

Bakersfield Regular Select Board Meeting  
Monday, May 23, 2022  
7:00pm

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

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

Members absent: none

Residents/Guests attending: Sue Sonski, Mark Doremus, Linda McCall, Mary Lumbra, Dan and Katie Forand, TOB, Mac Newitt, Tami Brennan

Previous minutes: Motion to accept the May 9 meeting minutes as written was made by Lance, seconded by Brenda and accepted with a vote of 5-0.

Warrants signed:

Selectman's Order #11-2022	\$9306.37
Road Commissioner's Order #02-2022	\$7990.40
Road Commissioner's Order #20&21-2022	\$10,855.55
ARPA order #2-2022	\$134.57

Finance: Lance had two comments. One is that the heating fuel for the substation garage is already 1700.00 over budget. The board noted that we are on auto delivery and there is nothing they can do about it due to the rise in fuel costs. Lance just wanted it noted. Mac had said at the last meeting that there had been money left in the Road checking account and he thought that, hopefully, they would be ok with the fuel. Second, that the truck payment shows as a deficit but that was because it was in the wrong column as the truck payment comes out of the Road account and is no longer a separate item.

Visitors- Linda McCall gave the board a report that she had typed up putting in bullet form what the Historical Society's request is for ARPA funds and why they are requesting it. She said that she had previously included this information in a report that Linda submitted to the board, but she said that she thinks that Lance is the only one who really understands because he was physically there to look. She said this new report explains why we went ahead and did the work. She said that the engineer report was delayed due to COVID. She said that you have to remember the Covid restrictions because we did not have the vaccine yet, so we didn't see the damage to the building until after the restrictions began to lift. She said that they did the work last year because it was an ideal time. Linda said that In order to do the work safely, the brick on the gable needed to be removed because it was falling off and was a safety hazard. That was an added expense and Richie had to use his lift which was extra but was cheaper than renting one. Phil Lumbra worked on the building charging just for materials and labor. There was no estimate, but Linda said that he treated us fairly. These extras added up to more than they had planned. Linda gave the board pictures of the damage.

Josh said that the question that he gets asked is that if the town has to pay for this, the town should have voted to repair it. Linda said that the building is owned by the Historical Society. Back in 1977, Emily Houston went knocking on doors and got the Historical Society going and we bought the building in 1998 for \$1.00. The building is not Town owned but it is a town organization and is used as a community center. People use the building for events and pay a fee, just like in Fairfield you can use the community center for a fee. It is a town building and organization but not a municipality building or organization, so it does not fall under the municipality insurance or its bylaws. It is a 501C3 Non-profit. Linda said that we had previously discussed repairs to the building in 2020 regarding the bulge on the East side but we were not expecting this further damage. Terri asked if they had received extra from the town at that time and Linda said no, they did not. They did not ask for the money then because they did not have any quotes. Linda said that the Historical Society tries to perform a service to the town and to maintain that building. Linda gave the board a report to read.

John said that in a prior meeting, Brenda had spoken of reinstating the subcommittee for preliminary review of ARPA requests, and then the subcommittee would bring their selections to the Select Board. Brenda said that on **Wednesday, July 13, the ARPA subcommittee would meet**. Terri said that she thought the board was not going to go that route. Brenda said that that is incorrect. She said the organization of ARPA processing falls to me as the ARPA administrator and it is for the citizens to determine the use of the ARPA funds. Brenda said that she had sent several emails updating board members of the most recent ARPA changes. Terri said she hadn't seen any emails. **Brenda said that she would like any of the Select Board members to attend the sub-committee meeting on July 13 and we will discuss how funds are to be used. This is an open meeting, and all community members are encouraged to attend and join in on the discussion. Brenda said that she would warn the meeting for all the town residents and post it on social media spots, the library, etc. Anyone can decide to come.**

Brenda said that the results of the subcommittee will be presented to the Select board by the subcommittee and the requests will be decided by a yes/no vote.

Roads-Mac gave the board a Road access permit for the board to sign for Parker Croft. He said that all was in order, and it was ready to be signed.

Mac said that the town had been awarded the grant from Better Back Roads for \$7200.00 to do the Category A Erosion Inventory.

