

Bakersfield Regular Select Board Meeting  
Monday, February 27, 2023  
7:00 pm

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

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

Absent: none

Residents/guests: Danielle Atherton, Tom Barry, James Gregoire, Rosalie Williams, Katie and Dan Forand, Mac Newitt, Tami Brennan

Previous Minutes- John made the motion to accept the February 13 meeting minutes as written, Lance seconded the motion and the motion carried with a vote of 5-0.

Warrants signed:

Selectman's order #5-2023	\$16,924.54
Road Commissioners order #8&9-2023	\$13,603.73
Selectman's order #1-2023	\$292.24

Finances- Vera had previously given the board a packet of reports and the board reviewed them.

Danielle Atherton spoke on behalf of Gary Booska regarding Gary's bill to the town for plowing. Danielle told the board that Gary has been on the board's agenda for well over a year and keeps getting pushed aside. He has been waiting to be paid from FEMA for 3 years. Lance said that simply put, the town has not received enough from FEMA to put us in the positive yet and those funds will be available if we have a surplus. Danielle said that Gary was never told that he might not get paid. He was not told that he would get paid if there is a surplus. She said that was never brought up. Terri said that that has brought up every time that she has been here. Danielle said that he was just told by verbal agreement, that he would get paid when FEMA comes in. Lance said that is not how it was put in those terms. Lance said that the town still has a several hundred thousand deficit, we expect more FEMA money to come in but it's just not here yet and we have to put, the FEMA money we receive, on that loan that we are paying interest on. John said that we are still expecting more money to come in. Lance said that we are just as frustrated as everybody, we have only received some of the FEMA money. Danielle said that Gary's bill is only \$4000.00, and it has been 3 years. Danielle said that Gary plowed a road that made it possible for people to get to their homes. Terri said that the FEMA funds that we have received are specifically delegated to a project that was done. Danielle asked when the next FEMA payment is expected and where Gary is on the list. Lance said we don't know when the next FEMA payment will be, and that Gary is on the very end of the list. Terri said that it is a very vague invoice that the town received. Danielle said the invoice had dates and detailed inches that match up with his other accounts that he plowed on the same dates that we can show. Lance said the dates and amounts are not in

question, it's just that we are obligated that 100% of FEMA monies must go against the FEMA loan until it is paid. Danielle said so that adds to nothing for Gary. Lance said yes. Terri said, it depends on what happens with the FEMA loan. Josh said that Gary is at the end of the list because we were not able to submit his invoice to FEMA prior to everything happening with the state and federal government. We are waiting now for all the payments come through and we are hoping for an excess to pay these extra bills. Josh said that is how it's been explained since day one. Danielle said that she would pull the minutes of the meeting when his neighbor came to the meeting, and he was told that Gary would get paid. Lance told Danielle that all minutes to previous meetings are available to the public and he prays that she can research the minutes and if she finds anything different to bring our attention to it. Danielle said that she will have it ready for the next Select Board meeting in 2 weeks.

James Gregoire- Met the board via zoom due to a bout with Covid. He spoke about the law enforcement issue. He said that he had talked to Lt. Hardin at the St. Police, whom Lance had spoken to, and he said he was trying to up the coverage, but they have manpower issues. Lt. Hardin is encouraging everybody to call in when there is an issue. He told them to have people call them directly so that there is a record. Lance said that there have been troopers in town 3 times in the last two weeks which is more coverage than we have seen in the last year. John said that there is actually a one this evening at the Fire House. James said they wish they had more troopers to be able to patrol especially in the rural areas. James said he and the board had talked about this before when they were meeting with St. Police and Sheriff about the terms of a contract, which is a contract issue, and that issue is the same for everybody. James encouraged the board to look at other towns to try to combine and share coverage between the towns and look at the cost and results.

Lance also asked about ATV trails enforcement. James said that is also contracted with a Sheriff which is financially not really feasible. It's going to take more than one town to pay for that. Josh said that since we shut down our roads to ATVs, we have significantly less issues. He said that he wished at the State level, they would look more strongly into adopting the same New Hampshire state regulations for ATV use that they have for their roads. Their ATV issues are almost non-existent, and all their roads are open. If we have a state that close who is doing this successfully, why are we not looking at that. James said that some of us have been looking at that, but the overall point of view in that is in the majority of the state is that they do not like motorized vehicles in the woods and on the trails. Josh asked if that was throughout the state or was that in Chittenden County. James said even up in the kingdom, they have these issues. Josh said up in the kingdom some of those trails are better than dirt roads. James said that a lot of people don't like it, even with boats, they don't want motorized boats on the waterway, it's a growing trend, right or wrong. Lance said that we can't handle the situation with the ATVs or even full-sized vehicles on our back roads. He said that we are not equipped.

