

Bakersfield Regular Select Board Meeting
September 12, 2021
7:00pm

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

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

Members absent: none

Residents/Guests attending: Mac Newitt, Linda McCall, Susan Whooten, Jan Ketchum, Heather Jewett, Katie and Dan Forand, Kathy Lavoie

Previous Minutes- John made the motion to accept the August 22nd minutes as written, the motion was seconded by Lance and the motion carried by a vote of 3-0, Brenda abstaining since she was absent for the 8/22 meeting and Terri having not yet arrived.

Warrants signed:

Road Commissioner's Order #15+16-2022	\$26,738.80
Road Commissioner's Order #6-22	\$115,609.88
Road Commissioner's Order #9-2022	\$645.55
Bridge Account-FEMA	\$65,000.00
Selectman's Order #21-2022	\$52,453.21

Finance- Finance Report sheets were provided for the Board by Maria. Josh said that Maria was not present for a very good reason. 😊 The Board looked over the report and asked Mac what the shop expense line item included. Mac said that it includes everything from paper towels to a new tool, any expense that doesn't fall into any other category.

John asked Tami how many ATV stickers that we have sold so far. Tami said the next one to be sold is #115, and that more than half are out of towners. All revenue from the ATV stickers goes to repairing the roads.

The board wanted to note that the VLCT Property and Casualty Insurance premiums come to \$10,955.00. Lance said that expense comes out of the General Fund.

Kathy Lavoie met with the board via Zoom and told the board that Paul Dreher couldn't make it because of a family issue and is willing to come to the next meeting. Lance said that he made copies of the Marketing Report for the board and for public access in the Town Clerk's office. Kathy said the Report will go to the Agency of Community Development and was paid for with a Block Development Grant. She said that we are to move on to an Implementation Grant which could be between \$50,000.00 and \$1,000,000.00, which can disappear quickly. Kathy said the Report is in line with what the community had hoped for in regard to a senior housing project suggesting 20-25 residential units and mixed-use units in various structures, about 40% rental assistance units, 25% tax credit units, and 35% market rate units. Kathy said the structural engineers are in the process of preparing the final report. She

said the building will have to be reinforced structurally per International Building Codes. Kathy said the Civil Engineer Studies are complete. The test pits are done, and the site capacity is sufficient. The Department of Historic Preservation's support is ongoing and certain aspects will be eligible for tax credits if completed and are in line with the Market Study. Kathy said that Paul Dreher is the expert on that one. Kathy said the architecture is ongoing and that Paul has done drawings that are compatible with the Market Study. Kathy said that a project like this is tricky for Partnership. Partners at the present are The Town of Bakersfield, Paul Dreher Design, Northwest Regional Planning Commission, Preservation Trust of Vermont, etc. Kathy said that the long-term partnership for ongoing management for operations, in order to run the community space, is still a concern. Kathy said that what is needed is a matrix of funding and grants to show where the money is coming from. Paul said that he is confident that Bakersfield could get a grant for the matrix to be completed and that would help them to make a decision on how to proceed forward. Kathy said that there are some additional concerns, one being the continued degradation of the building. The façade veneer is crumbling and is an immediate concern. Kathy said that to receive certain grants the building would need to be owned by the Town. She said that there are various types of ownership...private ownership inside the building with the outside owned by the town. She said the funding would depend on who owns the infrastructure. Kathy said the context of the planning grant is completely on task and is in line for closing out planning grant in June 2023 and then they will shape the implementation grant. Lance said that he didn't feel that we are ready for a community event at the beginning of October to solicit some opinions and inform the town of what we can do or what we want to do with the building. Lance said that we all know that if we don't do something soon, we are going to lose the building. He said that while the design may not be exactly what we want, it is past the point of arguing. He said that parts of the building will be for community use...the study hall and the upstairs auditorium. He said that at least one of the staircases will be kept which reduced the number of units. The gymnasium would be divided into three floors. He said that we need to decide as a whole community if we are going to keep it. He said that some money would probably have to come from the town, but we are taxed to our limit, and we could possibly hire a grant writer. Kathy said the NWRPC is still here to support Bakersfield and the USDA grant to support communities may have some ability to support you with grant writing. Kathy agreed that they aren't ready for the local event since they didn't have enough specific and realistic information that we will have from the final mapping of funding. Then we would be able to discuss it with the town in the Spring. Susan Whootten asked if towns are able to issue bonds where people could buy in and then get their investment back. Lance said there is not enough money in the town for that. Lance said the goal is to not have the town fund any big amounts. Lance said that this project will cost several million dollars, even as much as six. Lance said that they even approached Brigham Woman's Hospital, who has a familial connection, but they were not willing to contribute. Heather Jewett

