

Athens Special Selectboard Meeting Minutes  
May 18, 2023  
7:00pm at the Athens Town Office

In attendance: Sandi Capponcelli, Hannah Regier, Janet Perry, Harold Noyes, David Bemis, Denise Randall, Amber Stevens, Carol Bingham, Don Capponcelli, Darlene Wyman, FACT TV, Linda Taylor, Bob Bova, Sherry Maher, Tim Stevenson, Eugene Bills

**Called to order at 7:00**

**Adjustments to Agenda**

None

**Minutes of Prior Meeting**

*Denise moves to accept the minutes from both meetings. Harold seconds. Put to a vote: all in favor.*

**Public Comments**

Linda Taylor asks what the town's fiscal year is. Answered January – December.

Sherry asks about the condition of trash of a property on route 35 just before Reed Rd. She says it has been brought up several times and wants to know what efforts have been made and what expectations are of the health officer. Sandi says the health officer can request it to be cleaned up. And he could contact ANR because the property is close to the creek. Sherry wants to know if the board gets reports from the health officer. David says he knows the health officer went up there last time and there was a dumpster for a while. Sherry says it has not been cleaned up and has actually gotten worse.

Tim Stevenson adds that the trailer next to door to the property with trash is also deteriorating and needs to be addressed.

Don Capponcelli reads his comments about replenishing gravel reserves, attached here.

Joshua Ferenc is here to pick up a key and thank the board for letting him use the community center for his class.

**Brookline Rd.**

Eugene Bills says the Bob Bova had put rocks along the road and the road crew had asked him to remove them. Eugene says he graded the road per the Act 64 water quality requirements for connected segments and Bob digs a ditch along the edge of the road so the town doesn't meet the criteria of Act 64.

Bob Bova doesn't agree with what Eugene stated. Bob says about 2.5 years ago Matt and Eugene came out to say they needed to remove the berms on the side of the road. Bob and Kate agreed to that action. 2.5 years went by and nothing was done to remove the berm. Instead the road crew have widened the road and are pushing up a berm into the higher ground on the Bova's property, and creating a ditch alongside the berm where the road is scraped lower than the surrounding land. Bob says once Eugene graded in a way that dumps the road runoff into the brook that runs through their property — Bob says this is the cleanest brook in the town. Bob says he asked Eugene not to do it, but Eugene said that in his opinion every dirt road should be directed into brooks because it's good for the trout. Bob says that is when he began to study Act 64 and he thinks the road crew is not doing the proper techniques to comply with the regulations. Bob and Kate called Jim Ryan, Municipal Road Program Coordinator from the VT DEC Watershed Management Division Stormwater Program, who came down and looked at the road. Jim noted the width of the road compared to what it used to be. Bob shares an email from Jim which states that the town and landowners can agree on the width of the travel lane and that the state does not require or encourage roads to be widened to install the required practices for Act 64.

Bob thinks that the road crew has not read the Act 64 requirements because if they had, they would not have widened the road. Bob has noticed that the roads have been widened all over town and that the berms can't be removed now because they are pushed back onto private property.

Bob says that what he and Kate have done to try and protect their land and the brook is to put a rock, stakes and a ribbon to act as a reminder for the road crew not to keep widening the road and pushing the material into the creek. Bob says the next time the road was graded, Eugene dumped the material just beyond the rock and stakes where it would still go into the brook. Bob says he is not going to remove the rocks because compared to other roadside objects in town, these rocks aren't an interference. He notes several stone walls, fence posts and a tree stump that are right on the road in other places. He says Jim Ryan drove the roads with him and agreed. He thinks it is something personal between Matt, Eugene and him.

Bob says that he and Kate have always tried to protect the environment, including wetlands, and they know what they are doing. Bob says he would offer himself free of charge to show the road crew how Act 64 should be implemented. He says there are other people on the lower road who are equally unhappy with the roads being widened. Bob also says that the road crew caused the land in front of his barn to wash out which required 15 bucket loads of sand to fill it in. The road crew didn't apologize at all. There are 200 yards of his property now where the berm cannot be corrected because the road has been widened so much.