He said the state is understaffed but they are equipped, and small towns can't be financially responsible for what's going on with the ATVs because we are just not equipped to handle it. James said that is not financially feasible for small towns and they are trying to figure something out. Lance said that he agrees with Josh in that our sister state of NH handles it very well and he doesn't see why we can't come up with a similar plan. James said that they have more people and more resources in their state but he will look more into it and do a research project on how they do it. James said that the hard part is how to get the public behind you, and how to get the bigger towns interested in this. It has to be bothersome enough or helpful enough to enough people, such as making ATV riding safer and having better trail systems to invest in policing. Lance said that with Vermonters, the approach must be a bit different. Vermonters tend to take the attitude that you're not going to tell me what I can and can't do on my own road in my own town. You have to convince the community to be involved. James said that's the biggest obstacle of all, but you also need the information of how it really works.

Terry asked Gregoire about the state's plan for funding education. She said we did this wonderful merge and it's costing us a fortune. She said she would much rather the state say that everybody will have to go private, and she thinks we could have saved a ton of money. Lance said that we were guaranteed this would cost us less and that was not true. Terri said that she was on the school board for a long time, and we were held accountable to that budget and if we didn't keep to it within specified range, you were penalized but now that it's 5 towns, it's free-range funding everybody's wish lists, if you want something, they'll get it for you. James said that he was a vocal voice against the merger. He said that there were other options without changing the administrative structure. He said the supervisory union admin could have merged or have a state purchaser and keep their current admins. He said the less local you get, the less accountability. Terri said it started out just merging superintendents, but the superintendents didn't want to see that happen, so the merger was pushed.

She said the only way to save on any merger is that somebody's building has to close. James said yes, that unless you consolidate locations, you will never spend less. Terri asked how people on fixed incomes ever going to be able to stay in town and own their own homes. It costs more and more, and the students are not getting educated as well as they were 10 years ago. James said that he has 3 degrees in education and studies show that the money you spend on education does not have relationship with a cause-and-effect result. Teachers are teaching subjects that they don't have a degree in. He said they do a lot of things in education that do not make sense. Terri asked if anyone is saying that this isn't working, and we need to go back to the drawing board and admit we made a mistake. James said that there was on rep, who has recently retired, who pushed really this really hard and just could not get any traction. He said that's not going to happen because it is not a prevalent thought. John asked, as a town, how do we put it back to a vote in our town to

see if they still want to be a part of the Supervisory Union or have Bakersfield return to independent status. James said that he could check on that. He said he knows that there are other towns that have done it. He said that he would find the right person to ask.

John asked Gregoire about the Senate Bill 5- the Affordable Heat Act that the state is trying to ban fossil fuels in Vermont. James said that it will make things a lot more expensive without many positive results. That is the thought of most people outside the circle in Montpelier. He said the general gist is that if I put off carbon and you are going to sequester it for me, and the trees or grass that sequester the carbon for me, are already there, they already exist, so is that really offsetting anything. It's just moving money schemes. It's different if you have to plant the trees or the grass. John said that it's a great long-term goal, but Sweden and Switzerland have been trying to switch over to EB and they have brownouts all the time, just like California is having. The grid can't handle it. They cannot generate enough power. The infrastructure is not in place to do it. James said that's true, the infrastructure is not in place to do it. We have a lot of work to do first. John said that he did not have a problem upgrading to natural gas if the state brought it to his door. Do you have an expected time when the state is going to get piping up through the mountains. James said that's never going to happen. John said to expect all the residents to switch over from fossil fuel to heat their homes is not realistic. He said this isn't Florida, up here you need heat! James said we can't afford this without a large subsidy, which we can't afford, and would have to be done at a more sustainable rate. James said that if everybody went totally electric today, which is impossible, at 380 million electric cars instead of combustion engines, we would only decrease greenhouse gas around 10%. It's such a horrible trade off, but it's not that we shouldn't head there.

James said that people are really mad that wood wasn't on the list, and they are worried that they can't use wood. James said that he has to read the details of the bill and that there is always a lot of nuances to a bill, it's almost never what the title says, you agree with 80% of it and the 20% is really bad. In rural Vermont, if this bill doesn't change, it will be costly. He said we are often told that that's not the case, but we have seen that usually, the unintended consequences come true. We should slow down and have more honest hearing from different points of view on this.

