

Bakersfield Regular Select Board Meeting
May 8, 2023
7:00pm

Meeting called to order at 7:00 pm.

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

Members absent: Lance Lawyer

Residents/Guests attending: Linda McCall, Vera lawyer, Brenda Churchill, Mac Newitt, Katie and Dan Forand, Tami Brennan

Warrants signed:

Selectmen's order #10-2023	\$23,989.81
Road Commissioner's order #5-2023	\$198.95
Road Commissioner's order #1-2023 FEMA loan	\$186,960.15
Road Commissioner's order #18&19-2023	\$12,673.30

Previous Minutes: John made the motion to accept the April 24 minutes with amendments, including changing the size of the family burial plot in Maple Grove Cemetery from 16 square feet to 16 linier feet. Todd seconded the motion and the motion carried with a vote of 3-0, Josh abstaining since he wasn't present at the April 24th meeting.

Finance- Vera gave the board copies of the 2022 Audit report from Sullivan Powers, and a copy of the Select Board audit report that included suggestions from the audit firm for the board. Vera also gave the board the Finance Balance sheets for April. She pointed out that she had made a place for the State funds and ARPA money, which are not expenses or receipts for the town, at the bottom of the reports. John asked if all the ARPA awards had been picked up and received and Vera said that they had. John asked questions regarding the budgeted salaries amount. Vera said that she does not have every salary amount individually but if the board has it, then she can put it in. She said that the total is there, just not the individuals. John asked about the Bridge Fund, if we had received all the FEMA money. Mac said that we have received \$186,960.15 and the total expected is just shy of \$400,000.00. Vera said that all that all monies that come in from FEMA go directly toward the FEMA bank loan first. Vera asked the board about how they plan to pay the listers salaries this year. She said that the town has received the \$6,179.50 in state funds for the town's future reappraisal, which, in previous years we have used to pay the lister's wages. The lister's pointed out that we are supposed to be saving this money for the next Town wide reappraisal, so Vera asked the board is she should pay them out of the budgeted amount since the board did budget for it or use the reappraisal funds. Josh said that they had budgeted for the salaries because the money coming in from the state is supposed to go toward reappraisal, as the listers had told them. He said that the board wanted to fix how the town paid the listers. Josh said to keep the state money in the reappraisal fund makes the most sense, but he wanted to wait until the full board was in attendance to discuss it and will let her know the final decision.

Vera discussed with the board how long she needed to keep records. She said that the timelines of how long you have to keep physical records have changed with archives. She said that after they have been audited, you can throw them away. The board said that she could get rid of everything prior to 2018. John said that Vera should check with VLCT and see what the legal hold timeline is in case of lawsuits. The board discussed ways to scan in documents to be kept digitally instead of physically. John said we could do this going forward. Vera said you rarely go back 5 years to check a bill. Vera gave the board her letter of resignation to be finished December 31, 2023. Vera said that if an applicant doesn't know QuickBooks, then accounts can be done manually. John asked if we had reached out to another town to see if a treasurer would like to add another town. Vera said even though it's a part time position, during September, it's more full time and again in January. Brenda said that she had talked with Sean at NWRPC, and they would like to create shared positions, and they were wanting to pay \$28.00/hour plus benefits and the cost would be shared by the towns. John said that VLCT didn't have anybody looking for this position and they didn't know where to find that. The board asked Tami to contact the Messenger and the Courier and have them run the treasurer ad again. Linda said that we could put a notice on the Community College bulletin board. The board asked Tami to reach out to the Temp agencies in St. Albans. There were questions about whether the postage on the warrant for notification of a hearing of the Planning Commission, should come out of Planning Commission or Zoning.

Brenda gave the board a Zoning Administrator Update regarding zoning since January until now. She said that there have been 3 residences, 3 new decks, 2 garages, 1 pool, 1 demo, and a change of use. Brenda said that there is one Planned Unit Development that the Planning Commission has had two hearings on. Brenda said there was no objection on the second hearing, with the exception of a condition placed on the plan to have a private provision in place for the upgrading and maintenance of the class 4 road, on which the drive for 3 of the 4 residences is accessed. The road is owned mostly by Enosburg, with a smaller section of the area concerned owned by Bakersfield. Mike Gervais was going to talk to Enosburg about it. Todd said that he thought the section that is in Enosburg is classified as a trail.

