

Athens Selectboard Meeting Minutes
January 16, 2025
7:00pm at the Athens Town Office

In attendance: David Bemis, Sandi Capponcelli, Janet Perry, Krista Gay, Denise Randall, Hannah Regier, Christian Rogerson, Don Capponcelli, Sherry Maher, April Lyman

Called to order at 7:00

Adjustments to Agenda

Denise asks to move the executive session for the performance review up so Matt can get out early. David says that there is a medical issue that is keeping Matt from being here. David says Matt could do it on Sunday. Krista suggests doing the performance review at the next meeting.

Minutes of Prior Meeting

Sandi makes a motion to accept the minutes. Denise seconds. Put to a vote: all in favor.

Public Comments

Sherry Maher says she did some reading about when a board member recuses themselves. They are supposed to say why they are recusing, and if they learn that they didn't need to recuse themselves, they should state how that was resolved. She has not seen in any of the minutes that any of that had been addressed. Sherry says that in the minutes for the special meeting in December and the following meeting, there were two motions that were made that were different. Sherry also noticed in a letter written by Janet, that she mentioned the two motions as being the same. Krista reads the motions from the minutes and clarifies that the motions were different.

Krista says that there has been a truck in the ditch on Mill Hill for more than a month. The truck isn't totally blocking the road, but it could easily be hit if someone doesn't know it's there. Janet says the road isn't maintained in the winter. David suggests that Krista call the state police. April Lyman says she thinks it is Justin Unwin's son's truck.

Boards and Officials / Treasurer Report / Garage Project

The Schoolboard is going well.

The Community Center is going well. They bought a clock and two tables. There are rental events happening frequently. There will be a CPR class on March 31st at 6:00pm and a soup cookoff and basket raffle on February 8th. There was an issue with the alarm system again, which was due to a dead backup phone battery which Hannah has replaced now.

Hannah says that Mike McConnell will lead a public meeting for the Local Hazard mitigation plan on January 23rd at 6:00pm at the Community Center. There is also an online survey for residents to share input on hazards they've experienced and what can be done about them.

There will be a public meeting for the Ober Rd design alternatives on January 29th at 6:00pm at the town office. There is tricky timing around the decision making for this project because the VEM Hazard Mitigation grant that the town has been invited to apply for is due April 1st and the application is pretty involved. There needs to be a cost-benefit analysis for the specific alternative the town wants. Alyssa Sabetto of WRC is helping with the application. She has asked for there to be a special selectboard meeting in early February for the board to make a decision on the design alternative to move forward with.

David makes a motion to have a special selectboard meeting on February 6th at 7:00pm at the town office to discuss the options for hazard mitigation on Ober Rd. Krista seconds. Put to a vote: all in favor.

As part of the hazard mitigation grant application, the town needs to be working towards enrolling in the National Flood Insurance Program. There is a meeting on Friday, January 24th at 10:00am, on Zoom, with Asa Brayton, the state's regional floodplain manager, to discuss this. Janet has agreed to do it. Krista will also join.

Hannah says she applied for the financial hardship payment for the MERP grant and that was approved and 20% of the funds (~\$75,000) dispersed already.

David makes a motion to sign the affirmation of use of funds for the MERP grant. Denise seconds. Put to a vote: all in favor.

Keith Hermiz from the Grafton Rescue Squad emailed to let the town know that they had a call to 6 Tenneyville Dr. and there was no road sign on the private drive and the residents don't use the assigned 911 numbers. Hannah says the Tenneys have not been compliant in the past for requests to change numbers. Don thinks the residents might think the name of the road was pejorative. The board discusses the issue and decides that David will reach out to Bruce Tenney Sr. And Jr. and see if they want to change the name of the road and put up a sign. Sandi says she will also reach out to Sabrina Gibbs by email.

David makes a motion to sign the certificate of highway miles. Sandi seconds. Put to a vote: all in favor.

David reads an announcement for a meeting on the county budget on January 22nd either via zoom or in person.

