

Bakersfield Regular Select Board Meeting
Monday, September 11, 2023
6:00pm

Meeting was called to order at 5:58pm by Josh Goss.

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

John made the motion to enter Executive Session to interview a candidate for treasurer, Todd seconded the motion, and the motion carried with a vote of 4-0, Terri having not yet arrived. The board entered Executive Session at 5:59pm. Lance made the motion to exit Executive Session, the motion was seconded by Todd and the motion carried by a vote of 5-0. The board exited Executive Session at 6:58pm.

The Open meeting was called to order at 7:03pm by Josh Goss.

Residents/Guests present: Dan Forand, Sharon and Pat Evans, Vera Lawyer, Granger Heinlein, Stacey Maynard, Heather Tanner, Mac Newett, Linda McCall, Tami Brennan

Todd made the motion to accept the August 28, John seconded the motion and the motion carried with a vote of 5-0. John made the motion to accept the interim meeting minutes of Sept 5th and 7th, for employment interviews, the motion was seconded by Todd and the motion carried by a vote of 5-0.

Warrants signed:

Road Commissioner's Order# 14&15-2023	\$30,741.59
Road Commissioner's Order# 14-2023	\$1,456.48
Selectmen's Order#	\$11,804.48
Selectmen's Order#	\$807.38
Selectmen's Order# BCC 03-2023	\$188.90

Finance- Vera said that she's collecting taxes. She said she had collected around \$892,000.00 by the end of August, and she has collected around \$115,000.00 since then. She said there is still about \$1,900,000.00 still to collect. John told Vera that VLCT did get back to him about the grant writing insurance. He said ENO is preferred but general liability is acceptable. John had questions regarding zoning fund and the reimbursements in roads for \$176.40. Vera said that the reimbursements are explained at the bottom of the page.

Granger Heinlein met with the board regarding the Culvert replacement invoice that he sent to the town. He said that he had no intention of sending a bill originally, if he had received the culvert. He was told by the town that they had to wait to see if he had a valid road access permit. He said the culvert was plugged. Granger said that it has not been ditched there since he moved here in 2014. He said he stepped in to talk to Mac and was told to dig the culvert up

and shake it out. I dug it up and the bottom fell right out. Granger said that he had worked in construction for 14 years and he knew that the culvert was bad. He said that he doesn't think the bill was fair, but he sent it to get someone's attention. He said that no one would pay that kind of money for a residential culvert placement. Granger asked the town how much it would have cost the town to do it. Josh said that the board was told that Granger was told that the road crew was not able to do it until they got the machinery. Granger said he was not told that. Granger said that he thought it would cost the town \$1800.00. He said it would probably be 5 hours' worth of labor per person at around \$45.00/hr. A dump truck at \$110.00/hr, and \$40.00/\$50.00 in fuel. Granger told the board that he was thinking that he will split the difference with them. Josh said that he understood that Granger has a background in construction but if everybody dug up their driveway and charged it to the town, we'd go bankrupt. Granger said that he never had an intention in the world of send the town a bill, but there were a couple of problems. Granger said he went down to talk to Mac and Mac never got out of his chair. Granger said that he paid Mac's salary. Josh said you pay a portion of it. Granger said when I worked for someone and the owner came it, the first thing that I did was get out of my chair. Josh said, you went down to talk to Mac, the chair is irrelevant. Josh said that if you are not satisfied with Mac's answer, as Mac is the Road Commissioner, then the Select Board is the group to sort that out. Granger said they came and took a look at it and said that it was plugged. Mac said the dirt came right out of your driveway. Granger said no it did not. Josh told Granger that the board appreciated that he never went on Facebook to blast the town. He said not airing your frustration on facebook was the adult thing to do. Josh said that we have other people in town that don't handle things as well. Josh said if you have a problem, you go to Mac, and if you are not satisfied, then you bring the problem to us. That's how it works. Granger said he was going to save the town the trouble. Josh asked him what changed. Granger said that he was told, you have an excavator, go dig it up and shake it out. He said nobody wanted to believe him like he's an idiot. Granger said nobody looked to see if I had an access permit until I sent the bill. That is not my job to make sure that I have it. Josh said it is Granger's job. Lance said that he worked with Kathy, the town clerk, and they had found it before the board got the bill. Granger said that nobody looked until after the town got the bill. He said the culvert cost him \$752.62, and he will take \$1000.00 because of his labor. John asked what kind of culvert Granger put in. Granger said it was an HDPE black plastic. The town uses galvanized metal. John said that he put in a culvert that is substandard. The board said to make sure that Granger always speaks to the one in authority, not Mark or Dan. Granger said he talked to Mac the day before. Mac said he told me that he was digging up the culvert tomorrow and I told him to shake it out. John said he did it out of frustration without the approval of the board. Josh said that Granger needed a permit to work within the town right-of-way. Granger said that he was told to do it. Josh said that's not a permit. Josh said that you've brought up some good points. He thanked Granger for not slandering the town on Facebook. Josh said the

