

Bakersfield Regular Select board Meeting
Monday, January 9, 2023
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

Previous minutes: John made then motion to accept the December 28, 2022, minutes with the following amendment: that it was not Kathy who said we should get the Town hall furnace replaced sooner rather than later and Josh said that the board plans to replace the Town Hall furnace in the spring. Lance seconded the motion and the motion carried with a vote of 5-0.

Warrants signed:

Selectmen's order #1-2023	\$38,071.09
Road Commissioner's order #01-2023	\$60,000.00
Road Commissioner's order #1-2023	\$2,617.47
Road Commissioner's order #1&2-2023	\$13,197.82

Finance- The board had updated account reports from Maria.

Bill Irwin met with the board on behalf of the Planning Commission to inform the board that the Planning Commission does not expect to require additional funding from the town for the Planning Commission budget for this next year. Bill did say that additional funds may be helpful for the following year as regulations require the Planning Commission to revise the Town Plan. Bill said that he is working with the Northwest Regional Planning Commission to find out a rough estimate of what that might cost. Bill said that it could be that the Planning Commission would have enough money to cover that too, but he hasn't had that conversation with them yet. Bill also told the Select Board that the Planning Commission did not feel that they could benefit from their own email address because nobody had the time to check an additional email and if one of them did and erased a message before the rest could view it, something could be lost. He said that the Planning Commission prefers that contact with the planning commission should continue as it always has, by calling the Town Clerk with their question, and she will get the message to the chair. Bill said that they prefer to conduct all of our Planning Commission business at our public meetings and not to discuss cases with individual commission members, so we generally don't answer questions in private, we generally answer questions at our public meetings and people are free to come and ask their questions and thoughts and ideas they have, and we will entertain those.

Linda McCall told the board that she wanted to clarify what she said at the last Select Board meeting about when the cemetery commission took over the upkeep of the Town Common. Linda said that the previous caretaker died and then the care was turned over to the Cemetery Commission. Lance said the

Town Park is overseen by the Bakersfield Conservation Commission and the Town Green, which has the bell tower, and the beautiful flowers is being overseen by the Cemetery Commission but is not part of the cemetery. Linda said that its care transferred over to the cemetery commissions in 1963, according to Elsie's book. Lance said so it's been 60 years that it's been overseen by the cemetery commission so we should be used to it by now. Linda said yes, but there was a question of what to do when we run out of room in the cemetery, and someone said that we could begin using the property in the front and that's not true. That's not part of the cemetery. Lance said that is correct. That at the time the previous caretaker passed, the Select Board at the time voted to turn the care of the Town Common over to the Cemetery Commission but it is not part of the cemetery. Linda said that is correct and that is according to the deed. Linda said it is good to clarify all this for future generations for when the old timers are not around.

Sue Sonski and Sharon Evans, Bakersfield Town listers, spoke with the board about three articles that they wanted included on this year's Town Meeting ballot. Sue said that she talked with Deanna Robitaille about getting the funds established for the reappraisal. Sue said that it's going to cost at least \$100.00/parcel, which is like \$70,000.00 and it might cost more. Sue said that we are now below the 85% of common level appraisal so the state is going to order us to do a reappraisal. We don't really have a choice unless we want to give up all of our education money. Lance asked, to clarify, this is triggered by our common level of appraisal, our common level of appraisal has fallen too low. Sue said, correct. Sue said the first article is to establish a reserve fund for the reappraisal. The second is to authorize those surplus funds, be transferred from the Grand List Fund to the Reappraisal Fund. Sue said she knows there is money in there, but she doesn't know how much it is. She said that last time that she knew, it was about \$15,000.00, but you pay the listers out of the Grand List fund and we get a certain amount every year. We get a certain amount from the state but that does not cover the hours that we work. And the third one is to appropriate additional funds to the Reappraisal fund. The first year is \$10,000.00, which is just a suggestion. Sue said they are hoping that these articles will go on the warning.

