

Athens Special Selectboard Meeting Minutes
June 15, 2023
7:00pm at the Athens Town Office

In attendance: Sandi Capponcelli, Hannah Regier, Harold Noyes, David Bemis, Denise Randall, Dennis Mirante, Don Capponcelli, Darlene Wyman, Bob Bova, Tina White, Chris Campanay (WRC), Collin Bratton (WRC)

Called to order at 7:00

Adjustments to Agenda

None

Minutes of Prior Meeting

Denise moves to accept the minutes from the prior meeting. Sandi seconds. Put to a vote: all in favor.

Public Comments

Bob Bova says that one whole month has gone by since he asked if someone from the selectboard and/or Matt would meet with him about the road issues. No one has contacted Bob and he says it's pretty sad and asks why that is the case. He says that he asked six times. He assumes that means it wasn't an issue, and he will continue to do what he's been doing to protect the brooks and his property. He says he will make the small rocks and steel rods more visible in the winter months. He says in the future, if anything is going to be done along the road that involves digging or removing trees along the road in front of his house, he wants to be contacted. Denise says she's sorry that no one has contacted Bob, and that she has been busy the last month. Bob says that he's noticed that Sherry Maher has been asking for many months to have rat-infested garbage picked up on the upper road and nothing has been done. Bob says that the selectboard has the power to enact an ordinance to require garbage to be cleaned up and give the health officer the power to enforce it. He says he has been reading the selectboard handbook and the selectboard has a tremendous amount of power to get things done. Bob and David discuss the process of how ordinances are created.

Dennis Mirante says he agrees that the situation between Bob and the road crew should have been resolved without the property owner having to come to a selectboard meeting twice. He says there seems to be an issue with getting things done in this town — things are discussed but not accomplished. Dennis says that one thing he didn't like last month was the attack on the road crew. He observes that since Matt took over and Eugene was hired, there has been a lot of criticism of them. Dennis thinks the roads are in better shape than they ever have been and there are more improvements happening. He thinks the selectboard shouldn't allow public attacks of employees. Dennis says he was looking over old paperwork and found a letter from 33 ½ years ago from the planning commission, and the town still doesn't have a town plan.

Dennis wants to see the selectboard show support for a town plan now. David says that the selectboard does support the town plan and did support it the last two times it came to a vote, but the town voted it down. He knows a couple people have asked that the board put out a statement that they support a town plan.

Don Capponcelli says that there was a lot of attention given to David Bemis's comment that was in the Athenian that there need to be consequences to the town for voting down the budget. Don thinks it was unfortunate that there wasn't more context to the comment. He says that David Bemis is one of the biggest taxpayers in the town. Don says that David dug in his heels to keep the trash service when others in town thought the clock should be turned back. Don also says he is sick and tired of the criticisms of the road crew. He reads a list of projects and proactive things they have done. He said that at the last meeting there was conflict between a resident and the road crew where the resident couldn't keep to the point and called the employee a liar and questioned the selectboard on their hiring practices.

Lastly Don brings up the gravel stockpile again and quotes numbers that Hannah had followed up with him. He says the FEMA grant reimbursement was higher than the town's expenses by \$7,900. He asks the board to reflect on what could have been done differently then. He doesn't see the issue getting resolved and asks the board to get to the bottom of it.

Windham Regional - MAP

Chris Campanay, the executive director of the Windham Regional Commission, introduces the Municipal Assistance Program (MAP). With the budget adjustment Act that the state passed, there was a realization that when the state made available different funds from ARPA there were towns that didn't have capacity to access the funding. The governor recognized that there were towns who needed help to access the money available. The state has made resources available to Windham Regional to work with high-need towns, including Athens.

The first two steps that WRC can work with towns on doing are a "needs assessment" and "opportunity assessment." The needs assessment is a broad conversation about what the town's needs are. This doesn't have to be limited by what funding is available. Then they can help with a prioritization process and local options for filling needs. Next, they would ask the state for additional resources to help with the development of grant proposals, assist with permitting, and manage projects that do receive grants. He says it would be the town's process and they would help organize however the town wanted to work with them. There is no cost to the town for anything. The first step is to have a person to be a point of contact for the program, who can reliably communicate. There can be a committee or the selectboard who works with WRC on the process.

