that the agreement with the town when the Golf Course was established would carry over. Dana said that there is a crossing between 12 and 13, between 4 and 5, and an equipment crossing which the mowing and sand trap equipment goes across. Carl said they know the fast traffic on the roads and there is no way to police it without a cop. He said he didn't know anything about the painted lines until Todd put them on, but that he thought they looked great and that people will stay within that line and help keep people in that area. Lane said that the town signed an agreement that we will keep the standards of Vermont, and in order to have a crosswalk, we have to have a speed of 40mph or below. Josh said that these are not crosswalks. Todd said that they were not intended to be crosswalks, they are lines to guide the golf carts to cross at the best spot for the best visibility. Carl said that they would like the 35mph speed limit there. He said it should be. Allen Lawyer said that this morning there was a motorcycle that had to be going 85mph. Terri said that she sits on the deck on Friday nights and the speeds are terrible and it's hard to enforce. Josh said that he gave the board members a packet from the state, and he gave a brief overview of the info in the packet. He said that a municipality can change the speed limit without going to the people for a vote. He said they need to post it for 14 days in 5 places within the town and asked Carl and Dana if they were willing to have the Golf course be one of the 5 places. Carl and Dana said yes. He said it would take 60 days to go into effect and residents have 60 days to petition to appeal. He said the town can change the speed limit without a petition, but it takes a petition to contest. He said that he would propose that they reduce the speed limit to 35mph from Rt 108 to Birchway Rd. Sue Ann Coffin said in the chatbot that she had an issue with one set of the lines, you cannot see them coming

from one direction. She said that she had no problem with golfers, she just doesn't want it to promote a false right-of-way. Josh said that to the golf carts, the top of the hill is the best location to cross. Lance asked Carl and Dana if it was their intention to put up stop signs for their clients. They said, yes, that they will put up whatever the board wants. John also said that they should put in speed bumps at the road openings to slow the golf carts down. Allen said there should be a stop sign between 12 and 13. Sue Ann said that at even 25mph, that she feared that someone cannot stop fast enough if they feel they have the right-of-way, and that is just a concern she wanted to mention, and that she didn't want anyone getting hurt. John said that he, himself has had near misses as well as others. He said that he was happy that they were here. He said he doesn't golf, but he personally has had near misses. He said he does not travel 50mph on that road because he had a collision 2 years ago and since then, he never goes 50 on a blind hill. He said he was in favor of the 35 mph. Dana said that the Golf Course has been there 38 years and Carl and he have owned it for 28 of them, and there have only been 2 minor accidents and they were both employees that were crossing someplace else. He said that one was deaf and the other was older and was doing one side of the road and decided to come across to the other with the mower. Carl said that he doesn't disagree, but there are close calls everywhere. Dana said that they have owned the Golf course for 28 years and they have donated to Support your Troops, and When Trumpets Fade and the Luke Gates event. He said they have donated over \$250,000.00 so far. He said they have 20 employees, 15 from Bakersfield and they have never complained. Carl said they are more than happy to work with the board. They said that the 3rd entrance, the crossing at the top happened when they expanded to 18 holes in 2016. He said in 2000 they received their Act 250 for building permit. They said that Ruggiano was the engineer. They said in 2013 they applied for a permit to put lots up there but decided it was cost prohibitive. He said they did the engineer study and then backed away. Carl said it was their biggest mistake and lost about \$130,000.00 and told the town they were not going to do it. Josh said that Act 250 was permitted but not as a town access. John said that he spoke to Pam in the department in the State of Vermont responsible for and that Act 250 doesn't supersede the need for town approval for driveways and accesses. Josh said that permit application has already been submitted. Mac said that it was tabled until this discussion. Allen Lawyer said that the access part for the house was already there. Mac said it was, but it was a change of use, so it still needs town permits. The board said that they had signage for the roads, 2 Golf Course signs, 2 Golf course symbol signs, and 2 Pedestrian signs. Mac said they just need to order some of the arrow signs and 2 pedestrian signs with the reflective triangles. Josh asked Carl and Dana if they would be willing to put up cones during events. Todd said that they do but they get stolen. Carl said it was a good idea and they put up cones at both ends. Josh said as long as they are not affecting flow and not permanent. Mac said it's like Swiss and Bloom and for farms when they are going in and out a lot. They also have candlesticks for events with lots of traffic going in and out. Josh said that it is also not just the carts, but the mowers

going down the side of the road. Allen said we have no other way to get down there. He said they have a 4-foot-wide bridge, but the mowers are 8 feet wide for off road mowing. He said that they mow the side of the road and keep it cleaned up which makes a more visible access. Josh said that it is safer to have them go down to 2 and cross, moving with most traffic and have headlights on. Tod said they could add flashing lights. Josh said that would make them more visible. Allen said when they run the Kabota, they always run the 4-ways. He said he remembers the gang mower used to take up the whole road. Carl said that they are all on the same page and nobody wants to see anybody get hurt. Dana said that they will do anything. He said that Todd can order what we need. He said Todd loves to order. Josh asked that the signs be put up this next week.

Roads- Dan gave the board his retirement letter and Mac said that the board doesn't have to accept it:) He said Fairfield didn't accept one recently. The board congratulated Dan and said they hate to see him go. They asked him if he would consider per diam work or to be on call for big storms. Dan said he would if there was a FEMA event but not for snowstorms. He said he would be willing to cut trees.

