

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

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

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

Members absent: Todd Cosgrove

Residents/Guests attending: Mac Newett, Dan Forand, Katie Forand, Tami Brennan

Previous minutes: John made the motion to accept the previous minutes as written, Terri seconded the motion and the motion carried with a vote of 3-0, Lance abstaining having been absent at the last meeting.

Warrants signed:

Road Commissioner's Order #18-2023	\$603.88
Road Commissioner's Order #25&26-2023	\$10,069.57
Selectmen's Order #26-23	\$11,856.66

John said that the BCC has requested of Alex Barkley, that he write a grant for them and Alex has sent a contract for this work, which Alex wanted one of the Select Board to sign. John said he printed it out, but didn't have it with him, but he believed that one of the terms was a minimum of 4 hours and then billed in quarter hour increments.

John also had a question about the workman's comp requirements as to non-employee contractors. He asked that if a contractor who is not working on town property, so is unlikely to be injured on the job, is still required to submit the insurance form. If not, then perhaps Alex, who is technically not working on town property, would be exempt as well. The board asked Tami to check that out with Vera and to email the info to the board.

Road Report- The board signed the Final Access permit for Larry Lawyer. Mac said plowing went well this morning and that Al is catching on well. He said a cable broke on one overhead door last week and the other side broke this week. The three doors were put in in the early 90's and need to be replaced. He said they have replaced a couple of panels before, but the salt eats them right up. Three doors and three openers come to around \$18,000.00.

Lance had a GA250 grant form for Mac to sign for a \$31,000.00 grant extension for ditch work. Mac signed as the Town Grantee.

The Boston Post Speed Limit signs have been moved to better positions and people are seeing them more and slowing down. The board said that they will speak with the State Police about those who persist at high speeds.

Lance said there is a Better Roads Grant, which can be used for replacing culverts, erosion, slope correction, etc., for up to \$60,000.00 that would be worth looking into. Josh said that he just saw a spot in Enosburg where they

had covered a ditched area with fabric going all the way around the ditch and then planted grass over it and made a small dam. He said he hadn't seen that before, but it looked good. Mac said they hadn't seen that, but it sounds good and would cost less because it uses less stone.

Mac said he would like to have Tyler look at the first big dip on Whitney Rd. He said he doesn't know what we have in the Bridge account but usually grants are an 80/20% split. He said it has a 6-foot culvert.

Terri asked about the area by Paul Houles. Josh said that he went past there and it looks much better now that the leaves are gone. Mac said they haven't had a chance to get down there.

The reclassification of Stagecoach Rd is tabled until Todd is present.

New Mail-

An application for town treasurer from someone in Maryland who may possibly move back to VT yet has no bookkeeping experience.

Notification from the Burlington Free Press that our online ad is expiring if we don't extend it. Terri said it wasn't doing any good. Josh said but we don't have a treasurer. The board did not extend the ad.

The board received a copy of the letter to Lyle Willey from the Cemetery Commission. Josh updated the board, that since the last meeting, Josh had received a phone call and email telling him that Lyle Willey was trying to get his equipment for the Christmas Trees out of the Hearse House but was unable to open the lock as it had been changed. John was also notified by the office as Lyle was there and unable to access the Hearse House. John contacted Linda McCall and left a message that the town office needs a key to the new lock within 24 hours or the board was going to have Mac cut off the new lock and replace it. Linda said that she replaced the lock to prevent someone falling through the hole in the floor. Tami said that Linda came over to the Town Common with the key, while Lyle was there, and opened the door for Lyle so the lock did not need to be cut.

Terri said that it has been back and forth about who has ownership of the Hearse House, and the CC wants executive overseeing power. Terri said sad to say but we're not doing that. Terri said we are the ones that own it. Tami said the Town owns it. Lance said that the Select Board represents the town, and we represent the good wishes of the town, but we don't own it. Josh said that the argument at the last meeting is that the Cemetery Commission is equal in their rights and responsibilities as they are voted in by the town. Josh said the CC has authority over the cemetery, which according to VLCT, encompasses the Hearse House. Any HH expense can come from the CC funds and any money that the CC needs for the HH needs to be budgeted and get voted on by the town.

