

Athens Selectboard Meeting Minutes
January 19, 2023
7:00pm at the Athens Town Office

In attendance: David Bemis, Sandi Capponcelli, Harold Noyes, Janet Perry, Hannah Regier, Denise Randall, Dennis Mirante, Sherry Maher, Donald Capponcelli, Amber Stevens, April Lyman, Donna Currier, Darlene Wyman, Mike Bates, Ginger Maciejowski

Called to order at 7:04

Adjustments to Agenda

None

Minutes of Prior Meetings

Denise makes a motion to accept the minutes of the prior meeting. Harold seconds. Put to a vote: all in favor.

Public Comments

April: Asks a question about who was at the town garage yesterday. A red flatbed truck went up Taylor Hill Rd. Sandi says it was someone who works for Daniels Construction. The lawyers requested estimates. April thinks the residents should have been told about it. David says he will inform the town's attorney to communicate with the Taylor Hill residents' attorney whenever someone needs to go up the road.

Sherry: reads a personal statement relating to the Meetinghouse committee's interactions with the selectboard. See the statement attached to these minutes.

Dennis: Wants to be filled in with everything that's going on with Taylor Hill Rd. to date. David says there was a hearing on Jan 9th in Newfane. The judge wants the parties to come to an agreement on what is to be done for the road and the parties are trying to do that. Dennis asks if the commissioners' report is available to the public. David says he does not think it is a public document at this point until the judge releases it. David says Dennis can call the court clerk and ask to get a copy of the report.

Boards and Officials

Hannah: Mentions that there is a proposal from BART Energy for replacing the oil tank at the town garage. It is for \$4995.00. They do not guarantee the quote beyond 7 days from the date they provided it.

Hannah: Wants to switch the way NEMRC is set up for accounting from accrual to cash. It is supposed to be a selectboard decision when accounting methods change, although the town never decided on or asked for the accrual setup when we got these NEMRC modules. They were just installed this way and it has been difficult to use and try to make reports that look like the cash-based reports the town is used to seeing. Hannah doesn't think there is much cost to making the change.

Denise makes a motion to move NEMRC to a cash accounting system instead of the accrual system we've been on. And to employ NEMRC as needed to do that work, and any cost associated with NEMRC's assistance. Sandi seconds. Put to a vote: all in favor.

Hannah mentions that the copier keeps breaking down but doesn't have any more information currently on what the issue is this time. She will ask the repair person when they come on Friday if the town should think about replacing the copier soon. The copier was used when the town bought it for \$500 4-5 years ago. David suggests asking them if there will be another used copier available.

Don: Latest date for Farnham insulators to do the moisture mitigation under the town office is February 16th. Don did get the insulation board around the perimeter of the building. If the work is done that same day as the next selectboard meeting, Don says the meeting may want to be moved to the Community Center to avoid being around any off-gassing. The fire-resistant paint coating is the main concern for off-gassing. David wants Don to talk to the contractors and make sure that the work isn't done in the week before the local election. Hannah also wants to be sure that the work won't affect the regular open hours on a Monday.

Hannah and Don have been talking for months about checking out the Grafton town office vault. That is planned for Tuesday the 24th at 10:00am. Don has told Kim that a couple selectboard members might join as well.

Don has spoken with SEVEDS and asks if someone from the organization could speak to their article at town meeting. David says if there is unanimous consent of the voters, they can speak. Don has asked Meg Staloff at SEVEDS to help with prioritizing projects and apply for grant money. Hannah can meet with Don and Meg. Don also emailed Janet. Janet says she isn't interested at this point.

David says there is a bill in the legislature that would assist small towns with grant processes. He asks if someone on the board would reach out to our legislators in support of the bill. He points out that our new state representative has not reached out to the town at all. Janet says she will reach out. Hannah says she will also reach out to legislators. The board has no issue with Don and Hannah working with SEVEDS on the vault project.