Don says he is getting underway on the garage project. The employment ad for the project manager has run once in the Brattleboro Reformer on Saturday. No applicants have been in contact. Don has one other person in mind who might be interested in the position. He has

developed a flow chart for all the parts of the job. Janet has made progress finding heavier gauge roofing. Don is going to start working on a foundation and framing plan. He is also going to reach out to an Efficiency Vermont consultant about heating systems. Hannah suggests that Don contact the Efficiency Vermont staff person who has already contacted the town regarding MERP assistance.

David asks if the board wants to make a choice on the project manager position at the special meeting on February 6th. Don will be applying for the position himself. The board agrees.

Appointment of Ethics Liaison

David says that the town needs to appoint an ethics liaison. Krista says there are a number of things, including an ordinance or policy that needs to be adopted by January 31st. She doesn't know if there needs to be a first reading or if the board could simply accept the standard VLCT policy. David suggests customizing the VLCT standard policy / ordinance and approving it as soon as possible. Krista says that she has asked for clarity on the roles of liaison and "complaint receiver and investigator." The liaison role sounds like it is basically a point person for communication with the state. David thinks the investigator is a role that would be in a larger municipality than Athens.

Denise makes a motion to appoint Hannah as the ethics liaison with the state. Janet seconds. Put to a vote: all in favor.

There is more discussion of the new ethics process and who would investigate complaints. The selectboard might do the investigating if there isn't an employee to do it. Krista will share what she hears from VLCT and the board will go from there. David asks that the policy be "out" so people can read it and comment on it. Krista emails the VLCT policy to Hannah to post in the town office.

Sherry asks about the process of adopting an ordinance. David says that he would need to read up on it but there have to be one or two hearings and then a board vote. Townspeople can call for a vote on an ordinance.

Town officials also need to take ethics training.

Krista says the board already adopted the conflict-of-interest policy, but the policy hasn't been customized to say "Athens." That policy should be printed and signed at the next meeting.

There are copies of the Safe / Sick Leave Policy printed for the board handbooks.

Executive Session / Performance Review

Skipped because Matt is not here.

Budget 2025

Hannah shares the final budget from the budget committee and her calculations for a 2024 surplus. She points out that there are several road grants for which funds were spent in 2024 but have not been reimbursed yet. She says that the reimbursements will hopefully be coming in 2025, but she doesn't have all the pieces from Matt yet.

Denise asks what the board can do to help. Hannah says that she'd like to have a more organized process for clarifying roles and tracking grants starting this Spring. She has created some new cover sheets to use for each grant. They are complicated processes and currently neither Hannah nor Matt knows who is supposed to be doing what. Denise thinks that Matt and Rob both need to keep track of what they are doing, take photos, etc. Hannah has also created a new time and materials sheet which Matt is on board with using. Hannah says that she really needs the board's help with follow through because she knows that the road crew gets busy and it's hard for them to remember to do all the detailed work.

David suggests that the selectboard could play a bigger role in meeting with Matt, directing the highway work, and making sure grant requirements are being met and reimbursements are on track. He imagines most of it would be what Matt is already planning to do, but also making sure things that the board or Hannah need done are done. The board is going to work on a plan for this for the next meeting. There is more discussion on how this could work. David suggests two selectboard members would have the meetings with Matt.

Hannah says she has learned a lot about the grant processes and has good channels of communication with VTrans and WRC. She wants to make sure that the selectboard's new management plan includes her in the overall communication around grant work. David agrees this is important. Hannah says this extra communication is so critical in a small town without admin staff so that there aren't huge gaps.

Denise asks if there are currently outstanding items for any of the grant reimbursements. Hannah says that she never got photos from Matt for the work done with the Better Back Roads grant which is around \$27,000. She doesn't know which small culvert was added on to this project, but she has taken photos of what she thinks the project culverts were. The photos are in the snow, which is not preferred, and she doesn't have photos of during construction, which are part of the reimbursement requirement. She has submitted the reimbursement to VTrans, but doesn't know if they will accept it. This is a grant that WRC helped the town to get, but they aren't helping with the admin or reimbursement. For the Grants in Aid stormwater work, WRC is the project manager for the whole project. They prepare the documentation for Hannah to submit, along with receipts for reimbursement. But for this grant they don't.

