

Athens Special Selectboard Meeting Minutes
October 23, 2023
6:00pm at the Athens Town Office

In attendance: Sandi Capponcelli, Hannah Regier, Janet Perry, David Bemis, Denise Randall, Krista Gay (by telephone), Amber Stevens, Tina White, April Lyman, Danny Taylor, Tara Taylor, Harold Noyes, Tom Taylor,

Called to order at 6:01

Adjustments to Agenda

David makes a motion to consider an access permit application for Nathan Guest at 442 Brookline Rd. Sandi seconds. Put to a vote: All in favor.

Public Comments

Harold says he appreciates the work that Eugene did for the town and wants to offer a belated thank you from the Town of Athens. David says that is appropriate.

Danny asks what the process is for the driveway permits. David says that the board will act on it tonight and return to the property owner.

ARPA Allocation

Sandi says in consideration of Eugene and the fact that the town didn't have short-term disability insurance to help him out at the end of his life, Sandi and Janet asked Katie Buckley of VLCT about giving him a retroactive bonus out of ARPA funds that would go back to 2020-2021 while he was working through the pandemic. Katie said that was an approved use of ARPA funds. Denise asks how that would work since Eugene is no longer an employee and is deceased. Janet says it doesn't matter, and since he was working during the pandemic, the ARPA funds can be used, and his live-in partner can get the money. It would get reported as an "employee bonus" in the ARPA reporting in April. Janet says this is all in an email from Katie. Krista asks if it matters that the board is voting on giving the bonus after Eugene is deceased. Sandi and Janet say according to Katie, it doesn't. Denise would like a copy of the email from Katie to be attached to the minutes. Hannah asks if the bonus would be subject to taxation. There is discussion on how the bonus would have to be run through payroll but taken from the ARPA funds. Krista says that bonuses might be taxed differently than regular hours. Denise asks how much the bonus would be. Sandi thinks that it should be a full month's wages. Hannah doesn't know that amount without looking it up. Krista asks if Matt would also need to be given a bonus if Eugene is getting one. David thinks the town can award a benefit without doing it for everyone.

There is discussion on how to make the payment to Julia so she can use it without it going into Eugene's estate. Hannah says if the check goes to Julia, she would have to be onboarded as

an employee. The payment would need to be something other than a payroll bonus. However, ARPA guidelines don't allow for a gift. Danny Taylor suggests using the funds already budgeted for Highway Labor payroll, but as a gift to Julia that isn't put through payroll. Hannah agrees that would be the best method and easiest for both the town and Julia.

Sandi makes a motion to pay an equivalent to one month's of Eugene's wages to Julia out of the highway labor funds. Denise seconds. Put to a vote: all in favor.

The amount of the gift will be Eugene's hourly rate X 160 hours, with no deductions taken.

[Krista arrives in person]

Executive Session

David makes a motion to go into executive session at 6:21 to convey a privileged matter. Sandi seconds. Put to a vote: all in favor.

David makes a motion to exit executive session at 6:43. Sandi seconds. Put to a vote: all in favor.

No decisions were made in executive session.

Curing procedural violation from 10/19/23 as per 1 V.S.A. § 314

David says that at the last meeting, the board went into executive session on two legal matters. One was a letter that was received by the board, which was discussed in executive session as to if it was appropriate to be under a legal matter for executive session. The board checked with VLCT and they found that it was not proper to be in executive session for it. No decisions were made in executive session or afterwards on that letter, other than for Krista to check with VLCT about it. In the future, the board will have the statute for executive sessions on the table to review the pertinent section before entering executive session.

Application for Driveway Permit

David asks about the 911 address of the property. Hannah says that they don't have a 911 address currently for the location of the new driveway. The number that Green Mountain Power is using doesn't align with the town's 911 system. Hannah says she will separately get them a new 911 address. David asks Danny Taylor about the placement of the new driveway and to help decipher the diagram on the application. The reason for the new driveway location is that there is ledge blocking access from the old driveway.

David makes motion to approve the application. Sandi seconds. Put to a vote: all in favor.

Further Business

Tina White asks about the letter that was received at the last meeting and wants to know what it was about if it wasn't supposed to be in executive session. Sandi says that at this point the board wants to share the letter with their attorney to see if anything should be redacted before it

is shared publicly. Others in the room ask to see the letter as well. David reiterates that the board will have an attorney look at it to make sure there is nothing that puts the town at risk.

Krista makes a motion that the letter that was received at the last selectboard meeting, be entered into the minutes after it is reviewed by an attorney and anything redacted that they deem necessary. Sandi seconds. Put to a vote: Krista, David, Denise, Sandi in favor. Janet does not vote.

Sandi will email the letter to the attorney tomorrow.

*David makes a motion to adjourn. Denise seconds. All in favor.
Adjourned at 6:52*

Respectfully submitted,
Hannah Regier, Town Clerk