Sandi makes a motion that David signs the fiscal year 2023 grant in aid program supported work technical assistance request from the Town of Athens to the Windham Regional Commission. Denise seconds. Put to a vote: all in favor.

Meetinghouse

Grant documents need to be signed. Sherry says the certification form is just to release money for the Bruhn grant. This is the work that has already been done to the façade. It is part of the Baseline Documentation Report that the Preservation Trust of Vermont prepared for the project, and which includes the conservation easement. Sherry has emailed this document to David and Hannah previously. It is their documentation of the status of the building when the conservation easement was put in place. David suggests it could go on the website.

David makes a motion to sign the certification page of the baseline documentation report for the PTV grant. Denise seconds. Put to a vote: all in favor.

The other document is acknowledging the conditions of the VDHP grant award. There are no funds being committed at this point in time. It's the same grant the Meetinghouse received back in 2016 and it has the same conditions: no work can be done until a number of steps are taken. Janet asks if this grant is the one that has been changed. Sherry says that the committee had decided to prioritize the storm windows and the moisture mitigation for this grant.

Sherry says relative to the issue board member Perry raised, the funds needed for the remainder of the project are available in the Historic Society account. No town funds at all would be going towards this project.

David makes a motion to sign, with the understanding that the matching funds be provided by the Historic Society. Harold seconds. Put to a vote: all in favor.

The Meetinghouse Committee's text for the town report has been submitted to the auditors. The committee is requesting \$2500 of town funds in the budget. That has been put in the budget. There is a March 3rd deadline for a scope of work for the VDHP grant. Sherry doesn't know if there would be a signature needed from the selectboard for that.

David makes a motion to sign a scope of work if a signature is needed, in between meetings. Denise seconds. Put to a vote: all in favor.

Sherry has already spoken with Don Capponcelli to be clerk of the works on this next project. Don is willing to do the work and has already been doing some of it figuring out details and connecting with contractors. Don says there are also 4-5 other builders in town if any of them want to get involved.

David makes a motion for Don to be clerk of the works for this project using grant and matching funds. Denise seconds. Put to a vote: four in favor. Sandi abstains.

Sherry says that once the certification document is sent back to the Preservation Trust, they should send the last of that grant balance. At which point there should be enough money in the fund for the committee to make a \$7500 payment to the Housing Rehab Fund. The committee wants to inform the town to make that transfer once the remainder of the Preservation Trust grant funds comes in.

Budget

Amber says that there are just a few outstanding questions: the big truck, the chloride tank and the roof of the garage. Matt has not gotten any info on any of those yet. The budget committee estimated \$3000 for a chloride tank and added that to the garage building maintenance. The committee also added \$5000 for the oil tank to that line item. The Community Center building maintenance has been lowered to \$3500. Hannah points out that there is an expense of \$2850 for a cutting blade for the small truck plow that wasn't budgeted for. The board adds \$2500 to the special tools and equipment line item to partially cover that.

Janet is looking into options for the oil tank at the town garage. She says the state says all they need is a certified oil technician to install it. Janet knows at least three certified oil techs in the area. She says she is waiting to hear back if there are any permits or requirements for municipalities. As far as she knows it does not need to be a double wall 400 gallon tank like BART quoted for. Mike says the cost of a 275 gallon tank depends on who you get to do it. David says he's heard of 275 gallon tanks costing \$3500. We don't know if or when BART will stop delivering fuel to the current tank. They flagged it when they did their inspection last year. David suggests putting the \$5000 in the budget but also try to find someone to do it cheaper. He thinks we might not need a double wall tank and could get a 275 gallon instead of the 400 gallon quoted, if the state is ok with it.

Mike has an issue with the preservation fund. David reads the statute (32 V.S.A. § 1671) subsections C and D. Mike thinks it means there must be money in the fund before additional funds can be added to it. He doesn't think the fund can be started with tax dollars. Hannah points out that the surcharges have mistakenly been going to offset taxes raised for a long time, so asking for \$5000 is only asking for the last five years' worth of surcharges back to put in the fund where they are supposed to be. The selectboard voted to open the fund and put \$5000 into it at the December 13th special selectboard meeting. David suggests putting the surcharges from December into the fund and then asking for the \$5000 in the budget. In the future the fund will be funded by recording surcharges and won't need taxpayer money unless there is an event that calls for additional record restoration or maintenance.