real issue is the bill. He said whether you were told to do something by the road crew or not, that could have been done out of frustration on both sides. He said that he would like to have this resolved by the time you leave. Josh said that they would just reimburse Granger \$752.00 for the culvert. Terri said that we should pay him for his time. Josh said that Granger did offer to do the work in the first place. We didn't have the equipment and when we have the opportunity, the town will replace our culvert when it fails. Granger said that he said he was willing to do it to save the town some money. Lance said that we didn't give you any answers that day, and you can't do that as an individual. Heather Tanner said that she was a manager for 17 yrs and when she was not there, then someone else was in charge. The board said that the guys can do the work, but they can't make the decisions. Josh said that he thought it was common knowledge that it was the Road Commissioner first and then the Select Board. He said it did get brought up at a meeting but not to the extent that it needed to be. He said there was poor communication all around. Lance said, in light of the fact that you did the work within the right-of-way without a permit, we'll pay you for the culvert and call it done. Granger asked how much it was for a permit. Lance said he thinks it's around \$25.00. Granger said he'll take the \$1,000.00 and pay for the permit. Todd made the motion to pay Granger Heinlein \$1,000.00 for the culvert and labor for replacement. Terri seconded the motion. The motion passed with a vote of 4-1, John voting nay because of what this means to others in the town. Josh said in the future, the board needs to be made aware, in writing, before any action is taken.

Cemetery Commission- regarding the Hearse House and Cook's Cemetery. Stacey Maynard, Heather Tanner and Linda McCall. Linda told the board that according to the August 14 minutes, it said that the Hearse House is under the authority of the town instead of the Cemetery Commission. Linda said that the Hearse House has always been under the authority of the Cemetery Commission. She said the Cemetery Commission doesn't own it, it owns nothing, but we are the authority over the care of the cemetery and the Hearse House is used by the cemetery to keep equipment. The board said that Linda had told them that the Hearse House was unsafe and that it was unsafe for Maria to store her equipment and that it needed to be renovated and the town owns it, so the money should come from the town. Linda said that Maria is storing her mowing machine in Linda's garage temporarily. Terri said that storing the equipment is not the responsibility of the town. Linda said as a taxpayer and resident, we work together. The Cemetery Commission works with the town. The town owns the cemetery, and the commission takes care of it, she said the cemetery is not deeded to the Commission. Josh said if someone puts a stone on a plot in the cemetery, who owns the stone. Linda said the person who bought it.

Todd said that when they came before the board before, it was said that only the cemetery itself could use the funds of the Cemetery Commission. He said that Linda said that the Commission couldn't spend money on the hearse house because of that. The board said it's been presented seven different ways.

