

Bakersfield Regular Select Board Meeting
Monday, May 9, 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: Linda McCall, Mac Newitt, Maria DeRosia, Josh Pryor, Dan and Katie Forand, Tami Brennan

Previous minutes: The motion to accept the April 25 previous minutes with the following corrections was made by Brenda, seconded by John and carried with a vote of 4-0, Lance abstaining since he was not present at the April 25 meeting. Corrections: It was Josh who said the trees on the Brigham Green had limbs that looked like they were ready to fall down and that during the car show there were places under trees where no one would allow their car to be parked, instead of Linda McCall. It was Josh, not Lance, who had stated that the Sheriff's Dept and the State police have refused to respond to a call for assistance. Josh said that the only ones that actually respond are the Forest Wardens. The Arborist lives in Enosburg by about 5 feet instead of Bakersfield. Change the word reformulate to reform.

Warrants signed:

Selectman's Order #10-2022	\$2,347.54
Road Commissioner's Order #6-2022	\$4,634.83
Road Commissioner's Order #18&19-2022	\$40,278.71

Finance- Maria gave the board updated financial reports and said that she had nothing new. She had already spoken to Josh and Lance regarding the TAN loan. Josh asked how we are looking on equipment fuel. He said that he was concerned because when the board built the budget, they hadn't anticipated that fuel would be three times the price and that could be an issue. Maria said that we have about \$16,000.00 less than what we budgeted, so just over half. Josh asked Mac if there was anyplace place that they could cut back. He said that he hated to do that to the crew because he knows that they always come to the town with a bare bones budget, but they didn't anticipate the tripling of fuel prices. Josh asked Lance and Mac if there was any chance of extra FEMA money. Lance said that we are looking at the first of August as the current deadline for the last project and so we might be looking at some funds to go toward our FEMA loan which should become nearly current in about 6-8 weeks and then it goes to the next section, which is expected to be about one month, which should bring us close to a zero balance. After that we have the major project of Goat Path Bridge. Lance said there were individuals in town that really wanted Goat Path Bridge replaced but Lance said on reflection, he believed that was a project that could have been forgone. He said that it will cost about \$600,000.00+ for a bridge that not many people use. Maria asked about the safety of the school bus making that turn south onto 108 without

being able to use the access provided by Goat Path Bridge. She said that she has to do a 3-point turnaround with her F250. Terri said that she just turned south on 108 from there with her work pick-up, and it was not ok. Lance said that when all is complete that he thinks that there should be some surplus FEMA money. Mac reminded the board that the Road Budget had a little surplus at the beginning of the year as well, so he doesn't expect the fuel prices to be that much of an issue.

John asked about the expense listed under postage on the report and was told that was for the boxes of postage pre-paid envelopes that the town uses. Maria said that she made a new line item for Flags just to make it easier to keep track, but that this expense is budgeted under the Memorial Day fund so if you see a negative tally for this item, that is why. Mac asked if we budgeted for heating oil and Josh said that we definitely did. Maria said that she would check to make sure that every line item transferred to the new balance sheet. Brenda thanked Maria for her work at putting together a report to help her make the ARPA report deadline. Lance thanked Maria and told her how nice it is to have a report that is easy to understand.

Visitors-

Linda McCall spoke to the board and said that at the last meeting, she was told that the Historical Society's request for ARPA funds was going to be tabled. Linda said that as of April 29th, the Historical Society's request still falls under the requirements for an accepted request. Linda asked the board if they had made any decisions. Josh said that they have made no decisions. Brenda said that she plans to re-form the committee that considers the preliminary ARPA requests to bring before the board. Brenda asked if Linda was on the original committee. Linda said that she attended the only meeting that was held regarding ARPA via zoom. Brenda said that requests must be brought with a comprehensive view of lost wages/revenues, which we as a small committee can go over and then forward those selected to the Select Board. Josh said that he wanted to confirm that the state has advised us to wait on all disbursements of ARPA funds. Brenda said yes, that VLCT has said many times, Don't spend it. Terri said that she thought that they as a board had decided to wait since we can now use it for budgeted items. Brenda said that the money is there, collecting interest. Terri said that we may not want to do a small committee as we might want to use the money to buy equipment. Linda said that there is more to the infrastructure of this town than roads and bridges. Josh said yes, but that for many years, the work needed on our roads and bridges has been pushed aside. Linda said that there is other infrastructure in town that has been pushed aside as well. Josh said that the bottom line is that we have not any decision. Linda asked if the Standard Allocation has been discussed at all and the board said no. She asked the board if they understood the Standard Allocation and how it makes less hoops that you have to go through. Lance said that they didn't want to spend the money and then not be able to buy a grader. Linda said that the expense of the Historical Society is going to hit the town in taxes since fuel oil is going to triple and fund raising won't be enough.