We also received the matching grant for the Hydro seeder. It will be 6-8 weeks before it gets here. Costs just under \$8000.00 and the grant will pay 80%. Mac said that he checked with Bethany and as long as we get an invoice and pay it before June 30<sup>th</sup>, we should be good. We have until August to get a picture of us working with it.

Mac said that he signed off on FEMA project #693, so it is out of environmental, and it has gone onto the monetary people. He said that the

other two projects are still in environmental. He and Lance are still doing paperwork on Waterville Mtn Rd. Mac said they keep billing us for non-project expenses and attributing it to FEMA funds. FEMA requires Forced labor accounts with includes regular weekly stuff and it gets mixed in.

Roadside mowing- Mac will get a bid from BJ. Mac asked if we have a budget on that? The board said that they had discussed having 1/3 of the roads done each year. Terri said that she thought that we had equipment to mow the roadsides. Josh said that this is for the second-tier mowing, which would be the second 8 feet that includes small tress, etc., that are beginning to encroach the roads. Mac said that there was another person interested in giving a quote. Mac said that he told him that he would let him know as soon as we started accepting bids. The board asked Tami to write up an ad and publish it in the County Courier. Mac was asked if he had any top priority roads to begin on. Mac said Boston Post and East Bakersfield Rd. He said that we don't want him to begin where there are a lot of trees as we may need to knock some down for him to mow. We don't need roads with open meadows trimmed. Mac said we have about 41 miles of Class II and Class III roads, we don't mow the Class IV roads. Lance asked Mac if he thought that the state will require us to mow the Class IV roads at some point. Mac said he wasn't sure, they may at some point if they get really grown up.

Terri asked Mac if the pump on the back of the truck was nailed down. She said she was worried about someone using a five-finger discount. Mac said that it was lag bolted onto the truck and has been that way for the last 10 years. Mac said that is the pump for the Chloride. He said they had another load of Chloride delivered today and that we should expect to receive a second tank soon. The extra tank will be at no cost to us as long as we contract from them until a certain amount of time and then the tank is ours.

Flags- Mac said that to purchase the flags is going to be way over the budgeted amount. Terri said that the flag has come down by Grammy Gates. Mac said that we lost a lot of hangers last year. He said that it will be over a grand to order through the Armory and he and John had looked on Amazon. The flag budget is under the Memorial Day fund and is \$750.00, and that includes the little flags for the cemetery. Lance made a motion to pay the extra needed for the flags. He said that he feels obligated to get the flags up. John asked if that included the hangers. Josh said that if we put the money into good hangers, that is something that won't need to be replaced so soon. Josh said that he felt to extend the budget for the flags from \$750.00, to cover the costs of 30 flags for Main Street and for the poles with the metal holders to \$1100.00 or \$1,200.00 would work. He said the Honor Role should have 2-3'x5' flags on it as well. Lance made the motion to extend the budget from \$750.00 to cover the cost of the flags, Brenda seconded the motion and the motion carried with a vote of 5-0. Josh told Mac to work with John on the ordering.

John said that Rosalie had called him and asked him to come up to view the road run-off. He said that he took some videos, and it was the same thing as last September. He said she asked how many feet was required between

culverts and he said that he didn't know. He would ask the board. John said that Rosalie offered to put in her own culvert closer to the hunting camp. She said that last year, she had offered to put in another culvert if need be. It is making a small pond in an area that she has marked off. John told her that he would bring it to the board to revisit. Josh said that we had this discussion last year when we did the site visit and met with the people from the State. They had the book of State and Federal regulations and we come within the regulations. There is nothing that the Town can do right now. John said that Bethany said not to take out the culverts because they have been there for a long time. Terri asked if it was legal for her to take out a culvert. Mac and Josh said no, not without some serious fines. Josh said that she had wanted to remove a culvert so all the water would flow down to John's culvert. He said that was the point of the discussion. It's too far for the State's requirements for distance between culverts. John said that she wants to remove one and add one by the Sugar House. Josh said that is not adding a culvert to the road, it is adding a culvert to an agricultural access. The road was beveled before the Town Right-of-Way. A change would need permitting and approval. John said that Rosalie said that it was all fine until the road was raised. John said that the only thing that he could see is that she could trench it more. Josh said that was the suggestion made at the meeting last fall. A 4-6' hole so water could run out of the culvert into this hole or to trench it to the open end of the field, but neither would be the town's responsibility.

