

Bakersfield Regular Selectboard Meeting
Monday, November 14, 2022
7:00pm

Meeting was called to order at 6:59pm by Josh Goss.

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

Members absent: none

Residents/guests attending: Maria DeRosia, Linda McCall, Paul Stanley, Lindsey Wight, Tami Brennan

Previous minutes- Lance made the motion to accept the October 24, 2022, minutes as written. John seconded the motion and the motion carried with a vote of 4-0, Brenda stating her name and voting via zoom, Terri having not yet arrived.

Warrants signed:

Selectman's Order #28-2022	\$136,611.30
Road Commissioner's Order #24&25-2022	\$74,731.55
Road Commissioner's Order #12-2022	\$30.82
Selectman's Order #26-2022	\$18,828.03
Selectman's Order BCA#25-2022	\$1,719.83
Selectman's Order #27-2022	\$170.08

Lance made the motion to move the reports/warrants to be reviewed at the end of the meetings from this meeting on, and put on the agenda under Board Business, to give the board more time to review them. John seconded the motion and the motion carried by a vote of 4-0, Brenda stating her name and voting over zoom, Terri having not yet arrived.

Finance- Maria gave the board updated Financial Reports and explained to the board that they are seeing all the rest of the Direct tax for this year on this week's warrant. The library is not included, that will be given in December. And what is left to go to the school, we will pay in December as well. John explained that the invoices received for the sound equipment should not be paid since it is for defective equipment that we have returned. There was a mistake in the invoices being sent and we are being issued credits so there will be no balance. The board crossed off the amounts on the warrants, initialed the change, and signed. Josh said that he saw the delinquent tax letter went out and he believed the delinquent tax collector's report said there were still about \$93,000.00 of taxes yet to collect. John had a question for Maria regarding a \$100.00 expense and Maria said that she would check on her computer and email him with the information. John asked about the payments for overpayment of taxes and Maria explained that some people apply for their homestead rebate late and then have to pay their taxes before their homestead rebate is issued. When the rebate arrives toward their taxes, there is an overpayment which needs to be reimbursed to the taxpayer.

Maria said that we have received the final ARPA payment for a total of \$390,900.00. Lance said that FEMA owes the Bridge account \$10,000.00, which we used for the bridge instead of borrowing money.

Missisquoi River Basin Association- Lindsey Wright, the executive director of MRBA, and Paul Stanley met with the board about water quality. Lindsey said that the association is working to reprioritize and are connecting with the six headwater towns to work toward a consistent policy between towns. Lindsey said that last year, the MRBA held a soire, where the town representatives meet together for a nice meal, and they are planning on holding another soire in February or March. Lindsay said that she is here to listen and figure out how Bakersfield is interacting with their waterways and would like to follow up by attending another meeting and make meeting together a regular thing. Paul thanked the town for their financial support for the last couple of years. He said MRBA will be making a request again this year.

Josh asked what MRBA's opinion was regarding the removal of dams in the area and considering the Brown's Pond dam. Lindsey said that is a hot topic. She said there is a lot of funding and research happening. Lindsey said that there are 60 dams holding back a lot of sediment that is heavy laden with phosphorus. She said they have been working with landowners, some want their ponds dredged but that doesn't solve the problem, and there is no funding for that. If there is contaminated soil, it needs to be removed from the site. If it's not contaminated, then it can be used on soil. Lindsey said that breeches are likely to happen with the aging dams and it would be beneficial to remove them, freeing up fish passage, allowing trout to get up to the cooler water. Lindsey said that the Vermont Dam pass board will be brought in regarding the Brown's Pond dam. They are doing a lot of research and work. Lindsey said that there is still two years of research from the dam removal on Witchcat, collecting water samples, and trees planted, with more trees to be planted next year, with the goal of making it a more natural section.