Sue said the second paper that she gave the board is a copy of the 2022 Equalization Study results and as you can see that the common level of appraisal is now 81.85% and anything below 85% triggers the reappraisal. Terri asked to clarify that Sue is asking for them to be given the surplus funds and also an additional \$10,000.00 and Sue said that that is just a starting point. This would be a fund that you would add to each year like you do the paving fund or equipment fund. It's just another fund that we can begin to accumulate the money. Sue said we won't be able to do this for 2 or 3 years because the people that do this are backed up. Sharon said that she wanted to clarify that this is not the listers doing this, this is the listers telling the town that this needs to happen, so the fund would be set up not for the listers to use but for the town to use. Terri asked if this money gets voted in this year, how

much money would you have in that reappraisal fund. Sue said that she didn't know exactly because she doesn't know how much is in that fund. She said if it is \$15,000.00 and you add \$10,000.00, you might have around \$25,000.00., but we may need to budget in money to pay the listers as well. Josh said that this all makes sense, rather budget in a lump sum every 5-7 years, it makes sense to start a fund. Josh asked Sue to confirm that \$70,000.00 was the target number and Sue said there is no target number because we don't know what it's going to cost yet. Sue said the people that do this have their prices, but if it was \$100.00/parcel, we have about 730 parcels. Sue said that is just a very rough estimate. John asked when the last time Bakersfield had a reappraisal and Sue said 2009. Josh said that the articles proposed made sense and the numbers were well thought out and he saw no reason the board couldn't just vote to include these as presented on the town warning. He also asked Sue to invite Deanna Robitaille to the next Regular Select Board meeting on Jan 23. Sue said that she can tell us what to expect but she won't be able to give us a price. Sharon said she believed the next step for the listers is to get a list of candidates to do the appraisal. Sue said that we need to send letters to them. Lance said that it will have to go out to bid and we need at least 3 quotes. Josh said that they should send the letter to everyone that they can because not everybody is going to answer. Sue said that she has a list of all the state approved companies that do this. Josh thanked the listers for the work they do, and they look forward to hearing from you at the next meeting.

Library- Nicky Cribb and Hadley Priebe, the new librarian and director of the library, presented the proposed 2024 library budget to the board, which they said has gone up, due to salary increase and the rise in the minimum wage, the significant rise in heating and electricity over what they budgeted last year. They said that their accounting fee went up, that Maria is charging us more than previous years. They have anticipated an increase for website and computer maintenance since they presently have no antivirus plan so we will need to purchase that to keep everyone safe and our website could be more dynamic. Nicky said that replacing the floor and the door are also reflected in the budget. She said that they don't have mold, just the breeding ground for it, so the floor will not be covered by insurance. She said that they have decided to go to the voters for the money since there has been no response to their request for ARPA funds. Terri said she thought it was water damage. Nicky said no water damage, the carpet is just continually damp. The salaries will cover Hadley, Mary and any substitute due to illness or when the regular staff is unable to open. Nicky said the library is open 26 hours a week at this point. She said that Hadley has done a survey to see what people would like to see at the library. The floor and the door are projected to cost around \$15,000.00. They said they were hoping to get ARPA funds and they have looked for grants but have found nothing. Lance said that they must follow town policy since the library is a municipal entity and get at least 3 quotes for the work to be done. The board asked if the library had taken into account the amount left over from this coming year's budget, of \$19,183.00. And Nicky said they had not taken

that into account. The surplus would be put to a vote by the town under an article such as Shall the town authorize the use of surplus funds from 2023 to go to the 2024 budget. Lance said that would pay for the floor and door. Some of that money had gone into an improvement fund with the view of replacing the library's aging furnace.

