

Bakersfield Regular Select Board Meeting
March 28, 2022
7:00pm

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

Members present: Josh Goss (chair), Lance Boardman, Brenda Churchill, Terri Gates, John West

Members absent: none

Residents/Guests present: Pat Evans (Conservation Committee), Luke Bricetti, Dan and Katie Forand, Vernon Boomhover (FNESU), Morgan Dambell (FNESU), Mark Doremus, Sean Pion (Northwest Fiberworx), Linda McCall, Josh Pryer, Tami Brennan

Lance made the motion to accept the previous minutes as written. The motion was seconded by Brenda and the motion was carried with a vote of 4-0 (Terri having not yet arrived)

Warrants signed:

Road Commissioner's Order #12&13-2022	\$9,127.00
Selectman's Order #7-2022	\$10,032.52
Selectman's Order #ARPA-2022	\$5,398.70

Finance- The board went over the treasurer's report and made a note that of the \$30,000.00 budgeted for Road Expense, we have already spent \$10,000.00. Lance said that they hadn't anticipated the price of diesel fuel would go up as high as it did. The board was going to touch base with Maria and ask her to join them at the beginning of one meeting a month for about 15-20 minutes.

Pat Evans met with the board on behalf of the Conservation Committee and gave handouts to the board. He said that one of our residents, Steve Jackson, brought it to the committee's attention that there was a brook in front of his house that he didn't believe had a name. The committee did research and discovered that it had no name and as well as other brooks in town that had no name. Pat said that this brook joins into Black Creek and Page Brook, that runs through the property owned by the Page family. Pat said that this unnamed brook flowed down from Menette's field, and the Committee proposed to name it School Brook. Lance said that that brook has been known locally as Bub's brook for the last 100 years. He said that the farm that the Stanley's own used to be the Spatford Place and was given to Tom Tupper, the adopted family of Jack Lawyer who ran the farm and lived on that property for many decades and his nickname was Bub. Lance said that the brook goes down Rt 36 and joins Page Brook on the Stanley property. Brenda asked if Bub had any living heirs. Lance said that he, himself, was an heir, Lance's mother and sister, and his children. Lance said that his father's name is on the school. Pat said the committee would have to reconsider the name in light of this new information. Lance said that he would excuse himself from any future votes on the naming of the brook. Lance said that the Heron Rookery used to be Jack and Eleanor's property. John asked if they had checked with Fairfield to make sure they are

ok with Page Brook. Pat said that it's either Page Brook or it's unnamed. Pat said there were other waterways in Bakersfield that were unnamed also. Josh asked Pat to look into the naming of this brook a bit more and then bring it back to the board. Lance told Pat that he would respect their opinion.

East Bakersfield Culvert- Luke Brisetti- Assistant Planner with the NW Regional Planning Commission- spoke with the board about the proposed offer of designing the project for the replacement culvert on East Bakersfield Rd. Luke said that the NWRPC has a corporate agreement with Fish and Wildlife and they have a list of projects and in prioritizing from those assessments, this project was identified. The Fish and Wildlife service would be involved in the design. Luke said that this would have no regulatory component and Bakersfield would not have to pursue the project if they didn't want to when the design was completed. Luke said that he could send pictures of the site to Brenda that is prioritized as a natural barrier. He said the culvert was not in the worst condition, but it was not in the best condition either. He said it was not directly in danger of failing but did not have a long life. He said the replacement plan would have the bottom of the culvert buried. Josh said since the Fish and Wildlife was funding the design with zero commitment over whether or not it gets replaced, then if the bridge fails in 20 years, we would already have a design. Luke said that Fish and Wildlife would fund 100% of the design and would check in with the town. He said the likelihood is that once the design is completed, funding opportunities were coming up and there was a pretty good chance that construction would get fully funded as well, possibly with a town match. Lance asked if it was a traditional corrugated culvert or a 3-sided bridge with natural stream bed. Luke said that the proposal was a larger corrugated aluminum pipe arch over with a buried bottom. He said that he could send out the summary with detailed information. Brenda said that thinking forward in the next 10-20 years or if matching funds become available, we would already have the design all set. Josh said that they could talk about it as a board with the Road Foreman and get back to Luke within the allocated time. Brenda said that she thought the funding was through the end of the year. Luke said the sooner the better, within the next 6 weeks. He said they were currently reaching out to engineers to submit proposals. Linda McCall asked if this was for Pender's dam on Brown's Pond Rd. Lance said no, that this was for the multiplate culvert by the old Snide Farm on Ross Brook. Lance asked Luke if the life expectancy of an aluminum cast steel multiplate or a precast concrete culvert was longer. Luke said that he wasn't sure and that he would get back to the board. Lance said that he believed that the precast concrete would be a longer lasting structure and it would be worth it to upgrade.