said that she has a problem deciding to put money into this and said she would be personally offended if we put money into the building instead of stabilizing the community. She said that she didn't want to be guilt-tripped and that if the state wants it or the nation wants it, then let them pay for it. Heather said that the school has been an ongoing issue for so long and that if it's not fully funding from outside the town then she could not vote for it. Heather said that Bakersfield is a commuter community, and her husband spends \$700.00/month to travel to get to his job. She said that we are in one of the biggest recessions that we have seen for a while, and this is not a time to be approaching the residents for funding. She said what she wants to see is a few years of stable society. Lance told Heather that was appropriate feedback. Kathy said that she wanted to be clear that they are here to support the town of Bakersfield with information and in whatever decision that they make. Linda said that opinion is free and that she is a long-time resident of Bakersfield and one who remembers when Brigham was a school and would like to exhaust the opportunities out there for affordable housing for seniors that we need. That would also open up a possible space for the Post Office. Kathy said the purpose of the Ready Grant would be to determine what grants would be able to help to get grants to do this. This will help us map out what possibilities we have. Lance said that even if we let it go, it will take some money to get it down safely.

ZBA appointment- Brenda made the motion to appoint Melanie Riddle, Heather Jewett, and Maura Horne as the Zoning Board of Adjustment for the period of one year. Lance seconded and the motion carried with a vote of 5-0. The board asked if the office of Zoning Board of Adjustment could be put on the ballot for election. Brenda said the zoning board of adjustment is usually voted in because they represent the town in navigating and adjudicate any issues that arise between an resident applicant of zoning issues and the Zoning Administrator. Lance made the motion to rescind the previous motion to appoint the ZBA appointees to the position for one year, Brenda seconded the motion and the motion carried with a vote of 5-0. The motion was rescinded. John then made the motion to extend the current ZBA appointees until town meeting day and then open the position to be filled by election on Town Meeting Day. The motion was seconded by Brenda and the motion carried with a vote of 5-0.

Auditor appointment- John made the motion to appoint Susan Wooten and Jason Bapp to the office of Town Auditor to fill the position until Town Meeting Day at which time the office to be filled by election. Lance seconded the motion and the motion passed with a vote of 5-0.

Linda McCall- Linda told the board that at the last meeting the board gave Linda some more names to see if they would qualify to be added to the Veterans Honor Roll monument. Linda said she looked them up and they have no DD214 because they are still active, so they don't have the documentation

needed to meet the criteria. Linda told the board that she felt that the board should have a policy for future applicants. Linda said she thought that VLCT can help the board draft that policy. Applicants must be honorably discharged and activated during wartime for more than 180 days, and the home of record during active duty had to be Bakersfield. Linda said the monument is for WWII, Korean, Vietnam, Desert Storm, Desert Fox, and the Global War on Terror veterans. She said that after Vietnam was declared a war, any soldier sent to maintain peace anywhere on the globe would qualify. She said there is a group of people who served between the Korean War and Vietnam and served honorably, but they would still not be eligible.