Terri wanted clarification on the payment to Ginger Parent as Health Officer. She asked if that was a paid position. The board told her that it was. She asked

if it is documented that it is a \$20.00/hour position and was told that it was. The board updated Lance on the last meeting regarding the Barnes rental property and told him the wages involved that case. John said the SB is paid less than the Health Officer. He said the board makes \$10.00/hour. Tami said the board members make \$40.00/meeting, and the chair earns \$45.00/meeting.

Solar Powered Crosswalk update- The board received a response about who is responsible for purchasing and installing a solar powered crosswalk, known as a Beacon, would be the responsibility of the town. The board also received a packet of regulations. The board asked Tami to reach out to Stephen Stanley and Gary Denton for direction on seeking quotes on costs.

LT Kilipek, from the State Police, notified the board by email that he was called out of the county and would miss tonight's meeting. Tami to invite him to the next meeting on December 11.

Wunderlich Dog bite records sent from our town attorney to the attorney of Mr. Churchill, who requested a copy from the town.

Contract Ratification-

The item of business under discussion is about the legality, validity and binding effect of the Contract for Administrative Services between the Town of Bakersfield and the Northwest Regional Planning Commission, dated June 13, 2022, but with an effective date of September 13, 2021. Unfortunately, the boards minutes do not reflect a motion authorizing Joshua J. Goss, Selectboard Chair, to sign this contract. Therefore, upon the motion of Lance Lawyer, and seconded by John West, and carried with a vote of 4-0, the members of the present Selectboard hereby approve the following resolution:

Be it resolved that Joshua J. Goss, Selectboard Chair of the town of Bakersfield, was authorized to enter into Contract for Administrative Services on behalf of the Town of Bakersfield with the Northwest Regional Planning Commission dated June 13, 2022, and the contract is hereby ratified.

Similarly, there was a discussion about the legality, validity and binding effect of the Contract for Administrative Services between the Town of Bakersfield and Dreher Design Group dated September 13, 2021. Again, the board's minutes do not reflect a motion authorizing Joshua J. Goss, Selectboard Chair, to sign this contract. Therefore, upon the motion of Lance Lawyer, and seconded by John West, and carried with a vote of 4-0, the members of the present Selectboard hereby approve the following resolution:

Be it resolved that Joshua J. Goss, Selectboard Chair of the Town of Bakersfield, was authorized to enter into Contract for Administrative Service on behalf of the Town of Bakersfield with the Dreher Design Group dated June 13, 2022, and the contract is hereby ratified.

MERP Update- no updates

Brigham Academy Update- There will be an Informational Meeting on December 11, at 6:00pm, at the Town Hall, before the Regular Select Board meeting, to provide updates on the Brigham Academy Building.

RDAG discussion- The board talked about RDAG (Rural Development and Growth) and explained that RDAG began when the town received a grant to assist development and growth of business in the town. The funds were meant to provide low interest loans (1% above prime) to beginning Bakersfield businesses. They said their first applicant was Wolf Run and they took the bulk of the funds and then went bankrupt, so the town lost the money. Lance said there are some funds left, he thinks that the balance may be around \$25,000.00. Lance said that the original managing committee eventually faded away and the Select Board, along with Larry Krygier, took over managing the funds. Lance said it is still used occasionally. Lance said the current business concerns an RDAG loan established for James and Holly Curtis. Lance said that it is traditionally written into the loan agreement that the legal fees for writing the mortgage contract is to be paid by the mortgagor (borrower), but that it is not written in the contract and was only stated in an email sent from Michael Gawne to Jamie and Hollie Curtis, at the time of the contract, which has not been paid. Thus, the board decided that it was Mike Gawne's responsibility to collect the legal fees from the Curtis's.

John made the motion to enter Executive Session to discuss the RDAG business, the motion was seconded by Lance and carried with a vote of 4-0. The board entered Executive Session at 8:13pm.

John made the motion to exit Executive Session, Lance seconded the motion, and the motion carried with a vote of 4-0. The board exited Executive session at 8:19pm with no decisions made.

Josh read a resignation letter from Harmon Mayo stating that he was resigning from the Cemetery Commission for personal reasons. John said that it is with regret that he makes a motion to accept Harmon's resignation, Terri seconded, and the motion carried with a vote of 4-0.

John made the motion to adjourn the meeting, Lance seconded the meeting, and the motion carried with a vote of 4-0. The meeting adjourned at 8:22pm. Meeting minutes recorded by Tami Brennan.