Bob would like the town to follow Act 64. David says that would be the board's wish as well. Eugene says that Jim Ryan should get together with Windham Regional and the state people in Dummerston who have advised Matt and Eugene to do what they have been doing for Act 64.

Bob says he would like the road crew to work with landowners, not force stuff on them. Bob said he tried a year ago to get Matt to come out with someone from the state, but he never did, so Bob went ahead after a year and called Jim Ryan himself. Jim suggested that Matt and Bob get together to figure out how to correct the road width and berm issue on the Bova's property and all over town. Bob asks for Matt to set up a time to meet with him and discuss the ideas. Bob says that Jim liked his catch-basin and that it could be made deeper.

Eugene says a state guy from Dummerston called the rocks and catch basin "deadly fixed objects." Bob says there are hundreds of fixed objects along the roads that the town isn't doing anything about. Eugene says some of them are grandfathered because they've been there for 100 years.

David says the board should view the rocks at the Bova's place and bring it up again at the next meeting. Bob wants the board to come out and to discuss fixing the problems as Jim has suggested. Bob shares some photos of their roadside that show the berm being pushed back onto their land. He says he is willing to work with the road crew and the town to fix things and wants to set up a time with Matt to look at things.

Tim Stevenson notes that the road foreman isn't present and wonders if he was aware of this topic on the agenda. David says Matt knew the agenda. Bob says it is troublesome that the road foreman doesn't show up at selectboard meetings. Bob says that his son is a road foreman and has to report to the selectboard in his town every week. Bob wants to know who is conducting the road crew. David says Jeff Nugent from WRC and Marc Pickering from DOT have been consulting on act 64 work.

### **Reappraisal**

Amber asks for the board's approval to do a townwide reappraisal. She says there is a bill in the legislature that will require towns to be reappraised every 6 years. It's been 14 years since Athens has had a reappraisal and the CLA is dropping so she thinks the town will be forced to have a reappraisal next year. David says it will be good to get scheduled now before all the other towns that need a reappraisal are scheduled with contractors.

*David makes a motion to put out an RFP for a reappraisal. Sandi seconded. Put to a vote: All in favor.*

Amber says that the state is taking over from NEMRC for the listers software for current use and homesteads. She and Carol are doing a lot of training on VTPie now. It's still glitchy now.

### **Boards and Officials**

Don C. says the Cemetery Commission now has \$15,000 in a 12 month CD with M&T Bank. They want to work back to having \$20,000 in savings.

Don C. says David Cotton architects came out to look at the community center and garage and have submitted proposals for the projects. The proposals are for more than what the town needs to apply for the USDA grants and Hannah has responded to David Cotton asking for them to pare down the proposals to the scoping work that is needed.

Tim Stevenson says that with climate change we can expect excessive heat over the next few years. He wants to raise the issue so the town is aware of it. He wants to hear from members of the community center committee about using that building as an emergency shelter. He says that officials are saying that communities should prepare for the worst. Harold says that heat pumps with air conditioners have been installed throughout the church and that building would be available to the town in a heat wave. Tim thanks him and asks if the emergency committee could take a tour with Harold so everyone is familiar with the church. Don says the community center committee has gotten quotes for heat pumps for the building. He says he is frustrated with the grant programs' requirements and timelines. Hannah says that next month Chris Campanay, the director of WRC, will come to the selectboard meeting to hear from the town what our needs are for grant admin and project managers. WRC will be helping to implement the Governor's program for helping underserved towns with grant programs. She thinks Don should share some of his frustration with Chris.

Sherry Maher says the Meetinghouse committee has received bids for their three-part project. They have reviewed and selected contractors but have not communicated with the contractors yet while they get written approval from the Preservation Trust. Sherry will get W9s and COIs from the contractors. She says this project is being paid for with grant money and from the historic society funds. Janet asks why there was a discrepancy with what was paid back to the town after the June 19<sup>th</sup> 2022 meeting. Janet remembers that the Meetinghouse Committee said they would pay back 12,500 by January 1<sup>st</sup> 2023. Sherry says she didn't remember it being a definitive amount because they didn't know where they would be financially after the façade project was completed. They paid \$7500 back which was what was in their account after the final reimbursements came in. Hannah says there is \$426.28 left in the Meetinghouse fund now.