Brenda said her biggest project, at the moment, is getting caught up on the Municipal Memorandums needing to be filled out for all the permits that she has previously issued so that they can get recorded. Todd asked Brenda if she goes out to the field to review. Brenda said that every project that she has approved, she has gone out and inspected to see if it matches the proposed sketch blueprint and she goes out with Mac for the Rd access permits. Terri asked what was happening on the Curtis lot. Brenda said that she has made 4 inquiries to the State of Vermont, and they have not gotten back to her. She said it has a non-compliant septic system. Brenda said there is also a camp on Belvidere Mountain Rd that was put a long time ago and doesn't fall under the regulations placed by the State. The board asked if she was still looking into

people living in camps year-round. Brenda said, in regard to these people that have taken out a mortgage and are not taking the Homestead Exemption, they are not fraudulent with taxes. She said the risk is that if there is a fire in the winter and they are inaccessible. She said if there is a mortgage, then it is a homeowner's insurance issue. Brenda asked if we should be blowing the whistle on them. Josh said they want to make sure that people can live wherever they want to live, as long as it doesn't come back on the town. Todd said that there should be a place on the permit that says when the Fire Dept can't access a property, all in caps, and he would have the Fire Dept send a letter notifying them that they can't access the property year-round. Brenda said that she has been available 24/7 for emails and calls and has had some good conversations.

Roads- Mac started by telling the board that they had received around \$175,000.00 from FEMA for Waterville Mtn and Whitney Rd and it should be around \$200,000.00.

Josh said that Mike had called and asked if Bakersfield was interested in an excavator and brought it up for the guys to try out. It's a new 2023 and size wise is what we need. It has a blade on the front and comes with a wrist and a thumb for placing culverts, laying stone and removing trees. Mac said we really don't need brand new. Josh said one good point of new is that it would be all the town would need and would still be running for a long time. Josh said that he wondered if it would be worth looking for a wheeled unit. He said it would be more expensive but would save the expense of a trailer and they usually require less maintenance. He said they are bigger so when the guys were working on a road, they would have to close it, while the smaller one could be set it up and work on the side of the road and not have to close it. Todd told Mac to do some ditching while they are trying out the excavator. Mac said it just has a dig bucket on it and they played with it in the pit. He said it is too new and they don't want to break something. Josh said that getting an excavator makes sense since it is something that we rent every year, but not this one. He said storm damage cleanup would be much easier and we've had more storms recently that are not snow. He said most towns have an excavator or a good size backhoe. He said that this excavator is what we are looking for but not for brand new.

Todd asked Mac to look into getting 4 Golf Course signs to put up by the golf course to warn of Pedestrian Crossing and there probably should be some cones set up there. Terri said they come right down the road by the club house. Josh said he could talk to Carl about investing in some of the orange cones to slow traffic down. John said the golf carts dart right out. He said there should be a speed bump to slow them down. They fly out right in front of his truck. Linda said that the golf carts have the right of way. Todd said maybe we could get some small stop signs. John said that they have so many exits and entrances. He thought 6 or 8. Mac said they should only have two. Todd said there are three crossing spots and that the stipulations placed when they were first put in it aren't all being followed. Terri said that when a car comes over

the hill, you can't see the golf cart jutting out into the road. She said there should be a 15 mph speed limit through there. John said it should be 1 mph. He said you should be pushing cars past so the golf carts can do what they want. The board said that you need 60-70% of the residents on the road to agree to a speed limit change. Josh said we can put the speed limit to anything we want but if we don't have someone to enforce it, it doesn't matter. John asked Mac to grade Joyal Road and asked about East Bakersfield Road by Todd Paradis' house. Mac said that got hit the other day.

Terri made the motion to enter Executive Session to discuss Road personnel and asked Mac to stay. Todd seconded the motion and the motion carried with a vote of 4-0. The board entered Executive Session at 7:58pm.

Terri made the motion to exit Executive Session at 8:05pm. Terri stated that there had been discussion and no action was taken. Todd seconded the motion and the motion carried with a vote of 4-0.

Board Business-

State Liquor License for VT Swiss and Bloom. It is the exact same as last year. She uses Mark Laroche as a mobile caterer. The board asked if there was any reason not to approve. None opposing, Josh circled yes. John said that if a place needs approval right away, they need to be made aware that the liquor control board says it takes 2-6 weeks to process, so they need to begin to apply 2 months ahead of time so that they don't expire before approval.

Linda said she was here because of the Town Common Commission establishment. She said they would like a smooth transition of the Town Common and Cemetery separation. She said they already have the two-year contract for mowing, with Maria. She said that they had asked the taxpayers for the funds to mow the cemetery and the common. She said it's been that way for 60 years. Josh said that taking care of the trees and the mowing of the Town Common is not the cemetery's responsibility and that the town should take care of the Town Common. He said that Mac and the guys would cut the grass. Linda said that the money they receive in November from taxes will go for mowing the common and cemetery for this year and then next year, then it would be time to redo the contract and the town can take over the mowing of the common. The board said that Linda had told them that state statute requires that the cemetery commission money is expressly to be spent for cemetery expenses. Linda said that next year when we request money, it will be for the cemetery, so by 2025, we would like to see a separation. Linda asked if the Road crew has ground upkeep in their job description. Mac said they do; they already mow the school grounds. Josh asked if they could combine the Town Common Commission and the Cemetery Commission. Linda said that you have to ask VLCT. Linda said they have volunteers that care for the Common and needed money. She said the cemetery is holding back money to build a fence. Josh said that we could have one committee with 2 separate accounts: one for the cemetery and one for the Town common. Josh said that