John said that we don't have to spend the money until 2026 and we encourage getting matching grants. Brenda said that matching grants are the way to go since they would double the money. Linda said that the Historical Society has applied for grants but were denied because they couldn't get an engineer's report due to Covid. Terri asked if the Historical Society did the job but didn't have money to do the job. Linda said that they received \$30,000.00 in donations and they borrowed \$40,000.00 from the town to do the job. Terri asked if they Historical Society doesn't have the money to make the payments. Linda said that they are going to pay it back, but they will ask for tax dollars to pay it back. Terri said if the taxpayers vote it in. Linda said if not, then they will hand over the keys to the Select Board and it will be another building for them to upkeep. Linda said that they would do the best they can with fund raising and the Historical Society would appreciate the board member's support since they don't see many of them at their fundraisers. She said that donations are appreciated. The board gave Linda ideas for fundraisers that gather a good amount of funds, like a golf tournament which could make anything from \$10,000.00. Linda asked Terri if she would help organize it. Terri said she was working two jobs and she didn't have time. She said to ask Robbie to help them organize something. Terri said that the Fire Dept also does a golf tournament and Robert Willey and Matt Hull organize it so they might be able to help Linda know how to do it.

Linda also said that she was bringing the concern of the Cemetery Commission to the board again regarding the Hearse House. Lance said that he believed that the building was on the Historic Registry and Linda said that it was not on the registry yet. She said that the Hearse was still on display at the Shelburne Museum. She said Hearse house needs repair and paint. Josh said that in 2002, a college student took it on as a project with High School students that needed community service. Josh said to call the local High Schools and ask them if there are any students that need community service. He said that Enosburg, BFA and Richford all require community service to graduate. He said it could be presented as a group option, many hands make light work. He said that would not take care of the roof, but it would take care of the painting. Terri asked what the hearse house is used for. Linda said that the cemetery uses the house for storage for maintenance materials and equipment, but it is an historic building that adds a lot of character to this town, and we don't want to see it fall down or become a burn project. John pointed out that the cemetery has funds. Linda said that they pay around \$10,000.00/year for mowing and they pay for their water, and they want to change some fencing and do some restoration work on stones. She said that some stones have slid off their foundations. Linda said that they put some crushed stone in that circle in the cemetery and it looks really nice. She said that they have an active group, that Willy Maynard is still very involved and that we're looking for volunteers so don't be shy.

Lance said they there is a conflict of two different deeds over 4 acres of land down by the town garage, so there may need to be a Quit Claim deed drawn up.

Linda said there needs to be a title search before you can Quit Claim anything. Josh asked what would happen if the title search determined that the town owns it. Linda said that the cemetery is owned by the town, it's all owned by the town. We're just trying to plan what land the cemetery can use for cemetery expansion. Josh said that more people are being cremated so they take up less space. Lance said the board has been aware for a while that something needs to be done to determine who owns the ball field, but it hasn't been of great concern because it was not urgent. Linda said that the Historical Society has their septic there since they received an easement to the septic from the Common School. The town owns everything, it's just a matter of what entity in the town has a claim to use it.

Linda told the board that the Northwest Regional Planning Commission has a vacancy that she is interested in filling. Lance made the motion to nominate Linda for appointment to the NWRPC, Brenda seconded the motion and the motion carried by a vote of 5-0. Linda thanked the board for the appointment.

Roads-

Mac said that two weeks ago when the board signed all those papers applying for a paving grant, that we have now received notice that we will receive the paving grant for 1 mile of new paving on Boston Post Rd. Terri asked why not all of Boston Post Rd. Mac said we can't because of money limitation. One mile of paving costs about \$180,000.00 and this is a 20% matching grant, so we'll need to pay about \$36,000.00 for our share.

Mac said that the grant for the Hydro Seeder through Bethany didn't get accepted on the first round. We did get accepted on the second round and she asked me if we still wanted it and I told her yes. In order to get the grant, we have to take a picture of the Hydro Seeder being used by the end of June. They are sending us a price of \$7500.00/8000.00, which would need \$1600.00 from us. There are two places we can deal with, Milton Rental and _____, it's about availability. Josh asked if Mac had told them to order it. Mac said that he made it clear that the grant is depending on us getting it operational to get the grant. Mac said that Bethany thought that she had sent us notice in Jan but neither Lance nor I received it. Mac said the Roads are good...dry and hard. Josh had a question to the board and Road crew from the Little League. Three other towns have ok'd their town to go to Castleton to pick up a load of red clay for their ball fields. Josh said that he was asked to bring the question forward and he will abstain from voting since he is involved with the Little League and let the rest of the board decide. Terri said that she is very happy to see the ball field come back into play. She said that when her kids played, the fields were beautiful and then they got destroyed. Lance made a motion that the Town of Bakersfield donate a truck and driver and diesel fuel to go to Castleton and get a tandem load of Red Clay for the Bakersfield Ball Field. Terri seconded the motion and the motion carried with a vote of 4-0, Josh abstaining.