John said Bakersfield is kind of at the top of the watershed and everything is going downstream to the lake. Paul said that a lot of people don't realize that. Paul said, moving on to the topic of soils, he wanted to commend Josh with his students working with soils. Paul said soils are a big part of water. Josh said that at the state competition, 16 out of 22 spots were held by Cold Hollow students. Josh told Paul that he and his students had worked with him on the stream bank restoration on Sheldon Rd and Josh asked if there are any more jobs, similar to that one, that he could bring his students to. Lindsay said she would love to have Josh bring his students to a spot in Westfield and show them what was a success and a failure and to investigate the failure. Paul said there is a project in town down by Brian Westcom's. He said the trees are not doing well and they are trying to salvage them. Paul said they are planning to plant more trees in the spring and the group would be great to help.

Paul also said that Bakersfield has been through hell with these roads and that MRBA can fit in to help with culverts and with FEMA and the state. Lance said that the town does have a Hazard Mitigation Plan. Mac said that we received a

\$31,000.00 grant, plus our match, from the NWRPC. Lindsey said that MRBA can tap into other sources of funding to fill in the gaps. She said it was important to communicate at the right time to know where those gaps are. Josh said that we are looking to replace a number of culverts and storm water mitigation and asked what their grants looked like. Lindsey said most are on the lower side, \$10,000-\$40,000, but there are some larger ones, capped at \$150,000.00, once a year. Josh asked if he was right in understanding that the grants are to offset the cost to towns to make sure that stormwater is clean and not effecting wildlife, etc. Lindsey said yes. Josh said the more grants the town can get, the better. Josh said that the town has a design to replace a lower priority culvert replacement on East Bakersfield Rd., that was granted at no cost to the town, and we have all set for when we are ready for it. Paul said that communication from here on in is key. He said they would be sending an invitation for the soire.

Paul said that they wanted to share their appreciation that their chairman has stepped forward in East Berkshire and invested to remodel that whole building to provide offices for our group. He said they now have 3 major staff people, and they are working more, and it is a huge step forward for the group. We have a bigger presence and are more accessible.

Roads- Mac said that the Boston Post paving is complete. There is still shoulder work to do. And we can submit for reimbursement. The road markings will happen next year, the state will do it probably in July or August. The total bill is \$173,000.00. The town's portion is 20% which amounts to around \$40,000.00. Mac said it came out nice.

Mac said the plows and winter tires are on. Terri asked about Waterville Mtn Rd. Mac said that the guys were up there the day after she had said something last time.

Lance said we should see over \$400,000.00 from FEMA before the 7th of December, before the current loan payment is due. He said the balance of the FEMA loan, as of today, is \$735,000.00. He said we will then need to renew the loan for significantly less.

John asked if we could do a paving cost benefit analysis regarding the problematic spots that constantly blow up. Lance said to give you some perspective, it was approximately \$200,000.00/mile on a previously paved road. Lance said add it would be probably \$300,000.00/mile to pave unpaved back roads. He said these roads weren't built with the purpose of paving them. We don't have the subterrain support for paving. Josh said he thought it would be closer to \$500,000.00/mile. Mac said that once you get a grant, you drop to the bottom of the list, and it takes about 4 years to get back near the top. We need to show a need to the state. Josh said the problem is that the town can't come up with the matching funds. He said we only put \$10,000.00/year into the paving fund. The board asked about an expense and Mac said that a belt broke on the screener.

Josh told Mac they had received no complaints which means they are doing a great job. Mac said they have been doing a lot of grading. He said the roads are supposed to stay frozen up throughout deer hunting.

Terri asked about flowers for John Guilmette's funeral. Josh asked Tami to ask Kathy to arrange it with Sarah Jo.

Mail- Josh responded to an email from Linda McCall regarding her response after reading the minutes of the last Select Board meeting when Brenda said they were looking for a new zoning administrator to share with other towns. Josh said that we are not necessarily looking for a ZA. He said that there is a shortage of ZA's in this area. Brenda said that at the last planning commission meeting, she learned that the NWRPC has arrangements for aiding municipalities for zoning. She said that they can create a full time position out of 3 or 4 towns and it would be facilitated through the NWRPC. John asked about what happens if one of the 3 or 4 towns pull out. Brenda said that she would check into the salary and benefits and to whom the ZA would be accountable to, whether the individual towns or the NWRPC. She said that there are a lot of steps to work out. Terri asked Brenda how many hours she puts in. Brenda said she puts in about 10-12 hours in two weeks. She said it depends on the flow of the work. She said it is busy some parts of the year and not in others. The towns would have to pay consistently.