Linda said it started with requests for ARPA funds and then you folks were going to bring materials and Josh was to bring a class and portable sawmill to work on it. Lance said he has yet to receive a list of the materials needed. Linda said she apologizes for that; Lyle is not able to give that. Josh said that he can come and cut boards but if I don't know what we need, I'm just cutting boards. Lance said they could set up the portable mill at his place and saw them up and bring the clean lumber down. Linda said that at this point, we need a new group to do this. Linda said that Lance thought that the Hearse House was in the National Registry, but the application had been started by Nancy Hunt and then things in her life happened and it didn't get finished. Then during Covid, the application changed. But the person reviewing our application said that the college students who did the work on the application had done a great job and he doesn't think that it needs to be done again. Lance said that we should wait to see what their requirements are. Lance asked if Linda had any idea of the timeline of this grant. Linda said that she was hoping for the application this fall and then hopefully something in the spring. Lance said if we start to repair the Hearse House, we might save the Hearse House but disqualify it for the registry. Sharon asked if there are by-laws explaining what the Cemetery Commission is caring for. Sharon asked if they could supplement that to clarify some of this confusion. Josh said we support you in your efforts. He said that does not mean financially. He said we will try to help you in the ways that we can. If you have things you want to budget for, we can back you on ones that are matching grants. Josh said to keep them updated of any progress. Sharon said that the Conservation Commission got the grant. She said the assessor came and it will be 2-3 weeks until we get the report. Josh said we did give you matching funds for that grant. Heather said that we have volunteers for the Hearse House and the person has dug the hole, what now. Josh said if it goes on the Historic Registry, we need to wait to see what they require for Historic preservation. Josh said as a quick note, the Cemetery money is to be deliberately separate and going to the Cemetery only and The Commission must make it clear that any money that is asked for from the voters for the Hearse House must be kept separate and only spent on the Hearse House and not lumped in with the Cemetery Commission. It cannot be used for mowing or tree removal, etc. The same thing would go toward grants for a new fence. Linda said it can not to be metal or vinyl. It needs to be wood. Josh said the fence is not historic. Linda said if we use the Paul Bruhn matching grant, it would need to be. It does not require matching funds. Josh said we could take down the fence from between the park and the common and put it along the front. Stacey said in 2019, the pre-covid quote for 1400 liner feet of vinyl fence was \$49,000.00, materials only. The board said prices have tripled so now you would probably need a \$150,000.00 grant for a fence.

Cook Cemetery- The cemetery at the intersection of Joyal and East Bakersfield Rd. The town budgeted for it. Linda said that the Cemetery Commission is responsible for Cook as well but the town has always paid for it, so we didn't budget for it. Lance said that Cook's Cemetery was paid tonight on a warrant,

but next year we'll need to discuss Cook's Cemetery with Ross and we will look at the cost of having the road crew weed whack it.

John said that we are going to have the road crew mow the common. Linda said that she knows that they are thinking they are going to save the town money. Linda said that Maria has a contract for the next year for \$1500.00. Terri said that Maria doesn't realize that you are not a legal signature for the town common. Todd said he thought it was said that she was not going to reimburse \$1500.00 for the town common. Linda said we pay that on a monthly basis. Heather said that it got split, she would have to bid to contract with the town for the common. She's already contracted for the common for 2024. Josh said the dividing lines are the two rows of Maple Trees; on the downhill side, it's the cemetery and on the uphill side, it's the common. The 2023 budget is for this year, the year 2023. There is no budget for 2024 year. John said that next year, the town will mow the common.

Listers- Pat and Sharon met the board regarding the listers request to take a workshop at the VLCT conference this fall. Josh said that the cost of the classes would covered in the budget, on page 5 of the town report, there is \$250.00 budgeted for lister education. He said that the Select Board budgeted another \$1000.00 for education. The lister request is for \$294.00 so it fits easily in our budget.

John made the motion to accept the written request of the listers to attend the workshops at the VLCT conference for a total of \$294.00. The motion was seconded by Lance and the motion carried with a vote of 5-0.

Pat said that they told me they needed help, please get on the ballot and I did, but this is a job for a Philadelphia lawyer, it's an amazingly complex assignment. He said Sue has been doing this for 20 years and we keep asking her questions. There is so much to know. Josh said that it's our responsibility as an employer to make sure that their employees have the training that they need. Sharon said if we could have done this more quickly, we could have saved the town money. Josh said that they didn't realize that the listers had put in \$250.00 into the budget, if we had, it would have been quicker. Todd said let us know at budget time any anticipated education expenses. Sharon said she remembers when working for the school, they didn't have to go to the school board to get that cleared. Josh said that we did get bit by an individual that used that time personally. Josh said if you can get to us earlier that would be better. Sharon said that she signed them all up on the portal, so we all have started to get emails from VLCT. John said they have a lot of good stuff out there. Tami said that we are members of PACIF, so most of the classes offered only cost us \$10.00.