Sean Pion from the NWCUD-Northwest Fiberworx met with the board and said that he understood that Brenda had been keeping the board up to date about recent news. He said that they have been making their rounds to communities to give brief updates. Sean said that they now are working with 21

communities. He said the islands have joined over the last 6 months. He said they don't have plans to expand, and they have reached a point to move forward. Sean said that we have had a generation change and the need for universal broadband internet service was highlighted and made significant during COVID. Their goal is universal access with all the same level of service with a priority to the underserved. They will be beginning construction and implementation during 2022. He said that collectively, there are 29,476 premises, 2,574 have no connectivity, and 7,876 do not meet the FCC standard for Broadband. Bakersfield has 77% of its population underserved. Sean said the model is that NWCUD would build, own and maintain a Fiber to the Premise (FTTP) open access network which would create a marketplace to retail ISPs Telehealth providers. The why of Fiber Optic vs Coaxial/wireless is that fiber is future proof, has a lifespan of 50-70 years, has unparalleled speed and reliability. He said the cost up front over significant maintenance is low. Sean said the open access is publicly owned with an open infrastructure that several providers will be able to use under the same infrastructure. Sean was asked which towns will get it first. Sean said they are not locked in to how that will go but they would prioritize those in the most need. He said that Bakersfield is probably on the top 3 as to underserved. They are projecting construction to take 36 months and that will depend on the supply chain. He said there were nine other CUDs in the State doing the same thing. This is to be funded through State and Federal grants and commercial loans in the future. Sean said this would not be paid through your town's taxes. He said that studies of what can happen when communities are highly connected are property values increase and entrepreneurial opportunities increase. John asked if there would be significant charges to the end user. Sean said that the first ISP that they are working with is Google Fiber and they are committing to consumer pricing on par with other services. For 1 gig fiber, the service provider in our area is charging 150.00-180.00/month and google offers that same service for 70.00/month. There is a program called the Affordable Connectivity Program which is essentially for free if you qualify. He said our first ISP is the first domino and others are expected in the 4th, 5th, and 6th year in operation and they envision 4 or 5 on that network. Mary Kay Raymond out of Fairfax has come on as additional staff to help maintain control of the process and maintain ownership. What the CUD needs from the town is to work with Mary Kay to identify potential local distribution points from the centralized hub. We will need storage space for the material. John asked if the CUD would need 24/7 access to these buildings and what the power commitment to run the equipment and maintain our own power requirements. Would there be a way to separate power usage and would the CUD reimburse the town for the use of its power. Sean said that they would look for available space behind a municipal building. John asked about when the service leaves the building whether it would go over air to houses on power poles or if they would trench it under ground. Sean said it would go over air and they are committing up to 500ft materials and labor toward a dwelling. He said some people have 1000ft driveways. If there was no existing conduit, then the homeowners may be

responsible for placing the conduit. He said if House A is serviced by Google and House B is serviced by Comcast, the service would be a central service and then the individual providers would provide the users with electronics. The fiber terminal and meter would be provider specific, but the fiber cable would be owned by the CUD.