Kerry Flieger said that there are a lot of rumors going around town that the Select Board has already spent the ARPA funds. Josh said that other than paying for the video equipment to enable the town to have remote meetings due to a state mandate during Covid, none of the ARPA monies have been dispersed. Kerry said according to minutes the town has recently bought a grader. Josh said yes, there has been a new town grader purchased but not with ARPA funds. Kerry asked if ARPA funds were used. Josh said, no, that the money came from the New Equipment Fund, which the town votes money into every year and surplus from the Road budget. Kerry said that rumors are going around that it's all going to the town garage, and it has a lot of people upset. Brenda said that we don't have to spend the money until 2026 and the money is currently sitting right in the Community National Bank and it's parked in there until the town folk decide what they want to do with it. There is 394,910.74 in there. Kerry said so it's not going to a new tractor with the arm, the Fire Dept and money going toward car #1. Josh said that anyone who wants ARPA funds has the opportunity to present a proposal, a written proposal, turned into Brenda, and then we will sit down and have a meeting and decide what is the best way to disperse those ARPA funds. Kerry asked when is that next meeting because it keeps being said that there will be another meeting this next month and then there is no meeting next month. Brenda said that she has had a lot of family illness and has been out of town for 3 weeks of the last month, caring for her parents and she is waiting until she can have some clarity and time to be able to do this properly. Also, to warn it so as many people who want to can attend these meetings can come and there should be several meetings. She said we don't have to use these funds until 2026. What we don't use by then, we have to give back. There are several proposals in right now, all of which will be considered. Josh said that we are not in a rush to spend, and the final rule has changed 4 times, as to how the money can be used and some towns have spent their money on things that have been determined to be not eligible for ARPA funds and have had to pay the money back with interest. Technically, it's called a claw back audit for not appropriate use, determined by an audit by the IRS. John said that there is a several hundred-page ruling, which is out there, you can read it, but it doesn't really matter how you read it because it's the interpretation. We're waiting for the final interpretation so we can determine what is really under the umbrella. We're trying to make an informed decision so that the town isn't going to have to pay for down the line. She said that she appreciates that the town is not in a rush to spend the funds. Josh said that the best thing to do when you hear rumors is exactly what you are doing, to come to a meeting and address us instead of putting things on Facebook and social media. Josh said that other than the equipment in this room that is recording this event, none of the ARPA

funds have been spent anywhere. Lance said none of it has been allotted anywhere. Kerry said she is relieved to hear that, and she gets the state stuff, she said it just makes it really hard to plan a budget if you don't know if you can plan on getting the ARPA funds. She said that more information coming from the Select Board would help dispel rumors and ill will. Josh said, so is it part of the proposals to spend some of the money to update equipment for the town that would get jobs done that town people are complaining about? Yes, that is included in the proposals. Is the fire truck, the first responder, Truck #1, I think you said? That has not been submitted on paper. He said he has heard people talking about it. He said if he's the one that goes down in the woods and that's the truck that shows up, I'm going to be damn glad it's there, but there is still a lot up in the air. He said it might not even be the same five people on the board that are here to make the decision so to say that we have decisions or ideas; Yes, we have ideas. Do we have decisions, no. Lance said there is an election coming up in March, so if you strongly disagree with us, I suggest you get a petition up and get somebody up here to replace us. Nicky asked if it is correct that we should not count on the ARPA funds to do the work that needs to be done soon. She said that this is an emergent issue for us. Josh said the board's suggestion is to budget as if the ARPA money does not exist. Nicky said that they didn't take into account the money they had to carry over and they would be back with an updated budget. The board said the deadline for items to go onto the ballot is Jan 23, and the board meets on that evening and wants to have everything finalized by that meeting. Josh said they are having an extra budget meeting on Jan 16 to talk about salaries and if Nicky wanted to bring it then, the board could take a bit of time then. Nicky said that Servpro sent a bill for their inspection of the library. The board requested a detailed report of the inspection's findings and Servpro said they don't do that unless there is something for them to mitigate. There is really nothing to report. Josh said if Nicky can write up the findings and give it to the board.