The emergency grant for the Brookline Rd. undermining event is being submitted by Meghan Brunk at Vtrans now. The other grants are in a good process at this point.

The board agrees in general that having a couple people managing the road work closer is a good idea. Janet offers to be one of the people. Hannah and Krista think this might be a conflict because she is Matt's mother. David says he will talk to Matt. Krista says that both Matt and

Hannah have taken good initiative to improve the situation. Krista says she wants to respect Matt's autonomy and David agrees it isn't to micromanage, but to help communication and follow through. Sherry has some input on creating a work plan and communicating electronically. Krista also likes this plan because it makes the selectboard responsible and a buffer for when townspeople have an issue with road work.

The board reviews the budget and discusses how to best allocate the 2024 surplus. Hannah says that the town could vote to use it in another way.

David makes a motion to use \$75,000 of the surplus to defray 2025 taxes. Krista seconds.

Discussion: Sandi says that she isn't comfortable using the surplus to offset taxes when the town needs to buy a new truck. The board debates the best method and funds to purchase the truck. A special motion could be put in the warning to use the \$75,000 towards a new truck. Sandi wants to see more of a breakdown on the options.

Janet says the state has a loan program for a 2% loan for vehicles. Janet says that VLCT has told her that the selectboard could enter into a loan or a lease up to 5 years, without townspeople voting on it.

There would need to be special language on a lease that the dealer would take the truck back if the voters don't approve the spending.

Janet doesn't know exactly what the payment would be right now. The quote was \$109,000 without the ~\$20,000 trade in and the ~\$38,000 that the town has for a downpayment.

David says he remembers the townspeople voted to buy the first small truck. He doesn't think replacements have been voted on.

Denise says the equipment fund schedule hasn't kept pace with costs for new trucks.

Janet suggests getting the loan, buying the truck, and then seeing if the townspeople want to use the surplus instead of a loan.

Denise also doesn't want to confuse the voters at town meeting with complicated choices.

Hannah points out that the line for taxes to be raised in 2025 is very close to what the 2024 budget was, minus the voted articles. This is with the full surplus offsetting the taxes. Without that, the taxes to be raised would be \$77,000 higher, and would be a harder budget to pass in March.

David says if the truck is bought outright, enough needs to be going into the equipment fund to afford another one in 7 years. He is concerned about fluctuating tax rates.

There is \$15,000 in the budget for repair costs on the small truck, which could probably cover an annual loan payment on a new truck.

Don asks if the town is set up with material stockpiles. Sandi agrees that is important and having material on hand really helped with big storms in the past. Hannah suggests raising the stone or gravel budgets if that's needed as there is no system in the accounting software to "use the surplus for stone and gravel." It is discussed that it is hard to track materials from stockpiles if the town needs to get emergency grant reimbursement for them. Janet suggests adding a separate article for extra gravel.

Denise says she is more comfortable using the surplus to offset taxes knowing that the town will be getting a trade in for the small truck and there is the \$15,000 in the budget for repairs. The

board goes over the possible loan payment again and thinks it should be under the \$15,000 amount. Janet says the \$109,000 quote for the new truck should be good until the town signs the papers on it. Matt also got a quote for a Dodge which was similar.

Put to a vote: Four in favor, Sandi abstains.

The board discusses the separate article for building the material stockpile.

The funds for the grant matching fund are specifically for two upcoming road projects: the Brookline Road big culvert and the Ober Rd flood mitigation work.

The Cemetery Commission will be asking for \$3,500 in a separate article in addition to the \$2,500 for gates that is currently in the budget.

David makes a motion to accept the 2025 budget. Krista seconds. Put to a vote: all in favor.