Linda asked about the changes to the ARPA rules. Brenda said that she does need to check with VLCT as to what the changes are. She said there is a reporting period coming up with an affidavit. She said we are pretty much the status quo as we haven't done much with the funds to date.

Discussion on the ZA mileage on previous warrant- Terri said that the mileage has been paid and we had put a sticky note on the warrant to hold. Lance said I don't think that the mileage was in question. It was the hotel reimbursement that was up for discussion. John said there should be a process and policy regarding this specific scenario. The board felt that this should come out of zoning. Brenda said that she was hoping to be able to stay at a friend's or something and looked for accommodations for two weeks prior and found nothing. She asked the hotel if they had any rooms and they had one left, so she took it so she wouldn't have to drive from Killington and then back in the morning. The hotel gave her the VLCT reduced rate for the room. The board put a note on the warrants saying this should come from zoning expenses and that any hotel/conference fee needs to be approved before the events instead of after and it was noted by the board that the only positions that really needed to go to a conference is Kathy and Mac. The board noted that in the zoning legal account, there is \$1000.00, so the money is there. John said that Brenda requested to take the course in September and was approved. He said that there needs to be a policy in place that everybody can follow. The board agreed that they were on board with anything that can be policy driven and noted that

because of Lance, the town was moving in the right direction with financial policies. Lance said that there are a few more policies that he recommends and that need some in depth research before we adopt them.

Town Budget Meetings- The board plans to go through the budget and compile request letters. Josh said he is hoping that with the organization that Maria has provided, they can look at the budget fairly quickly, and he said, there are things that we just don't know, like the future cost of fuel and power. The board agreed that they should estimate high. They said if they do go high, it's still money we can put toward next year's budget if we don't use it. Terri asked if we could lock into a rate. The board said that they don't believe the companies are offering a lock in rate. They said they don't think they are looking at a lock in or a pre-buy which would be a gamble.

Josh asked the board if they could make one regular meeting a month for the next two months, focus on the budget. The second meeting of the month and we would need Maria. He said if it is not sound or settled after the 1st of the year, then they could schedule more meetings.

The board talked about having an in-person town meeting this year and whether to hold it at the town hall or the school gymnasium. Brenda said that they wanted to safely accommodate as many people as possible and the school has more room. Tami said that if they hold it at the school, everything will take place there and the Town Hall will be locked up, so the poll workers can also vote from the floor. Josh said that he didn't see any harm in requesting the use of the gymnasium. Tami is to call Rhoda on Monday and ask to reserve the school gymnasium for March 6th and 7th. Josh thought if we ordered more portable polling stations, we should have plenty of places for people to vote. And it was noted that the school is handicap accessible. Linda McCall asked if the acoustics at the school would work ok with the PA system. Josh said that the meeting could be put on zoom so as to be viewed livestream, but there would be no interaction since you can't legally vote via zoom. The board discussed the fact that in order for the town to transfer to a vote by Australian ballot, it would have to be approved by a vote off the floor.

John had an update to the discussion of digitalizing the town records as a backup. He said that he spoke to Adam Saunders about if there was an additional megabyte fee for record storage and he was told that there was no additional fee and no fees for storage at all. Adam said that your land records fee for storage backup and your portal fee covers it all and he said that you wouldn't attach to the NEMRC hosting portal until you had at least 40 years of records scanned and indexed into the Land Records module. He said once we attached to the host, then people can purchase and download documents through the NEMRC host website for \$2.50/page, with \$1.00/page coming to the now, as it is now. The state regulates the fees. Adam said that a lot of towns think that they will make the cost of the host website back through the fees of people purchasing remotely but that doesn't happen quickly unless you