he thought one governing body caring for both would work. One entity with more people than two separate entities. He said it would be easy to keep separate care and expense. Linda said the Cemetery is responsible for the Maple Grove Cemetery and Cook's Cemetery. It's about \$700.00 for care for Cook's Cemetery, subcontracted to Ross. Josh said they are separate because they are bid on separately. The board asked if they had a contract on Cook's last year. Josh said it thought it might have gotten dropped with the transition to Maria. Todd asked if setting up the Cemetery Commission is set in the By-laws. Josh said that he thinks it was just a vote and the people were willing, and it was established and formed. Todd asked if they could just do a name change. Linda said they need to check with VLCT and find out the proper way to do this and whatever way is less confusing. The board's concern was that 3 committees taking care of 3 adjacent lots is going to make a confusing cluster. That possibly the Cemetery Commission could be combined with the Town Common Committee, dealing with two pools of money; money dedicated to the Cemetery Commission and money dedicated to the Town Common, kept track of separately. Linda said that they have three volunteers interested in forming the Town Common Commission: Lisa and Ivan Stone and Anne Mittlestat. Terri said that we have homework to do with VLCT. John said they are all owned by the Town. They all need to work together and two separate hats/groups that don't agree working on the CC and the TCC could be difficult. Josh asked Tami to contact VLCT to check on whether the town can combine a Cemetery Commission and a Town Common Commission. Linda said we need to go forward to tell Maria to start mowing as we have two years already contracted. Terri said that Linda can't sign for the board. Linda said that when we requested funds from the town, we requested for the common and the cemetery. Linda said that beyond the mowing, the CC paid \$1,000.00 to take care of the flower bed and stone for the walkway. Terri said that if we, as the town, are taking care of the common, then the board would need to sign the contract. Someone brought up that you need to be a resident of the town in order to be buried in the cemetery. Linda said that she got a breakdown as to the mowing charges of the Town Common part of the mowing contract. It will be \$1450.00 for 2023 and \$1500.00 in 2024. The Cemetery is over \$7,000.00 as there is a lot of weed whacking. The board discussed having Maria take care of Cook's cemetery under this contract and then have Mac take care of the common. Josh said Maria would not be losing anything, we would just be sending her somewhere else. Linda said that her contract is for the common and the cemetery. Linda said that Cook's also needs a fence. The board told Linda to put blue tape around the trees that need to be cut down in the Town Right-or-way or need to be pruned. Linda said that Shane quoted a price and thought the town and the CC could split the cost 50/50. Linda said that they don't want the trees to fall on monuments and then need to repair them. John said he thought it was about \$5,000.00 to cut 4 trees and prune 4 more.

Update on the Barn on Waterville Mtn Rd.- The owners did get a permit for the demolition. Terri asked when they are going to demo. Todd says with the permit, they have up to a year.

John said that on May 10th, there is a legislative mixer if anyone is interested. The board received a letter for grant writing form CMag Consulting. John said that we are working with Alex at present on the MERP grant. John said that he had forwarded the grant writing proposal to everybody.

Update on the garbage on the Avenue- Ginger is still looking for guidance from the State. Josh said that it is in the State's hands. Todd said that a State Enforcement Officer can write a ticket with a large fine.

The board said that there is a Municipal Storm Water training if the guys want to go. Mac said they attended one about 2 years ago in Montgomery.

The board read Rosalie's letter of complaint about the German Shepard's bite. John said there was no date stated regarding the incident. John said that Rosalie had attended the last board meeting and we only had two registered complaints. John said that this incident had happened before, and she put it in writing. The board asked Tami to forward Rosalie's letter to Ginger.

MERP update- John said that the application process is not yet open. He said that he contacted them and told them that we want our building assessed. He said that he asked for the Level 2 which is full blown. He said they want all the gas bills and electric bills for the last 5 years, so we have a bit of work to do here. Mac said that we recently have had a level 2 done.

John asked the board to approve the purchase of an HDMI cable, \$35.00 on the town credit card, long enough to reach from the monitor to be installed on the pole. John said that we will need an electrician to put in an electrical outlet up on the pole for the monitor.

John said he was going to reach out to Katie Buckley regarding the rest of our ARPA funds. He said that there is talk that the state wants to take back what we haven't used. The board spoke of moving the money into the General Fund, the New Equipment Fund, or the Reappraisal Fund. Josh made a motion to authorize John to move the ARPA money to the approved fund after speaking with VLCT approval, on behalf of the Select Board. Todd seconded the motion and the motion passed with a vote of 3-0, John abstaining. The board would have a warrant drawn up to sign for the transfer, that the board could come in and sign before the next meeting, if necessary.

Terri made the motion to adjourn. John seconded the motion and the motion carried with a vote of 4-0. The meeting adjourned at 8:55pm. Meeting minutes recorded by Tami Brennan.