Mike thinks the whole budget is way too high. He says it will be a \$1.41 tax rate. Hannah says that there is no surplus from 2022 to offset the 2023 budget like there had been in the past couple years. She says there is money in other funds that isn't supposed to be used for normal operations but could potentially be borrowed from if the board wanted to try and raise less in taxes. The board points out that that would have to be voted on by the townspeople unless it was sure the money was going to come in from grants or other sources.

There is some discussion of how to use ARPA money and possible alternative heating systems for the town garage.

Denise makes a motion to present the budget as it is with the addition of \$2500 to special tools and equipment. Sandi seconded. Put to a vote: all in favor

Warning for 2023 Town Meeting

Article 1: To see if the Town shall vote to authorize the Selectboard to borrow money, respectively, if necessary, for current expenses in anticipation of collection of taxes.

Article 2: To see if the town shall vote to collect taxes on the 10th of September, 2023

Article 3: To see if the town shall vote to publish a list of Delinquent tax payers in the Town Report

Article 4: Budget

David makes a motion that the town does not place on the warning the Vermont Family Network or the Moover Bus because they have not submitted petitions as the town requests. Denise seconds. Put to a vote: All in favor.

David makes a motion to add the article for \$1,140.00 for the Southeastern Vermont Economic Development Strategies as Article #5.

David makes a motion to add \$500 for Grace Cottage Family Health and Hospital as Article #6.

David makes a motion that the other agencies requesting be added to the warning in the order they are in the 2021 town report. Hannah can decide the numbers of the articles.

The selectboard selects which agency reports to include in the town report and which will be photocopied as handouts.

David asks Hannah to check with Lynn Morgan and add her contact info onto the Green Up information sheet to go in the Town Report.

Next to the last article is to set the time of future town meetings.

Last article is to transact any additional business to come before said meeting.

David makes a motion to issue the warning as discussed and have Hannah write up the articles and leave them in the town office for the selectboard to sign next Monday. Harold seconds. Put to a vote: all in favor.

David makes a motion that he will write a selectboard report and email it to the others.

Roads

Janet says Matt was asking about the FEMA grant money came in and if it can be used to replenish the gravel he used in 2021. Hannah says the grant money did come in, but it was budgeted as general revenue in 2022 and isn't available in 2023 to buy extra gravel.

David makes a motion to authorize up to \$8000 in gravel and/or stone to be purchased for the roads out of the currently budgeted materials. Denise seconds. Put to a vote: all in favor.

Executive Session

David makes a motion to go into executive session at 8:38 for a legal matter where premature public knowledge would put the town of Athens at a substantial disadvantage. The board and Hannah can stay. Denise seconds. Put to a vote: all in favor.

David makes a motion to leave executive session at 9:02. Sandi seconded. Put to a vote: all in favor.

No decisions were made in executive session.

Sandi says she is filling out a lot of paperwork and grant stuff for the garage. She asks if she can have permission to sign paperwork for highway grants so she doesn't have to track down David.

David makes a motion that Sandi be allowed to sign grant paperwork. Denise seconds. Put to a vote: all in favor.

Harold makes a motion that he will contact the logging company working on Sam Farr Road and ask them to come to the next selectboard meeting so that they can discuss the matter with the gate, sign and bridge and make sure all that is taken care of. Sandi seconds. Put to a vote: all in favor.

David makes a motion to sign the certificate of highway mileage with the year ending February 10th 2023. Denise seconds. Put to a vote: all in favor.

Warrants and Mail

Warrants were signed and the mail opened.

There is some discussion of the CLA and COD and if/when a townwide reappraisal will be needed.