Mac updated the board on Dan's situation. Mac said that Dan went to immediate care with a UTI on Thursday and they sent him to the ER and then admitted him, on the possibility that it was Sepsis, which it turned out to be. He was in the hospital for two days and given IV antibiotics. He was to have more bloodwork done in Cambridge today and plans to return to work tomorrow. He will have missed 3 days. Josh asked if we needed a note from his doctor giving the OK for him to return to work. Mac said that if Dan is not feeling up to it, he will wait another day. Josh told make to have Dan ask for a note saying he is OK and can safely return to work.

Mac said that the gentleman who purchased the old mower came and took it away.

New Mail- An email was received telling the board of a bicyclist being charged by an unleashed dog from the house across the road from Boston Post Rd on May 9. Josh said that would be the residence of Brian Westcom and he didn't believe that Brian has a dog. The board wondered if it was owned by someone getting food at the food stand. Lance said that he would check with Brian to see if he owns a dog.

Bridget from the St. Albans Messenger requested to speak to a board member to discuss how the Lamoille Valley Rail Trail is affecting the recreational impact on the town. The board said that they had determined that the Rail Trail would

have very little impact on the Town because it touches such a remote part of it. It's on Lost Nation Rd and the State was not offering to fund the creation of a parking area for access there and the town would be required to fund the area themselves with grants or town funds. Brenda said that she would reach out to Bridget.

The board received mail directed to the Town's Emergency Management Coordinator and directed Tami to forward the mail to Andrew Nichols who has agreed to the position of Emergency Management Coordinator. Josh said that he spoke with the entire Fire Dept., Tuesday, April 12<sup>th</sup>, and Andrew agreed to be the lead man with support from the Fire Dept.

Sue Sonski had submitted a letter from the Listers, for Josh to sign, requesting a 21-day extension on the completion of the Grand List, as they need more time for various reasons. Brenda made the motion to all the extension time to complete the Grand List, Lance seconded the motion and the motion carried with a vote of 5-0. Josh signed the request for the extension. Terri asked if this would delay taxes. Sue said this has nothing to do with taxes.

The board received an email asking if the town was interested in updating our web design. The board said no.

Dog issue on the Avenue Update- John said that he spoke with the owner again on Friday and said that the dogs need to be registered by this meeting. John asked Tami if the dogs had been licensed. Tami said that she didn't see that they had been licensed but that she did see some paperwork on one of the dogs in the office. John said that he was told that he would be in first thing this morning. Josh said that if he is working toward correcting this issue, then we don't want to issue any fines. Josh thanked John for dealing with this. John said that he has received no more complaints.

No update on the East Bakersfield Culvert.

Tami said that we have received one more audit proposal which will remain sealed until the deadline.

Update on Blodgett Plow Bill- FEMA- No new information yet.

No Update on the Furnace Replacement for the Town office.

Terri said that she had received a phone call regarding a dog down by Cory Gratin's. They said that the dog had chased a boy on a bicycle and the boy had jumped off the bike and ran in front of a truck. Thankfully the truck stopped. She said that he had just seen a female get bit by the dog. They didn't know the dog. She said there was another report of a dog bite on the 18<sup>th</sup>. The case of the second bite, the person had needed stiches. The dog was apparently at a

neighboring property, and they were dog sitting. It got reported to Kathy in the office. It was a silver lab. The board asked if the dog was still there. They said if someone is watching a dog, they have assumed the responsibility. Terri said that she tried to contact the people yesterday and today and nobody has called her back. Terri said she would continue to try to contact them.

John said that when his dog bit a guy up in Bakersfield, he had to lock the dog up for 10 days to make sure he didn't show signs of rabies, even though he had had all his shots. The board said that nothing in our ordinance states how many bites demand action toward the dog, in the town of Bakersfield.

Tami said that Kathy asked the board to remember that this was a 5-week month and that they would need to drop by the office and sign a payroll warrant for the road crew for next week. Kathy has said that she would email each member to let them know when the warrant was ready to be signed.

Brenda made the motion to adjourn, the motion was seconded by Lance and the motion carried with a vote of 5-0.

The meeting adjourned at 8:14pm.

Meeting minutes recorded by Tami Brennan.