Brigham Parking Lot Paving- Vernon and Morgan met with the board regarding the Brigham Parking lot project. Josh said the board were hoping to discuss with you an option 3, paving the North and West side of Brigham Academy, restricting traffic and reclaiming the south end as lawn and how that would reflect the renovation of Brigham. Lance said that he spoke with Paul Dreher, the architect for the Brigham project, today and Paul said that in order to make this project work, we will have to reclaim the footprint on the northwest corner of the building...the structure that was torn down...in order to provide access to the new facility. That would be where the handicap access would have to go and would need a structure there. Vernon said that he had it surveyed today, and they have it nicely marked, and he knows exactly where Lance is talking about. Lance said as for paving the west side, it is not advisable at this point. This means we would only be talking about paving the north side, 16-20 ft, about a car length and that would be subject to heavy equipment, so there is no point to have the Brigham Academy property on the bid at all. And he asked Vernon to consider run off from septic, when they do drainage. There is no defined area as to where the septic is going, it is not yet designed. Lance wanted to make sure the parking lot footprint would remain as is and not be enlarged. He said the septic would be on the east side on the green or on the Fire Dept property. Lance asked if in lieu of paving, they could dig down 18" around Brigham and lay down a good stone layer no smaller than 1" minus stone with fabric. That would serve for drainage and people could still park there. Vernon said they could do that and tamp down the edges so that they don't break away. Lance asked Vernon about removing the contents that have been stored in Brigham. Vernon said that they would be removing all that over April break or soon after. They are having metal containers delivered as well. Josh asked Vernon is he could get them a copy of the survey and Vernon said he would get it to him. The board want to discuss if they will have the Road crew do the fabric and course gravel. Mac said if they do, it would be easier to do it during the paving when it's already dug up. The board said that they would need a quote to see what it would cost for the north and west side to be dug up to the same degree and laid with crushed stone to bring it up to grade. Mark Doremus asked if the clock would be restored. Lance said that the long-term plans are to restore the clock, but they haven't gotten to that yet.

Roads- Mac said the roads are still there and they've had a few break up. Two are kind of rough and they will put a pile of crushed stone down as soon as they can. He said that East Bakersfield Rd is actually good. It has some potholes and small bumps. He said they put 6 loads on Witchcat on the first day and then another. He said there is a small blister on Basswood. He said

they had put a couple of trench drains on Whitney last year and it's 100% better than last year. Josh said that he spoke to the bus drivers, and they said that all the roads are passable, and they are able to pick up all the students. Josh told them if any of the roads break up and they are not passable to get hold of Mac. Mac said that he thinks that at this point, the roads are past becoming impassable. He said that the rain helped pull the frost out. He said obviously they all need grading, but we can't grade until the roads firm up. Josh said that there were good comments on Facebook, good job on Waterville Mtn Rd., responses of praise for the Road Crew. Josh said that he called Johnson and the Johnson Select Board chair's phone number was not given to the public. He left a detailed message with the town clerk, but he has had no call back yet.

Lance said that FEMA contacted them again on the location of culverts that they have already been given at least twice. He said the woman working with us now asked about 3 culverts that have nothing to do with FEMA. He said there were work orders that did not go on the project on the same work order, multiple jobs invoice on the same invoice. Lance said in all defense she is trying to get us all that she can.

Mac said that he saw two pieces of equipment, a forklift and a drill, down by Goat Path bridge, so Blow and Cody must be getting ready to begin. Based on Tyler's hydraulic study, codes and standards dictate the need for a 6x6 box culvert. Mac said that Lance and he talked to Paul today and there are still questions up in the air. After this woman, it goes to the State Environmental and they have a month to respond, then it goes to Obligation. They said there was a misunderstanding on the part of Paul from FEMA. Until then, the state gave us 75% of 75% of the money expended already on the project.

Review of mail-

Swiss and Bloom application for a liquor license. A venue in West Enosburg does catering with Mark Laroche Cold Hollow Catering. The board had questions regarding why Swiss and Bloom were using a Bakersfield address and if they planned to serve alcohol at events at Mark's building. The board asked Tami to reach out to Angie Wright at Swiss and Bloom for clarification through an email and then the board members could stop in the Town Clerk's office to sign it without them having to wait until the next board meeting. Linda McCall said that there was a for lease sign on the Mark Laroche's building, maybe he is leasing part of it.

The board signed a liquor license application for the Jolly Store.

Terri asked why there was a zoom charge on the warrants and Brenda explained that that is the annual charge.