Further Business

Janet asks what's going on with the Tractor Supply credit card. Hannah says she hasn't heard anything from the highway workers recently, but if they are having an issue, they should call the number on the back of the card or ask Hannah to call the number. They should also make sure they are using the new card that came recently.

Harold makes a motion to adjourn. David seconds. All in favor.

Adjourned at 9:11

Respectfully submitted,
Hannah Regier, Town Clerk

Message to Athens Selectboard – January 19, 2023

First, to be clear, this is a personal statement from me for the Board and the public. I am in no way speaking for any other members of the Meetinghouse Committee.

After the progress I thought we had made following the appalling discussion among this board in early July, I was very disappointed and discouraged at reading the minutes from the Jan 10 Special Selectboard Meeting, and later hearing what actually transpired when David made a motion to sign an Acknowledgement form related to our recent historic preservation grant award.

The Acknowledgement Form was simply that, acknowledging the conditions of the grant, making clear that it was NOT the grant agreement, and that NO WORK could be done until the formal grant agreement is fully executed. Having been awarded the same grant in 2016 this was a familiar process. Yet, despite this, Board member Perry chose to put forth an irrelevant issue suggesting that funds from the historic society needed to be in the town account now for work that can't even begin for months. And with this she proceeded to drag the majority of this Board along with her delaying this process and I might add thwarting the final piece of signed paperwork needed to release the final grant payment from the recently completed project.

Yet, I might add, she and the rest of the Board had been given the outline for the funding plan for this project in September along with a draft of the application at the time it was being completed for submission.

But perhaps the more pertinent fact here, is that Board member Perry is actually a member of the Meetinghouse Committee, though as of that September she had only attended one of our monthly meetings for 2022. And it was at your September Board meeting that I requested assistance from this Board asking what the basic expectations of committee members were, and what a Town Committee might do if a member was not attending meetings or responding to committee communications. I was basically told the committee needed to deal with it themselves. So we tried (see attached basic expectations).

Interestingly, Board member Perry then attended the October, November and December committee meetings, where she could have asked for clarification regarding this grant, but never did. And then raises an irrelevant issue that unfortunately no one else here seemed to understand and speak to.

All this says to me that the progress that I had hoped we made with this Board back in July to respect and work better together has fallen by the wayside. And perhaps the most disturbing part of all this, is that Board member Perry never saw fit to communicate any issues or concerns to other committee members before casting the committee in a negative light, repeatedly putting forth insinuations about the committee as a whole and myself in particular at Selectboard meetings. Back at that July meeting, David made what we took to be a sincere apology on behalf of the entire board to the active members of our committee, yet Board member Perry has shown no evidence of that sentiment.

It is very discouraging to feel that our hard work on behalf of the Town and the Meetinghouse is essentially being undermined by a member of our own committee, and that for some unknown reason, she now intends to run for another 5-year term on the Meetinghouse Committee. If Board member Perry feels that it is her responsibility to ask these questions without having availed herself of the information that as a committee member would be readily available to her, then I would urge her to simply continue doing that from her Select Board seat and withdraw her ballot petition for the Meetinghouse Committee leaving that seat to someone who truly wants to help with the work of this committee.

Respectfully,

Sherry Maher

Chair, Meetinghouse Committee

Basic Expectations for Meetinghouse Committee Members:

- Be an ambassador for the Meetinghouse and its value to our community.
- Regularly attend committee meetings (minimum 9 of 12).
- Be an active and attentive participant contributing to meeting discussions and decisions.
- Participate in and/or support in other ways, the events regularly held at the Meetinghouse. (at least 4 of 6)
- Share in the work of the Committee with regards to events, fundraising efforts, grant research and writing, event promotions, etc.
- Communicate with Chair and/or other committee members if unable to attend a meeting or participate in an event.
- When not in agreement with decisions or direction the Committee is taking, address concerns or questions within the Committee either during a meeting or via email to the members.
- If a member becomes unable or unwilling to fulfill the basic expectations for the committee, inform the Chair and/or Select Board of the need to appoint a replacement.