have a lot of records searched all the time. John said Adam told him that as far as using third party companies to scan in the documents, there have been multiple complaints with bad scanning and delays in getting the process done correctly and that you really want to scan it yourself. He strongly advised to keep it within your 4 walls, whether that be a summer intern, or Tami or Kathy and Tami. Terri said that might be a good job for a senior for community service. Tami said they would be in the office all alone and not getting much community. Terri said all seniors need community service. Tami said oh, High School seniors, I thought you meant senior citizens getting community interaction. Josh said that currently in the book restoration fund, there is \$30,700.00, and it looks like we took in about \$6000.00 this year, through October, so that should be a pretty good estimate of yearly intake. Tami said that one of the purposes of that fund is for digitalization and record preservation. She said what we were thinking is that we would use the Book restoration fund for the actual cost of the module, the computer, the support, and ask for about \$20,000.00 from the ARPA funds to be set aside for the cost of paying the additional hours for scanning, which would be a temporary thing, until the records are all scanned. Going forward, scanning a record will be part of the recording practice of the town clerk. Our thought was for the Town Clerk to work forward in time, and the assistant to work backward in time, to get the records in the system. The plan is to use the printer/scanner that we already have, and in order to do that, we would scan when the office is closed, and the printer is not needed by researchers and the staff, scanning and sending documents to those who request them. We figured if we did 8 hours a week when the office is closed, those ARPA funds could pay someone for almost 3 years. By the end of 3 years, those records should be done, or at that point, the remainder scanned during regular business hours. Josh said if they are saying that you can't hook up until you have at least 40 years scanned through, then I think it needs to happen quicker than that. Tami said it wouldn't take 3 years to get 40 years scanned in, she is talking about 200 years. John said he didn't think we even needed to go to ARPA, he said if we look at what we bring in a year, that's more than double what it's going to cost us a year to operate it. The total yearly fee is \$3000.00. To purchase the Land Records module is a one-time fee of 695.00. And the module set up is a one-time fee as well, so the yearly expense would be 2,200.00/year. Tami said we still have other book preservation expenses, we still need hard copies, we still need to buy the books, we still need to keep the books we have restored, so it's not just digitalizing. John asked if she thought \$37,000.00 wouldn't be enough to do that, between paying someone to scan and keep up what we currently do. Tami said Kathy would be able to answer that better than she could. John said that he's not saying don't use ARPA funds but if the money is already there, why would we. Josh said even if we were to put in a line item of \$5000.00 for digitalizing books and add that to what comes in would be around \$10,000.00/year. Lance said 8 hours a week at \$20.00/hour would come to \$8,320.00 for 52 weeks. Josh asked if NEMRC is the only one that is offering this service. Tami said it's the best one for us to do. It's user friendly, the

lister's already use it. Josh said that he thought for the bidding process, we have to have three quotes. John said he didn't know if there are three out there. Tami asked if the listers had to get three quotes when they got it. Lance said probably not because it was before the requirements changed, but Lance said it only applies if it's over \$5,000.00 and the total we are talking about is \$3,695.00. Josh said he didn't see any issue and that the sooner we do this, the sooner it starts getting done. Lance said the funds are there for us to get started and we need to get started. John said his understanding is that this is what those funds are for. Tami asked the board if they were saying that they were ready for someone to begin scanning 8 hours a week. Terri said they needed to post the job. Tami said it needed to be someone in the office working with the records, that only makes sense. Terri said why does it have to be. Tami said because we're creating the index of the records that we will be using. Terri said, you think Kathy is going to come in on Fridays. Tami said, no I'm going to be doing it. Kathy is going to be scanning in documents going toward the future and I would be scanning working backwards in time. Terri said she just couldn't agree with these people that are making jobs for themselves, she's sorry. Tami said it just doesn't make sense to have somebody else in there. John said he thought it should be someone who does it already, that's Kathy, that's Tami, that's the listers. John said why bring in someone, I'm not knocking a high school kid, but is someone going to have to be with them the whole time. Lance said, you'd have to have two people here then, and then you're training an extra person. Terri said she's not saying it has to be a high school kid, she's saying it has to be brought to everyone's attention that could be wanting to do that job. Tami said, so you're going to be bringing someone into the office, who is not going to be working with anyone? Terri said, we could vote Kathy in. Tami said Kathy doesn't want to do it. Terri said, she gets to decide but we don't get to decide? Tami said, she gets to decide what? Terri said, that she doesn't want to do it. Lance said, yes, Terri, she gets to decide. Tami said Kathy will be scanning in, but she'll be going toward the future scanning new recordings, while I would be working backwards. Terri said the listers could do it. Josh said he thought at this point we can agree that the startup, which is getting the service under contract, getting the Land module and the licensing to use this system, is a go ahead. Josh asked if anybody disagreed with that and all agreed. John said we need to identify a computer and identify the scanner and get those hooked up with the module and get the licensing done. Josh asked if the computer is an additional cost because that wasn't discussed. John said you can use a computer here that is on the network, or you can purchase a separate computer. Lance asked if the lister's current computer has the capability. John said we'd have to contact NEMRC to see. Terri said we should bring them in on this anyway. They could be invited to this next meeting. John said he would figure out the computer equipment needed.