Mark Doremus- NWSWD- Mark told the board that the NWSWD's services are getting bigger and they are going to float a bond and use the money to try to expand the building that they have in Georgia. Mark said that the voters of Franklin County are allowed to vote on if this will be allowed. He said that in the next week or so, Kathy should get a request and information. He said it would be 1.5 million and would be gathered from grants and bonds and would not raise the town budget. John asked if the expansion would allow them to take more types of recycling. Mark said it would increase the capacity of the building in Georgia, where all the recycling goes and if it can increase their sorting ability, they may be able to take more types. Mark said they are able to take old sap lines. He said there is a company down in Texas and it gets trucked down there to process for plastic recycling. He said most plastic does not get taken. He said that part of the operating costs goes into various improvements, and they are constantly trying to find new markets for plastics, which doesn't generate a lot of money but keeps the plastics out of the landfill.

John commented on what a great set-up they have down at the NWSWD location in Bakersfield. They take trash, electronics, plastic, compost, etc. Mark said that's due to the evolution of the site. He said that all the trash goes up to the landfill in Coventry. Mark said he read an article that predicts that landfill will be full by the end of 20 years and there is no other place in Vermont. Trash disposal will then be a lot more expensive. He said that they are trying to get money from manufacturers to try to recoup money from dealing with the containers that they generate to sell their products. When asked about the tire drive, Mark said that it is in the spring around Green Up Day. He said that during the tire drive, they only take car tires, not larger equipment tires.

Rachel Santos spoke to the board about the speed limit on RT 108, in front of her house. She said her and her husband bought a house last spring on Rt 108, and we thought it was in a 35-mph speed zone and technically, it is in a 35-mph speed zone but it's more like a 50-mph speed zone. Josh said that two years ago, the town had a study done and they got the state to lower the speed from 35mph to 30mph. Linda said the town wanted it lower on 108 and lower on 36, but the state said that 30mph is what the people are comfortable driving and that's what they put it at, which doesn't make any sense for the people that live there. Rachel said there are lots of children crossing, walking to school, and there is no sidewalk at this end of town. The sidewalk at the other end of town is fantastic. If we could have one at this end of town, we would love it. Terri and Lance said that it was originally supposed to go that far. Rachel said that her husband was involved in a hit-and-run in front of our house a few months ago. She said he had just looked both ways and there were no cars coming, early morning, and he pulled out, a car came fast and luckily it swerved and avoided a tragedy, ending up with a fender bender. She said they contacted the State Police twice and were told by them to always go to their Select Board. Rachel said her family is a recent transplant and they have two small children and people are walking dogs, and she said they would never have purchased a house in a 50mph speed zone and that is easily what this is and even more. She said she's open to absolutely all options to get people to drive slower. Rachel asked about speedbumps. Josh said 108 is a state highway and we can't do that. He said that he has been on the board for 5 years, they, as a board, have gone to the State, the State Police and the Sheriff's dept. He said they worked and had multiple contracts with the State Police and the Sherriff's dept, only to have it unanimously voted down by the town. Tami said, it was not unanimous, she had voted for it. Lance said the vast majority voted against it. Lance said it was presented to the town on at least two other occasions and it got voted down. Kerry said she voted it down because it didn't sound like it was financially good because it was paying for the state to come to an area that they are already supposed to patrol and had very limited hours. Lance said, but we get even less hours without a contract. Josh said that the contract we were going to get with the State Police was actually a better contract than we could get with the Franklin County Sherriff's Dept. Terri said with the Sheriff's Dept, we got less hours and if they picked