Josh thanked the board and said that he would reach out to Ryan and they would make sure of what we were going for.

Terri asked if we could do anything to fix our piece of the school driveway. Mac said that the graders worked over there, and they did what they could with the traffic that was there. They went from the dumpster to the road. Josh asked Mac if when the school had it surveyed, did they put in any pins to mark our area. Mac said that he didn't think so. Our portion is from the school that aprons over to the hydrant. Josh said that we have to set that pin sublevel and reclaim it as grass and then set up stakes so vehicles use the driveway instead. Once the parking lot is paved, hopefully vehicles will use the paved section and not drive over the yard of the building, and in the winter, only plow the paved section. Lance asked if the town was still doing the free sanding of the school parking lot and Mac said yes. Lance said that we are still getting complaints about the sanding. Josh said that people think that complaining on FaceBook will get things fixed. Lance said that if the town receives too many complaints about a free service, we can discontinue the service.

Terry said that she received a complaint that the grader was driving too fast on the Avenue. The board said that the speed limit on the Avenue is 25 mph and the fastest that the grader can go is 22-23 mph.

John said that someone complained about the golf carts entering the road by the Golf course. Mac said that they have been talked to about that before. Josh said that is a private building so that is not Select Board business, and they are really crossing at the best place that they can. Terri said at the golf course in Hinesburg, they have lanes stakes off with cones and signs that say 15 mph and that's for the cars, not the golf carts. Mac said that when they put in the golf course, they were given two accesses, the one by the garage that has a good visual field and the one at the crown, that does not have good visibility. Someone said that the only other thought was to have a flashing pedestrian light but that would be the golf course's responsibility. The board would be supportive to permit that.

John drew the board's attention to the Stormwater permit for the gravel pit on the warrant.

Mail-The board received an invitation to a class for town officials to learn about what the law says about the Regulation of Cannibas, taking place on Tuesday, May 24, from 10-12 on zoom. Josh said although there is no approval to sell Cannibas in the Town of Bakersfield, if anyone wants to attend the class, then we can discuss what we learn and take a vote. The cost of the class will be covered for town officials.

John gave an update on the dog issue on the Avenue. John had spoken with the dog owner and given them until the date of this Select Board meeting to license the dogs before issuing a ticket and fine for violation. The Town office was closed most of the week due to Covid, so the board agreed to extend the

deadline to the next Select Board meeting to be held on May 23rd. John reviewed the issue...a couple of dogs were getting loose and approaching little kids as they were walking and the children were afraid. Josh said the owner said the dogs were not unfriendly and to just tell the dogs to go home. Josh said in the past when he told them to go home, they did, but he is not a 9-year-old who is afraid. John said that the owner was apologetic and said that he was fixing the gate on the pen. But the dogs are unlicensed and leaving the property and according to our Dog Ordinance, he is in violation of 5 or 6 items. John said that he did explain to the owner that each violation carries a fine of up to \$500.00 each. There are 3 dogs, a poodle, a boxer and a hound dog, two of which are rescues. John pointed out that the children are the height of the dog and if the children get bit, the owner is liable for all of that. John said that he asked Jan to put the complaint in writing so that we have a record. The new deadline to have the dogs vaccinated, licensed, restrained and housed on the property is the next Select Board meeting or John said that we will talk of fines. Josh said that last year we had a good response so hopefully that will happen again. John said that if the owner doesn't come to the town office to license the dogs by the end of the week, then he will revisit the owner. Josh said that on our dog ordinance Section 9, subsection A, Bullet #3, we should probably remove that since we don't have an impounding facility, so that could be null and void. Terri said that if we ever have a dog catcher in place, we would want all this in place when we do.

Cooks Cemetery Contract was submitted by Ross Allen to mow and maintain Cooks Cemetery. \$750.00 fee to mow and keep the brush down 3 or 4 times a year. Terri made the motion to accept Ross Allen's bid to mow, clear and maintain the Cook Brook Cemetery, Brenda seconded the motion and the motion carried with a vote of 5-0.

East Bakersfield Culvert Update- An engineer had approached and presented the group of projects to the Fish and Game Dept, 3 in Montgomery, 3 in _____, and 1 here in Bakersfield, and they were given a group rate for the engineering, which is ok with us as long as there is no charge to the town. Brenda will try to get with Luke as to a timeline on the project.

John said that a person on Joyal Rd had a question about the trespass of a free-range chicken. They wanted to know if the chicken was on their property if they could eat it. The Select Board said that was not under their authority. Josh said to let them know that chickens have been known to eat ticks and this is a bad tick year so it might be a good thing.

Brenda made the motion to adjourn, Lance seconded the motion and the motion passed with a vote of 5-0.
The meeting adjourned at 8:33pm.

Meeting minutes were recorded by Tami Brennan.