Linda McCall asked what the security of the documents is, once they get digitalized. John said there are a couple of things they do, they get backed up and the systems are kept in a cloud based, http kind of environment which is a

secure environment but the reality is people get hacked all the time. They are as secure as anything else out there. Usually, the breach in security is the person touching the system, not the system itself. Linda said so typically, someone could scan that document and create a new document, come in and look up the original document, change out the edited document in the book and voila, you are no longer the owner of your property. John said that's a perfect point, but that could happen now if somebody wants to replace the physical record anytime right now. Linda said, they could. John said, he's not disagreeing Linda, he hears about these things all the time how people get their property stolen with false Quitclaim deeds, it's a scary environment we all live in now. Linda said it is and how much more vulnerable do you want to be. Lance said does it make sense to limit the amount of people who have access. John said eventually the portal will be opened up to the world. Josh said that on this website, all the log in and document purchases will be recorded. John said yes, it all goes through NEMRC, we don't see who is doing it, we just receive a check. Josh said but all that information is recorded and stored somewhere. John said he would confirm with NEMRC that they have PCI. PCI is a lot like HIPPA, requirements by the government and organizations, it stands for Payment Card Industry, so they have to operate their payment process through an audit system that makes them compliant with the requirements. John said he will confirm that NEMRC is PCI compliant, and he will find out the PC requirements. Josh said, so we'll invite NEMRC and the listers. Terri asked, if the benefit of this is so they don't have to come in the office anymore. John said if the building burned to the ground, you have no copy of those records. This gives us a digital record. John said we don't have to attach to the portal so someone can access it, we can just digitize it so that we have a copy offsite at all times. The portal is just a way to start paying for what you have here. Linda said what happened to the idea that your vault is fireproof. John said that all vaults are fireproof to a point, there is a temperature grade and a time limit on it. Lance said more to the point, no vault is fireproof, they will hold a fire off for a given amount of time. Linda said and no cloud is hack proof. And John asked if the vault was waterproof because if the building is on fire, they are going to douse this building with water and John said, Linda, there is a point for both sides and he is not disagreeing with her. He said I'm one of the professional people that are trying to protect people from the hackers. John said, there will always be someone smarter than me and there will always be someone who can figure out their way around a corner. You have to hope that your protection is in place to keep them at bay. Everything we do is at risk. Linda said it might be great in our lifetime, but in our children's and grandchildren's lifetime, it might not be so great. John said, it's so true, but we do have to get some kind of backup for these records because if we lose it, we have nothing, and that could be a simple digitizing and not putting them on the cloud. Terri asked if a landowner could opt to not have their records accessed. Josh said that the records are public records.

Josh said the next meeting will also be discussing our budget, so that will not be a short meeting. Lance said, it shouldn't be too bad as we will be identifying where we will need to put out work into at the following meeting. John asked if we could say no visitors at the next meeting unless it's urgent. Josh said technically according to open meeting law, we can't do that, unless it's a separate meeting reserved just for budgeting.

Tami asked what the status was on the removal of the old refrigerator still laying on the side of the walk path behind the historical society. Lance and Mac made arrangements to remove the fridge.

Brenda made the motion to adjourn the meeting. The motion was seconded by Lance and the motion carried with a vote of 5-0, with Brenda stating her name and voting via zoom.

The meeting adjourned at 8:44pm.

Meeting minutes were recorded by Tami Brennan.