anyone up on the State Highway, the town would get no kick back, it would have to be on a town road. Josh said we weren't going to get any kickback from the State Police either. Lance said that he agrees that the state police and the Sheriff's dept should be coming here on a regular basis and they insist that we pay what amounts to protection money for them to serve our area. John said that our other challenge is that we don't have a constable. Lance said it would have to be a trained constable down at the Police Academy in Pittsford. Lance said we tried going that route too. We tried asking the town to send someone to be trained and that was turned down as well. Josh said it was turned down because it is an elected position each year and the cost to send someone to the police academy was more than a contract with the police to have them patrol. Josh said it was not a great contract with the police since we had to pay them for their commute to Bakersfield in addition to the time that they were to monitor speeds in Bakersfield. But that the contract with the State Police was better than the one we could get from the Sheriff's office. Linda said that we suggested speed bumps to VTrans, but they said that speedbumps in Cambridge did not work out well. The vibration from the speedbumps were disturbing to the people living nearby, it would wake them up in the night, it would vibrate things off the walls, and it makes too much noise, and it doesn't work well for plows, which is why the state won't let them be on state roads. Lance asked if Rachel had an incident of road rage in front of your house. Rachel said yes, there was.

Rachel said that this is a dangerous situation and she is not the only one that is troubled by this and it sounds like to her, it is in a stale spot for becoming remedied, so Rachel asked what can she do about this and where she should put in effort into this situation to try and push this forward, because we plan on living here for a long time. The Select Board told her to call the State Police and say that this is a State Highway, and these are State approved speed limits and not the Select Board's responsibility. Lance said that if the town had a constable, it would be questionable as to if we could have the constable patrol the state highway. Rachel said so if we elect a constable, they have to be trained at the police academy. John said they are up for election every year, so we would have to change that term to be a 3-year term or something. Rachel asked if a constable is typically a retired policeman and asked if there were any that lived in town. Josh said we do have a couple here in town near retirement age. Rachel asked if there is any opportunity to test the waters. Josh said when cars go slower past your house, it's because Officer Paquette has parked his cruiser in front of his mother's house. The board told Rachel that if she did or didn't get anywhere, don't hesitate to come back. And if she can get the state police to talk with the board, we would be glad to do that. Lance said call everybody, call the State Police, call your congressman, call the state, anybody that you can think of, give them a call. They told him to contact James Gregoire, our representative, and Lance said don't forget our senators. Linda said to start a sign campaign where residents put up signs that say to slow down...Drive as if your child lives here.

Road Report- Mac was at a water meeting so Josh gave an update. Josh said that Mac hauled some gravel to rough spots on East Bakersfield Rd. He said that he tried to use as much from the gravel pit as he could. He said the roads are too thawed to grade. Josh said that on the Enosburg roads on his bus route, you could only go a top speed of 15 mph, or you'd bounce right out of your chair. Josh said when it freezes up, the plow will knock over the high spots. He said it's rough out there.

Josh said that Kurt Westcom had visited him to let the board know that when the Geddes barn, that collapsed during the windstorm, goes out to bid, that he has an interest in it. He would like the barn boards and beams.

Josh said that word is out that the town has purchased a new grader and we have had another town contact us and they are interested in our old grader. Josh said once we get the wing for the new one and it's up and running, probably in the Spring, we would put the old one up for bid. Josh said that our newer grader is rear 4-wheel drive and they decided that this would work since it is significantly heavier and has significantly more power.

John said that he had called the 4 names of local people that he was given to contact for the furnace and Rock Allen is not interested; Brad Sylvester is not interested. And he called David Bluin twice and has received no return call and Larry Westcom twice and Larry is not interested. Fred's is not interested. Terri suggested Jake Benoit in Richford. John said he has called everybody in Franklin and Lamoille County. He asked if we are willing to change to propane. Lance said the current propane price is \$3.39/lb. Josh suggested maybe going with a heat pump for the front office and then the furnace could heat the rest of the building. The board would like to get this done in the spring.

Town meeting location- Tami told the board that she had checked with Rhoda and the school district would waive the fee to use the school gymnasium for Town Meeting. The board discussed it and decided that they thought the town hall would work. Lance made the motion to hold Town Meeting in the Town Hall as traditionally done. Brenda seconded the motion and the motion carried with a vote of 5-0.

Town Meeting will be held at the Town Hall on March 7, 2023.

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

The meeting adjourned at 8:25pm.

Meeting minutes were recorded by Tami Brennan.