Jan Ketchum spoke to the board regarding the ongoing 3 years of dogs on the Avenue, where she walks children to school who are edible size. Jan thanked the Select Board for always responding to her call, and that she has also spoken directly to the owner. She said that she heard that the big boxer has been re-homed. Jan expressed concern about where the dog was re-homed and asked if it was in the community of Bakersfield or somewhere where it could pose a risk to people or other children or other dogs. She asked the board if we could ask where the dog has gone and when the other dog will be re-homed. Terri asked if we have given another community the same problem. Josh said that the owner has always been extremely approachable, and he didn't think that we had the right to ask where the dog was sent. He said that there is only one documented case of an incident. Jan said that she was asked to report and write out the circumstances with the dogs that she experienced with a 6-year-old and a 9-year-old. She said that they may not have been bitten but if an adult had not been with them to tell them to turn their back and not run and scream it might have been different. Jan said that she has told the parents that she wouldn't be able to protect their children from these dogs.

Josh said these are not the first dogs to get loose and run across the playground. He said that was happening 20 years ago when he was there. Terri said that other dogs have gotten out and the teachers haven't taken kids in from outside. Jan said that the teachers would walk the children past the dogs after school because they were frightened. Josh said we have done all we can legally do. Any issue with any dog needs to be legally recorded. John said that the report of the one bite should travel with the dog in case there is another bite. If that happens then the dog can be put down. Josh said that the boxer was a digger and when he dug himself out, the other dog followed but the other dog doesn't get out himself.

Heather Jewett said she fully supported asking where the dog is re-homed so that it is not repeated in another town. She said she couldn't live with herself if that dog attacked or killed somebody or a child. Heather said she was surprised that the State Police did nothing. The board said that the person who was bitten was the wife of a State Police officer. Jan said the State Police have nothing to do with this. There is no state law about keeping your dog on your property. The town of Bakersfield has an ordinance that you keep your dog on your property and on a leash. She said the incident has been reported at the

hospital and the hospital sends a report to the Town Clerk. The board said that the town has an ordinance, but we don't have a dog catcher. Heather asked if the town had an area where you can place an animal that is dangerous. Jan said that if you have dogs, then the owner is responsible when a dog has been harmful. Lance told Jan that she can always call him if he's home, but that is usually after the fact. Jan said that she will call each time that dogs are menacing. She said lately they have been in more than out.

Heather said that there should be two people fully trained and given more authority as they may have to make a rough decision at that time. The board asked Heather if she had seen the list of unfilled positions in the town. Jan said to re-home a dog is not easy, especially if the dog has had issues. Jan said that she would like to thank the owner of the dog for re-homing the dog. She said that he has always been responsive, and he has tried. Josh said that he has inspected the pen and it is good. The board said that we have a pen that can be set up at the old fire station. They said the responsibilities would be to capture, feed, care and disposal. The board said to call any of the Select Board if you are interested in filling the position because we are looking for help.

Roads- Mac said that Mr. Branon on Cold Hollow Rd. applied for an Access permit because he wants to dig the ditch from the telephone pole where the power goes under the ground. It's in the town Right-of-way and he did not get a permit when he did it about 5 years ago. He wants to dig the ditch in the ROW and not have the town do it because we don't know where the lines are, to put the line in conduit. He put it in the ditch instead of crossing the road. He made it clear that he doesn't want us to do it and he needs a permit to work in the ROW. The board said they believed that he would need to call dig safe and contact the power company. Between the two poles, there is a buried line and then it goes back up into the air. The board said that they need Enosburg Power to approve this before we grant an access permit. Josh said he would reach out to the Branon's. He said that if Enosburg Power does know about it and it's just about a document that needs to be signed, then we can stop by the Town Hall and sign, and it won't require a meeting. We just need something in writing from Enosburg Power.