Town Meeting Warning

The board reviews the funding requests:

Meetinghouse \$2500

Grafton Cares \$1000

SEVCA \$1000

BF Senior Center \$250

Youth Services \$330

Bull Creek Common Lands \$250

HCRS \$356

Grace Cottage \$500

Women's Freedom Center \$250

BDCC/SeVEDS \$1140

Green Up of Vermont \$50

Senior Solutions \$300

Visiting Nurses \$1350

Cemetery Commission \$3,500.

David makes a motion to add all of the above to the Warning. Sandi seconds. Put to a vote: four in favor, Krista abstains.

David asks if the article to act on the town report is a requirement. Sherry thinks it was misunderstood. It is meant to let people comment on and correct the content of the town report.

David marks up the 2024 Warning for Hannah to use in creating the 2025 Warning.

New article: #6 To raise and allocate \$15,000 to replenish emergency material reserves for future environmental events.

Hannah asks that the selectboard give her a breakdown of what specific materials any approved funds will be budgeted for. She can't have an open-ended line item, and she doesn't want to create a new fund for this. Earmarking within funds isn't easy with NEMRC.

Krista asks how the new truck is going to be purchased.

Equipment / Truck

The board discusses the best method to purchase the truck. David doesn't want to do a lease and have the town vote on it because of the ramifications if it gets voted down. Sandi prefers going with the 2% loan option because the process can be started sooner. Denise wants to know the cost of a lease vs a loan and if the warranty is affected. Janet doesn't know what a lease would cost but thinks it would be a higher interest rate than the loan. Janet says the loan can't be more than 75% of the truck's cost, which shouldn't be an issue.

Sandi makes a motion to purchase the new truck and apply for the Vermont Municipal Equipment Loan Fund, for the balance once the ~\$38k in the reserve account and ~\$20k trade in have been applied.

Discussion: Janet says she will call the dealership tomorrow and check the prices and let everybody know if there are any changes.

Janet seconds. Put to a vote: four in favor, Krista opposed.

Krista notes that she doesn't think it's a bad idea, but she thinks it should be voted on by the town.

David makes a motion to approve the warning as discussed. Krista seconds. Put to a vote: all in favor.

Tax Sale Fee Approval

Hannah says there is one property that was in the tax sale warning period last year, but didn't go to sale because the state statute changed. This property has now been delinquent for over a year and the owner has been warned multiple times to enter into a payment agreement in all the ways required by statute. She asks for the board to approve the expenditure of 15% of the delinquent amount towards attorney fees to restart the tax sale process. This property belongs to Emily Garrow on Valley Cemetery Rd. David clarifies that the 15% gets added on to what needs to be paid off either by the owner or at tax sale. Krista wants to know that the taxpayer has been warned. Hannah says she has followed the statute. The owner makes a small payment once in a while, that is not adequate to make progress on the total of \$3,500. David clarifies that the initiative to proceed with tax sale is with the Delinquent Tax Collector and the selectboard is not voting on that, they are approving the attorney's fees.

David makes a motion to approve spending the 15% for attorney fees for the property that is going to tax sale. Sandi seconds. Put to a vote: all in favor.

Warrants and Mail

Mail is opened and warrants signed.

David reads the equalization letter from the tax department. The Common Level of Appraisal is 73.06. The Coefficient of Dispersion is 15.8. Denise says the town is trying to get a reappraisal anyways now. A CLA below 80% requires the reappraisal.

Krista brings up a detail on Robert's timecard. She thinks he should have been paid for a day that he put in "no pay" for. The board considers entering executive session to discuss this. Krista says she will follow up with Robert.

Denise reads the letter from Fire Mutual Aid regarding their 2025 invoice.

David asks if Hannah has done anything with the ANR grant for reducing diesel emissions. She has not. David thinks it might be used for an exhaust system for the garage so the emissions don't go into the building. Janet takes the letter and says she will look into it.

Further Business

*David makes a motion to adjourn. Sandi Seconds. All in favor.
Adjourned at 9:36*

Respectfully submitted,
Hannah Regier, Town Clerk