Roads- The board says the culvert by the garage looks good. Mac said that the North Station fill pipe has been brought up to copper. Mac said that the bill for the third load of Chloride. Mac said that they have been playing with the excavator on Egypt Rd. and doing a lot of brush hogging. Josh said that they were going to be able to save on roadside mowing. Terri asked about the sickle

bar and what good that is doing us. Josh said that the sickle bar does the first 6 ft of the roadside. He said we are down to a two-man crew for the time being. Mac said they put a bit of sand up, and that Dan had come to visit. Dan said that he could fill in some. The board and Mac talked about the gravel pit. We are currently working in phase 2 in the gravel and there are 8 phases.

Class IV road reclassification- Josh said that we have a boat load of info to look over as homework. Mac said that the earlier discussion is an excellent reason to expedite a policy in writing. Todd sent some personnel policies. Josh said a lot of that pickle that we got into tonight should have been avoided. He said Granger brought it to a couple of board members, and we should have put it on the agenda and researched it. If we had a written procedure in place, maybe some of the direction he got wasn't the best. Communication is important. Todd said that the form attached to one of the policies in the packet that the Select board will research, would have helped with that. Todd said there should be a form to request to work in our ROW. Mac said if you had a policy in place that we don't replace culverts, he said it cost \$750.00/culvert and if we start doing 10-12/year, you'd have to budget an additional \$10,000.00/year. Todd said that currently the owner pays for the initial culvert and then the town pays for a replacement. Lance said that there are dozens of illegal accesses that have been there forever. Some are agricultural and are causing problems on town roads. The ones that have not been used for 10 years should be taken out. He said residential accesses are completely different. The board said that there is no written policy in place, and we need to have a policy. Terri said we can't run the town on the good ole boy system. Todd said if Mac could come up with some sort of plan, then we can take a look. It might be good to have smaller committees to come up with these policies and that Mac should be a part of it. Mac said it would be good to have Mark involved because he knows a lot. Mac said that Todd should also be there because he is a fireman and knows about emergency access safety. Josh said that Todd can work with the town crew and they will be perfectly capable. Mac and Todd will get the meetings started. Todd said that he is researching to see what other towns have in place, there is no need to reinvent the wheel.

John said that there needs to be grading done. Lance said they are working on Waterville Mtn Rd., which is a grant funded area and needs to be completed within the designated time. Terri said that she heard that Egypt Rd was bad. Josh said these are back roads in Vermont. You are going to get washboards and potholes, that's to be expected. Mac said they would try to get there by the end of the week.

Todd said that we should start advertising the old grader for sale to try to sell it. People are asking if it was so bad, why do we keep it. Josh said initially we were going to use it trade in toward a new grader but there was not a sufficient amount offered for it as a trade in so we decided that we would try to sell it. Josh said we have been busy trying to hire two town employees, one for the road crew and one as a treasurer.

MERP- Joh said that Applications are submitted, we are still waiting to hear when they will come up and have a look at the buildings for an assessment. I guess there are 162 applicants, and we are not in the first grouping. Josh asked if we were good for this season for heating the Town Hall for the winter. John said we had it cleaned last year, Hurlbut serviced it. John said we could have it cleaned again. Josh said we can wait a bit. John said even if we get the ok to replace it this year, ordering equipment can be almost a year out.

Golf course signs- the board said the stop signs and golf cart signs look really good.

Boston Post Speed Limit Change- John said that there was a problem with one of the devices that they used on the road to collect the data. They put the reader out again. He said they can use the first data, but it gives no dates and times. John thought they should have the data at the next meeting.

The board said they met with reps for BC/BS and MVP via zoom for info regarding health insurance for their 3 employees.

John made the motion to approve the building use request by Phil Bronze on behalf of the Progressive Party on Sept 28 at 7:00pm. The motion was seconded by Todd and passed with a vote of 5-0. Tami to check with Phil to see if they need someone to open the building.

Todd made the motion to go into Executive session to talk about the treasurer position. John seconded the motion and the motion carried with a vote of 5-0. The board entered Executive session at 9:10pm.

Todd made the motion to exit Executive session. John seconded the motion and the motion carried with a vote of 5-0. The board exited Executive session at 9:33pm.

John made the motion to offer the treasurer in training position to Samantha Colf. Todd seconded the motion and the motion passed with a vote of 5-0.

Todd made the motion to adjourn the meeting. John seconded the motion and the motion carried with a vote of 5-0. The meeting ended at 9:40pm.

Meeting minutes recorded by Tami Brennan.