Terri asked about the \$5000.00 charge for the microphones, etc. to enable the meetings to be heard by those attending a meeting via zoom. John said that the

original proposed estimate that was approved by the board in February was \$15,000.00 to get microphones and supporting equipment needed so the microphones would work, and he was able to get it all set up for one third of that. This amount was covered by ARPA funds because the need arose during COVID. The sound equipment that we had last year didn't work adequately and town feedback was that it wasn't working, and they could not hear the meeting.

External Audit- Tami said that she had edited the External Audit request letter and left 5 hard copies in the Select Board bin for the board members to pick up and deliver as requested. The board asked Tami to resend the letter to the original accounting firms that she sent them to in January as a second request.

John spoke to the board about the VLCT trainings for open meetings. He said there was a lot of stuff in there. He mentioned that the Planning Commission agendas must be posted ahead of time as well. Postings are to be in three places. Minutes are to be posted within 5 days. He said that the NWRPC was doing another training on the third of April.

Lance said that it is important to keep good open meetings with the town. John said that hybrid meetings are approved by the State of VT until Jan 2023.

Concern was discussed about the Fire Dept not being involved in the consideration of Brigham Residence possibly using the Fire Dept property for septic. Lance said that the Fire Dept had said they were open to the consideration and want to be included. He said the FD pretty much volunteered at the beginning of the project. We want to keep them in the loop. The engineers want to do some test pits soon. Lance said the backup plan would be in front of the academy on the green. Tami asked what about the time capsules beneath the trees. Linda McCall said that it was not a myth and that all the Freshman classes planted a time capsule beneath the trees.

Linda McCall asked the status of the ARPA fund applications. She said that the Historical Society was waiting for the application. Brenda said that the application is done, that John just finished it. Brenda said she spoke to the administration at VLCT and there has been a change in distribution of funds and the application is not required anymore. The U.S. Treasurer issued the Final Rule just after John finished the application and the approved categories have become a very broad range of what we can use it for and how it is used. John said that basically the Select Board decides what the funds will be used for. Brenda said we want to use the money for things that you can't get money for from somewhere else. She said that one of the considered projects that have been brought forth from residents is Electric Speed signs. She said that the State doesn't want to patrol the speed and citizens with kids on Rt 108 are afraid for their kids. Linda McCall said that the town tried to get the speed reduced to 25mph but the lowest the State would lower it to is 30mph. The Historical Society should submit their request to the Select Board.

The board signed off on the completion of the Main St. project.

Brenda talked to the board about possible compensated staffing for selling ATV stickers. Brenda said that she is not going to be selling them on a Saturday this year. Brenda said that she sold a hundred stickers on a Saturday last year. She said that amount of sticker sales during Town Clerk hours are making it difficult for the Town Clerk to do the job she needs to do. Terri said that that is the job of the Town Clerk. Brenda said we can set it up for people to purchase stickers through the mail. They can order the stickers via mail by sending the needed information, payment and a SASE and we can mail it to them. Someone said we could sell them online. Brenda said that we don't have a digital payment to the town. Tami said the stickers should be here soon and they should be bright yellow. Tami said she would check on them again tomorrow. We can put the offer of using mail to order stickers on the Town website.

Josh asked Tami to put the discussion of what roads will be open to ATVs and which one will be closed, at the next meeting. Josh said that the board would like citizen input on that. And to put up 20 mph for ATVs signs.

John asked Tami to update the town website and remove the 2nd Monday meeting link and just have one link for Monday meetings. He said that we have consolidated all under one link for all Monday meetings including the Planning Commission meetings on the first Monday of the month.

Linda asked if the Select Board is sponsoring the CoOp store. She said that two Select Board members are involved. Brenda said no, the Select Board is not sponsoring the CoOp and that John has been involved in that project before he came to the Select Board. Linda said that the link is on the Town website. Brenda asked Tami to put on the website a single line saying that the access is informational only and that not all content is Town Sponsored.

Brenda made the motion to adjourn the meeting, John seconded the motion and the motion carried with a vote of 5-0. The meeting adjourned at 9:04pm.

Meeting minutes recorded by Tami Brennan.