Terri asked Gregoire if there was a plan for getting people back in the workforce and off of assistance. James said the unemployment rate is low and labor participation rate is at an all-time low. He said that some unemployed are not on the list because they have just stopped looking. Some people have changed back to one income. They found during the Covid shutdown that they like having someone at the home worked better for their family, so they are making it work. Lance said some people have been unemployed so long that they have been taken off the list. James said he didn't know how some people are making a living, but we do have a lot of jobs available out there that we just can't find

enough people for. Lance said that a lot of people taking two or three jobs just to make ends meet. James said that he was one of them. He said there were many times that he does not have much in the fridge, but that he is lucky in that he can go across the street to his store. He doesn't know how people are making it that don't get to do that. He said a lot of people are out there in a void that he doesn't know how to get them out of. He said it's not healthy for us and it's not healthy for them.

Lance said he felt a major part of the problem is the inability of the left and the right to come to any agreement. They used to be able to allow for opinions and act with sole responsibility for what is best for the people. Now they have to follow the political line or be censured by their party. What happened to our elected officials that we have trusted to do what is best for us, and why are they not doing that anymore. James said he remembers, back in the 80's, the house was democrat, and the speaker of the house was republican. He said you would never see that now. James said that in Vermont, it's a bit different than in the big legislatures like California or New York. He said that some of his closest friends are democrats and some of the people that he dislikes the most are republicans. He said that the major party walks in unison very well. But the republican party does not and that is to our detriment. We almost never stick together. He said that not everybody is so closed minded and it's ok not to agree, but you should be able to follow the other persons thought process and be able to have those conversations. Some people so ardently believe in their position that they will not even listen to another position. James said that he works according to the scientific method by which you are always trying to disprove your hypothesis. You should never be trying to prove yourself right, you should be testing to see if you are wrong. He said the best way to get it back to the way that it's supposed to be is to listen with respect to teach other. If we can't respect each other, how can we have a conversation in an honest way.

Tami asked James if he had any feedback from the people or the town clerks about the automatic mailing out of ballots to everyone in the state. She said that when we have an election, we have so many people who get their ballots in the mail, throw them in the garbage, come here, fill out an affidavit for a ballot, and we have a stack of affidavits after every election. We're just thinking about the ton of money, all the ballots that never make it anywhere that we have stashed out in the drawer because the addresses aren't correct and you can't find the addresses, and that people just don't want it. They want to come here, they want to vote, and it's a ton of money and a lot of extra work. James said that yes, he has heard from town clerks, and they share your opinion on the challenges, and he hears from people on both sides. He says he doesn't oppose mail in ballots, but he thinks there is a better way. He said he knows people that have gotten 4 extra ballots and his friend got 3 ballots in his name. He said he has definitely heard from town clerks that share your frustration. Tami said it's not about whether we should or should not have mail in ballots. People have always been able to request a mail in ballot by calling their town clerk.

Everybody that wants to, can request a ballot and have a ballot sent to them. That way we can verify the address to make sure that the ballot reaches them. It's that they aren't given the choice. They are just getting a ballot that they don't want and throwing it away. John said they we only have about 50% turn out anyway, so that a waste of half. Josh did say that since we've done the mail in ballots the numbers have gone up for people who vote. Tami said but there have also been some hot issues too. Josh said that what he's saying is that we're getting a more realistic view. Tami said, but they are not using the mail-in ballots. They are coming to vote.

Tom Barry asked Gregoire if there was anything that the state could do to prevent the frequent losses of power to homes. He said he's never seen it as bad as in Bakersfield. He said that he lives at his mother's home, who has a whole house generator but wondered if there was anything the state could do. James said the short answer is that the state has oversight of utilities through the regulatory agencies. He said the utility companies are trying to upgrade infrastructure and just need to catch up. James said that there are areas that experience a larger number of outages. Lance said that he has lived here his whole life and it's better than it used to be. James said that it's hard to believe that it wasn't until 1949 that all Vermonters had access to electricity. Terri said that Tom could make a complaint to the Public Service Board.

Road- Terri asked if the crew could fix the holes at the bottom of Boston Post and King Rd. Mac said that section is a State issue. He said we have filled it before, and we were told that where the pavement stops marks where our Right-of-Way ends. The board said that the roads looked good. Mac said there are some rough spots they are working on. He said the sap and chipper trucks are doing ok.

The board discussed reconfiguring the Town Hall room for Town Meeting and whether or not they were going to have zoom available during the meeting. John said that we don't have the capability to have a mic that gets passed around and even though we will have the PA system and we put the mic near the speaker, it may not pick up everything and may have feedback depending on where everything is positioned. There won't be any interaction via zoom and people are not able to vote over zoom. The board took a vote between the board members and voted 5-0 not to have zoom at town meeting and to have Northwest Access record in order to be watched after town meeting.