The Board congratulated Mac on the birth of his grandson! And Lance also!! Mac said that Fidium Fiber had installed internet and transferred the town garage to a digital phone with the same number. He said that they have the voice mail working. John hooked up the free computer and the monitor that was ordered on prime day for \$159.00 and the keyboard and the mouse and John said that he supplied the HDMI cord. The guys are now able to get the weather down there, and they are working on a municipal roads grant.

Josh asked if they had gotten a chance to check out Waterville by Granger Heinlein. Mac said he is not sure there is a problem with the culvert, that they would have to dig to see. He said most of the water is coming down the driveway. John said that on East Bakersfield Rd and Joyal Rd, there are large rocks being exposed that need some gravel on top. He said the water is coming off the hill side and washing a trench.

Josh mentioned the Luneau property to the board. He said they spoke with the board about 3 years ago and the town was going to take an old culvert from Whitney Rd but then they discovered that the culvert was no good. He said the Luneaus are driving through water to access their property. Mac said they would have to do a Hydraulic study first. He said it is a Class IV Road which needs to be passable one season a year. Lance, Josh and Mac had visited the site 3 years ago when a biologist took a look. He said that they need beaver eradication. The Luneaus say they take one out and two more move in. Mac said he can put a culvert in there and build it up but it's going to wash right out again. Terri said that we need it passable one season a year. The board said this is not a seasonal stream. ANR says that for a culvert over 3 feet, there needs to be a water study done first. Mac said it is similar to Claude Sheridan's road that the board threw up to a legal trail. Mac said that Enosburg is getting rid of all of their Class IV roads and converting them to legal trails.

The board followed up on the Access application for the 3rd crossing at the Golf Course. The application fee has been paid. The board discussed if there should be any restrictions added. The board said they wanted them to keep stop signs at the golf cart crossings, like the state has on their trails, otherwise no other restrictions. They said that they keep the brush back well. The board all signed, Todd abstaining. Terri signed saying that she works for a subcontractor at the Golf Course but does not work for the Golf Course.

The board asked Tami to post the opening for the Road crew in the Messenger and the Courier. Hiring for a full-time position. Josh told Dan that he would like to have Dan work with the new hire and train until his termination date of August 31. The board spoke of distance requirements and possibly restricting the job to Bakersfield residence. Terri said she didn't want to do that. She said that she wanted them to be able to hire the best applicant within the distance restriction and not restrict it to Bakersfield residents. Tami said she would send it to publish in this Thursday and Friday's paper.

Josh addressed the Booska Plow bill update on the board agenda. He said that the board had said that they would make this right when the FEMA was paid off. Lance said that we do have some surplus funds from FEMA and the FEMA loan is paid off. He said that we still have some money coming and we've met that requirement. Josh asked if there any reason not to pay. He said it's been 4 years and they have been patient. Mac said that technically there isn't a surplus because we haven't paid back the road yet. Todd made the motion to pay the Booska plow bill for \$4,600.00 for plowing in the year 2020 from Jan 1st to March 1st. Lance seconded the motion and the motion carried with a vote of 5-0. Terri said she was not impressed with the invoice that we got because it was vague, but that she was not on the board when they agreed to this. Josh said that it had been a verbal agreement with no stipulations. Josh praised Booska for doing the job when the town was not able to plow there as there is a legal ramification for keeping Class III roads open. He said that an attorney bill would exceed this amount to have them research this. He said they would be more specific in the future. Mac said that the town does not have to plow Class III roads. The board asked Tami to notify Gary Booska that the payment would be on next week's warrant and to thank him for his patience and cooperation in helping the town.

Josh asked Tami to look into the possibility of having an accounting firm taking over the treasurer job, to ask KBS or AM Piesch.

MERP grant: John said that they have obtained the building info and utility info and Alex is filling out the appropriate forms for them to come up and inspect.

John asked the board if they might be interested in having a town Amazon prime account since materials were less expensive through Amazon and they would save cost on shipping. He wanted to discuss if the board thought that might be cost effective. Josh said that shipping is free on orders over \$25.00 even without prime. The board thought they could manage without Prime.

Josh made the motion to sign the Dispatch Emergency Service Contract. Lance seconded the motion and the motion carried with a vote of 4-0, with Todd abstaining since he is on the Fire Department. The board signed the Dispatch Contract.

The board looked over the Electrician's quote for extending service to the front pole for the TV monitor for zoom meetings. The board decided that they would use extension cords and a long HDMI cord with zip ties to extend the service to the pole.

The board discussed installing an Electrical Vehicle charging station and were going to look for grants from the state.

Josh asked the board members to read over the packet that he gave them on setting Municipal Speed limits. Todd said that they were supposed to annually revisit speed limits. Josh said the only thing that we can't do is to have town wide coverage of the same speed limit. He said that the two State statutes referred to in the packet are attached on the back and those would only come into play if there was a petition to appeal the speed limit change. He said this is no different than when we decided to charge for ATV stickers in order to ride ATVs on our roads. He said we can make a motion to change a speed limit, we just can't blanket the town. The board talked about a 35-mph speed limit for the whole of Boston Post Road and wanted the Speed Limit discussion warned for the next Select board meeting on August 14. He said that anyone wanting to petition an appeal would have to be a Bakersfield Town resident.

John made a motion to adjourn the meeting, Lance seconded the motion and the motion carried with a vote of 5-0. The meeting adjourned at 8:24pm. The next Regular Selectboard meeting is to be held at the Town Hall building on August 14, 2023, at 7:00pm.

Meeting minutes recorded by Tami Brennan.