The Meetinghouse plant sale is on for Saturday May 27<sup>th</sup> from 10:00 - noon. People can be in touch with Sherry or Ginger to get donated plants to them. Plants should be labeled and delivered before 10:00am. There will be a concert on August 5<sup>th</sup>.

Amber says that the town needs to file the abstract grand list by June 5<sup>th</sup>, but the state is encouraging towns to do a 30 day extension in case the software has another glitch.

*David makes a motion that the board signs a 30 day extension for the abstract grand list. Sandi seconds. Put to a vote: all in favor.*

Harold says the schoolboard has a community forum at the Grafton Elementary school on May 25<sup>th</sup> at 6:00pm. People are welcome to come and share their thoughts and ask questions. They are changing the name of the district, probably to Athens Grafton Elementary School District.

*Sandi makes a motion to approve the LEMP. Denise seconds. Put to a vote: all in favor.*

## **Appointments**

David asks for anyone interested in Lister, Town Agent of Town Grand Juror. No one has stepped forward.

*Denise makes a motion to appoint David Bemis to be Forest Fire Warden. Harold seconds. Put to a vote: four in favor, David abstains.*

### **Town Plan**

Tim Stevenson asked for this to be on the agenda tonight. David says he thinks everyone on the selectboard is in favor of a town plan. He says the town should have a plan. The town has tried twice to adopt a plan and it has been voted down. Sandi says there are only three towns in Windham county without a town plan — Athens, Searsburg and Somerset. There are grants that we can't get because we don't have a plan. Denise asks if the last version of the town plan could be updated and used again. David and Tim think it can be used as the base but some things need to be updated and changed. Harold asks when the plan would be voted on. David says once the new plan is ready, there will be hearings and then a vote. Denise says she thinks the main reason it failed previously was because people misunderstood and thought it meant zoning. Sandi agrees and thinks people were confused by the maps that outlined areas for controlled growth. Sandi says that the town plan is a vision, not a mandate, and that it will help the town have a say if a big development project happens in town. David says that the commission should move ahead and have a meeting with the selectboard. Janet says there will need to be more members on the planning commission. David says something should be put on the website to ask if people want to be involved. Tim thinks David should be involved. David says he is open to it. Hannah will post it on the website.

### **Roads**

Sandi says that Collin Bratton from WRC would like to be on the agenda next month. They are working to get together the grant agreement and a project manager contract for the Ober Hill bridge.

Sherry asks if the information on highway timecards has been resolved. David says that is a personnel matter and should be discussed in executive session.

Sandi says that she and Matt went to Barre last week for a highway convention. They picked up info on a company that supplies chloride and tanks. There was also a product for potholes that they want to look into. There is an ongoing conversation with the road foreman in Westminster about crack sealing. They rent the equipment and have the road crew do the work which is a lot cheaper than hiring a company to do it. They are talking about sharing the rental and labor between towns. Another new company, SANY, that sells graders for less than a Cat grader. The board agrees that Sandi should work with Matt and Westminster to cooperate on crack sealing for next year.

### **Executive Session**

*Denise makes a motion to go into executive session. Sandi seconds. Put to a vote: all in favor. Harold makes a motion to come out of executive session. David seconds. Put to a vote: all in favor.*

**Warrants and Mail**

The warrant was signed and mail opened.

**Further Business**

Sandi asks how the new trash schedule is going to be shared with townspeople who don't use the website or Facebook page. Suggestions include sending out a notice in the mail, putting it in the newspapers, putting it on the bulletin boards and sandwich board. Harold says he will give the town a second sandwich board to put on the south end of the upper road.

Sandi also says she has asked someone at the state about getting a transfer station. She will gather information and share it back to the board.

*Harold makes a motion to adjourn. Sandi seconds. All in favor.*

*Adjourned at 8:45*

Respectfully submitted,  
Hannah Regier, Town Clerk