Mac said that Mr. Montgomery started mowing today where Boston Post Rd and 108 meet on both sides. He has done a 2-3-foot sweep. Mac said the state has a long arm and this one has a 3 ft. cutting edge. He said he may do more than one sweep. Mack will take a look at Boston post tomorrow. He said he showed him King Rd and then Witchcat and then East Bakersfield Rd.

Mac said the grader is repaired.

Terri asked if Mac had found an excavator to buy. Mac said not to buy, but the one we rented arrived today from Green's.

Mac said they reached out to Bethany about the erosion study. We have to have 15% done by the end of the year so they asked Bethany for a hint so they

could prepare since we are running out of time. She came this morning and showed them some spots that were top priority. There will be \$31,000.00 grant for municipal stormwater issues and a little ditching here and there will not use the 31,000.00. Mac and Lance took her up to Waterville Mountain Rd. and talked about ditching out and stone lining both sides. The excavator and transportation would be covered by the grant. The grant is good until June and if you don't spend it, you lose it.

Mac said that they tried the Hydro seeder and took a picture and gave it all to Bethany. The grant paid \$6000.00 out of \$7,200.00. It was a good deal. We will need a trailer at some point and maybe we can use some of the grant. Right now, we are trailering it on Dan's trailer. A 10 ft trailer would be enough.

A board member was contacted by a couple of motorcyclists about what's up with the road. They said they felt like they were taking their test again. The board told them that our grader was down it will be back up as soon as possible and will be back to work. Josh said and they have to remember that they are on a motorcycle on a dirt road.

Josh said we have been talking about the grader and how it has served us lately...breaking down/repairs/age of service. It would be a prime candidate for ARPA funds as it would benefit the entire town. Mac said that he is looking at used ones. He said that a 6-wheel drive would work the best, we could make do with less for the right bid. Josh shared the numbers received so far for graders with the board in confidence until they receive all proposals. Mac is to get the CASE proposal and then the board will get Mac's and Mark's input.

External Audit- We received one proposal from Sullivan, Powers and Company from Montpelier in January with four pages of references attached. We received a letter from Fothergill stating that they could not give us a proposal at this time. The cost is \$19,000.00 which is the number that the board used to build the budget last year.

Terri made the motion to hire Sullivan, Powers, and Company to conduct the 2022 Bakersfield Town External Audit for \$19,000.00. The motion was seconded by John and the motion carried with a vote of 5-0. The board asked Tami to call Sullivan, Powers and Company to schedule the audit.

Hearse House- Linda said the updates are all in line with Lyle's estimate. She said Mike Lamphere would be able to do the work next year and is willing to work with volunteers. Linda said that she noticed that on the list of materials that there were no beams listed. She said that the garage floor needs to be completely rebuilt and the west side sill is shot. They are saying it is not too expensive to get it done and then it could last another 100 years. Josh said that he doesn't have logs, but the forestry program that he teaches does have a portable sawmill and we love to do community projects and they have a log cart. Lance said that he might be able to supply some Hemlock logs. Linda said that she will talk to Lyle and Mike.

Town Hall Furnace- John said that if the Town Hall furnace is in the position that it can't be serviced, then we are running out of time on that. We would have to get a contractor lined up and getting supplies before winter could be a problem. We would need to get new estimates. We only received one estimate from Mercy and that quote was only good for 15 days. He said the Heat pump would need an updated electric service as the Town Hall currently only has a 90amp service and they would require outside units that need coverage. We could get a price for one oil furnace with three zones. Linda said that there are newer Heat Pumps that are efficient below zero degrees. Brenda made that motion to open a request for proposals for heating units for the Town Hall. Lance seconded the motion and the motion carried with a vote of 5-0. John said after Friday, he will call around and get some quotes. Josh said to go to the yellow pages under Heating and call them all.

Brenda made the motion to adjourn. Lance seconded the motion and the motion carried with a vote of 5-0.

The meeting adjourned at 9:26pm.

Meeting minutes recorded by Tami Brennan.