Mac told the board that they are beginning of another round of FEMA and more paperwork. They want signatures on the permits, and it's all been submitted before. We have a month to do it. Tyler Billingsly is on vacation, and he has everything on his computer. It's all done it just needs to be resubmitted and Tyler can answer all the questions they are asking. Lance said that he is tired of jumping through hoops.

Tami told the board that the way the state is doing Liquor licenses has changed. The board is not required to sign to approve local liquor licenses, everything is done online now and only requires the Town Clerk to click to approve, so the board will just look and let Kathy know if they approve the license. Rosalie asked if the board approved licenses in general or as a specific request. She asked if the Select Board had a say in who gets a liquor license. The board told her that there are a few businesses that need annual liquor license approval...The Jolly, the Golf course, and Mark Laroche. The State looks for local government approval before the State approves the license. If you are an out-of-town business and you want to cater an event in Bakersfield and that includes serving liquor, then you would have to get an approved liquor license for that one day.

The board read an email directed to the Planning Commission from Sherry Howrigan requesting a letter of support required by a grant to expand their sugaring business. Tami said that she gave her Bill Irwin's number to request the letter. The board discussed where the area was for the intended expansion. The board believed that the land was landlocked with a ROW, but Rosalie said that the land was behind her and was not landlocked. Rosalie asked why they needed letters of recommendation from the town since it is a private business. Josh said it was part of a requirement to apply for a grant. Josh said that he gave them a letter. Rosalie said that a letter from Josh carried the authority of the Select Board. Josh said that he didn't write the letter as a select board member but just a letter stating what they were doing from his forestry position, as the Forestry teacher in Enosburg. Josh said that the Planning Commission and whatever providence they have can look into whether it is landlocked and what ROW's it has. A piece of land cannot be sold if it is landlocked without a deeded ROW. Rosalie said that she's not against the Howrigan's or Reed's expanding their business behind me, but it's not landlocked.

The board looked over the only treasurer resume that we have received to date. Brenda told the board that she would like to look into the references of the applicant.

ARPA update- Brenda said there is an ARPA meeting tomorrow night, February 28, at 6:00pm., which is a Tuesday and not a Wednesday as it was originally warned. She said they will go over previously submitted ARPA proposals and also new ARPA proposals submitted tomorrow night. Brenda said that she looked into the grant writing and the Northwest Regional planning have someone who will assist in grant writing, but we have to bring them the grant that we are specifically going after. Part of what we are looking for is somebody who will to that work as well as the grant writing. Brenda said that pertaining to the discussion they were having before the meeting, it is best to wait until after town meeting to pursue this.

Nicky Cribb sent the board a letter from the library asking if it would be possible to get the power outlet on the poll in front of Brigham Academy fixed. They believe that the power is on but that the outlet is damaged. Terri said that the outlet would need to be upgraded for that service and they would have to figure out how they were going to pay for it. She said she believes that it's just a pole and they the power company won't let that happen as it needs to be set up with a breaker. Although that property belongs to the town, there is no reason for us to reinstate that. Lance said that he agreed but the town does own that property. They said that the library should get a quote from an electrician. Josh said that the library has surplus funds to cover the expense since the town didn't budget that expense in. Terri asked if we can suggest that since we are not shutting off the electricity in the park that they bring their movies to the town green instead.

Lance gave an update on the Brigham Academy Building. He said that we can begin a request for repayment of the \$45,000.00 grant. Linda asked about the person or group interested and asked if the number of residential units changed. Lance said that the number of residential units has not changed and is still in the low twenties. Linda said she thought it used to be 26 units. Lance said Heidi once thought they could get 32 but the studies showed that wasn't feasible and it's been in the low twenties since. He said that preservation trust is insisting that we keep the great room downstairs, the auditorium and both stairways which is not feasible. Lance said that it is a substantial financial commitment at around 6 million dollars, a good amount of that would be provided by grants. Someone asked why they want to preserve the auditorium. Lance said there will be arguments. They are insistent that the outside remains the same, which includes the clockface. Lance said that if we can't save the building then it doesn't make sense to spend money repairing the clockface now. Lance said that if we don't do something this time, then I'm afraid we've lost it. Linda agreed. She said there is more money now than ever. Lance said that the interested party is counting on grant money to fund part of it. And this party requests that we not mention their names at this time.

The board received a letter from the Mathieu's on Smith Road about the animals on his neighbor's property. The board said that this is a property that they have dealt with before. The board asked Tami to contact the VLCT regarding state statutes on livestock in the town and village. Tami is also to contact Ginger Parent and ask her to go take a look from the Health Officer's point of view.

Brenda made the motion to adjourn. John seconded the motion and the motion carried with a vote of 5-0. The meeting adjourned at 9:06pm.

Meeting minutes recorded by Tami Brennan.



