

Bakersfield Town Regular Select Board Meeting
Monday, October 28, 2019

Meeting was called to order at 7:03 by Lance Lawyer.

Members in attendance: Lance Lawyer (chair), Sam Cribb, David Houston

Members absent: Gary Denton, Josh Goss

Public residents/guests present: Cathy Westcom, William Newitt, Melissa Dion, Mark Doremus, Jeremy Wilkens, Jerry Brown, Jason Luneau, James Gregoire

Motion made by Lance to accept the Oct. 14 meeting minutes with corrections, seconded by Sam and accepted by vote 3-0.

Motion made by Lance to accept Meyer/Haible Hearing minutes, seconded by Sam and accepted by vote 3-0.

Warrants signed: # 25&26-2019

27-2019

#26-2019

Melissa Dion and Mark Doremus expressed concern over the January 2020 scheduled termination of the current recycling center at the fire station. They placed before the board a temporary plan to locate a recycling center at the bottom edge of town owned land directly alongside the town garage. The board agreed that this could be a viable option worth pursuing and Tami said that she would invite the Cemetery Commission to the next Select Board meeting on Nov. 11, to discuss this possibility. Melissa and Mark agreed to return to the Nov 11 board meeting with more specific dimensions needed.

Lance reported having a phone conversation with Taylor Flannigan on Oct.22, explaining the reasons for the decision of denial for her permit at the Oct. 14 Select Board meeting. He stated that Taylor agreed to reapply for access, understanding that the permit which the town agreed to waive the application fee for and the culvert that the town would sell to Flannigan at the town's cost could only pertain to the one culvert that the town removed because it was plugged and damaging the road. Also, the verbiage about the town paying for culvert installation on the denied application would be removed and that Taylor would provide an excavator to install. And that there will be no culvert until she reapplies for a permit. Any other desired access locations would require a separate permit application at land owner's expense.

Jeremy Wilkens expressed his concerns for the road condition of the Class III dirt road used to access his residence. He inquired about his previous idea of placing a Geo-grid and covering it with fresh aggregate. Lance said that after researching this suggestion, it proved to be financially non-viable for the town since resources were limited. Mac assured Jeremy that the town had grated the road several times this year, but Jeremy said that less than a month after the last grating in September, it was bad and showed pictures taken earlier that day. After discussing possible solutions and their drawbacks, it was decided that Mac would put down some loads of Sure Pak on the trouble spots and see how that holds up. Lance also spoke of requesting a larger budget for

road work next year, since many residents have expressed concern over road conditions.

State Representative James Gregoire visited the board to check on any concerns they'd like him to be aware of. He noted that he had become aware that Bakersfield did not accept Structure grants. Lance explained that after pursuing previous Structure grants, the mandated stipulations and requirements made acceptance financially unfeasible. The board informed James of the status of their speed limit study and plan of speed limit enforcement. James reminded the board that the new session begins in December and of his concern for rural economic development. He discussed the state's continued attempt at improving broadband service, along with the state's limited influence on broadband providers as well as problems encountered. The board asked if the state was working on addressing our growing tick problem and expressed concern about the updated information that VT's governor received the seventh highest salary in the nation, while the population supporting that salary was 49th on the list of state populations, as well as their concern regarding a lack of term limits.

Jason Luneau, president of the Smuggler's Notch Snowmobile Club, requested permission for an proposed updated snowmobile trail route to a safer location, traveling on Gamble Road and Stagecoach Rd, for the VAST TRAIL 108N. Jason presented maps to the board outlining proposed trail access and informed the board that he had spoken with and had received permission from all the landowners affected and the board granted permission, to the request for town owned road use, to the Club. Jason also noted that this trail was not for ATV use, only allowed access for the snowmobile club. Jason also requested signature of a landowner agreement for a proposed snowmobile bridge installation on Old Stagecoach Rd in Bakersfield, insuring that if the case of discontinuance of allowed use were to occur, the town would give VAST 30 days-notice prior to said discontinuance or relocation, which was granted.

Jerry Brown expressed concern to the board about the Electric Co-op's attempt to move a power pole, that was beginning to encroach Class III Town Rd. 33, further south on his property. He informed the board of the history of the road and the position of the power pole that was set in the late 60's. At that time the pole was set about 50 feet from the road with no recorded easement. At the time the pole was set, Jerry's father agreed to give to the resident across the road a quick claim deed for 2 ¼ acres with the agreement that, from that point on, nothing would go any further south. Now, somehow the road has been shifted and swings out differently, running right by the pole and the Co-op wants to move the pole further south. Jerry said that he has accessed copies of the town road surveys. He is willing to stick with whatever his father had agreed to but is unwilling to let anything be placed further south on his land. He states that the Co-op is claiming rights by taking measurements from the center of the road, but that is not where the road was at the time of the agreement. He informed the Co-op that without a document giving them the right to move the pole south, he will not allow it, and

that the Co-op has already added a pole down by the barn that he may ask them to remove.

A certified letter received from Patricia and Lee Myers was read stating their desire to repeal their request of lifting Class IV Old Town Rd 22 from the town maps. David agreed to scan and forward the Meyer's letter to town attorney Mike Gawne. The board discussed the continued importance of discovering the location of the original road and determining any action toward maintaining that road. Lance spoke with Gary Foote, a former resident of the farmhouse whose foundation remains on the hill, and he remembers the road traveling up parallel to the stone wall dividing the properties, the surveyed route purposed by Mike Gervais, and remembers no other road at that time.

Lance made a motion to appoint David Pratt to the Conservation Commission. Sam seconded the motion and it was passed by a vote of 3-0. Tami agreed to notify David of the appointment.

The next meeting of the Bakersfield Select board was set for November 11 at 7:00.

Sam made a motion to adjourn the meeting at 9:37, David seconded the motion and it was passed by a vote of 3-0.

Minutes recorded and submitted by Tami Brennan and remain unofficial until approved by Select Board at the next meeting.