There are certain types of eligible projects that the assistance can be used for. Some of Athens' needs, like the bathroom for the garage, may not fit existing grant programs, but Chris says if that's the case, he'd bring it back to the governor and ask what else the state can do to help fund the needs. It's possible for projects to happen for non-town property; for instance, another community has received funding to improve wastewater systems for a mobile home park. For community centers, there could be a way for a nonprofit to be involved and receive funding. Chris suggests an "email of understanding" to start the process. David says that the town does want to do this and jump on it as fast as they can. Don Capponcelli says that four people have

already been working on this since January for both the community center/town office and town garage. Don brings up Bonnie Waninger of VLCT. Chris says that VLCT is helping make sense of other federal money that is coming into the state. Chris says he got the draft MERP assessment application today, so they are getting close to rolling that out. The state's BGS office will also be starting a revolving loan fund for towns. Hannah mentions that a lot of the assessment work has already happened but could be done more formally. She mentions the congressional earmark that the town has applied for and is progressing through congress. She asks if there will be grant writing and admin help for applying for the USDA CF grants. Chris says they can ask for that assistance in the near term as additional funding beyond the first two steps. Chris thinks the Agency of Administration would be receptive because the deputy, Doug Farnham, understands what small towns are up against.

Chris will draft the email of understanding. He says Athens would be working with WRC staff and also consultants that they are hiring for this work.

David makes a motion to support the concept and wait for the email from Chris. Denise seconds. Put to a vote: all in favor.

Chris asks if Athens and Brookline have ever considered sharing a garage and salt shed. The board says no, and that the road in between the two towns can be impassable during certain seasons and storms.

Windham Regional - Ober Hill Bridge

Collin is here to talk about the grant that the town received for Ober Hill bridge scoping, and the project management contract between WRC and the town. He has documents that need to go to VTrans before the project starts: A statement of qualifications for WRC and a letter written by the town stating their intention to contract with WRC as the project manager.

David makes a motion to attempt to have WRC as a project manager for the project and submit a letter with the qualifications to the AOT. And that David be able to sign the project manager agreement as soon as the AOT agrees to it. Sandi seconds. Put to a vote: all in favor.

Colin will draft the letter and email it to David who will sign it and email it back. Colin says that once the agreement has been signed, the town will need to form a selection committee to select a consultant and a steering committee.

Treasurer's Report

Hannah walks the board through the financial reports and explains what the elements of the budget report and balance sheets are. The percentage column on the budget sheet is handy for a quick look at where spending it as to date. For example, in June the board could expect many line items to be at around 50% of the annual budget. Hannah points out that the road maintenance is at 86%, but there was a large expense of the deposit to A. S. Clark that is a grant-reimbursable expense. Denise asks how spending for grant funded projects affects the overall spending according to budget. Hannah thinks those expenses should be budgeted for differently — as actual expenses — and also put in the grants budgeted as revenue. David asks

about the account numbers that are attached to each line item and if it is extra work for Hannah to write those on each bill. Hannah says it is part of the process of doing accounts payable. Sometimes expenses are put in the wrong category and then when she gets the correct information, it is possible to change the category. She is dependent on getting good information about what purchases are for. David says that Matt should be helping Hannah with which line items highway purchases are for. Hannah agrees and has asked Matt to fill out simple material accounting sheets for her, but he doesn't do it. The information she has isn't always complete. David suggests that Matt could meet with Hannah each Monday to go over the bills. Denise thinks Matt could fill out the paperwork. Hannah says it would be really helpful to get the material accounting sheet filled out at least when there is a special project going on where expenses need to be kept separate.

Hannah goes over the balance sheet, which shows how much money is in each fund. She explains what the due to/from line item means in fund accounting: there is only one savings account and money is digitally allocated to each fund in the NEMRC system. Right now the general/highway fund has a negative balance of ~\$55,000 because it is borrowing money from other funds until taxes come in. Hannah says that isn't a problem since there is enough money in the savings account and there aren't big expenses coming up from other funds. She would let the selectboard know if they were getting to a point where borrowing money from the bank was going to be necessary. She recommends the selectboard look at the Total Assets line for each fund to know what balance is available. Moving forward, Hannah will just point out a few highlights from the financial reports at each selectboard meeting.

Boards and Officials

Hannah has scheduled Goodway Document Service to come on August 3rd to pick up the five land records books that need to be scanned. They will return the books the next day. The estimate is ~\$700.00, plus ~\$60.00 travel. She will use the Record Preservation Fund for this expense. They are just going to be scanning and putting the records on microfilm which will be stored in the state archives. Hannah is hesitant to pay extra for digitizing the records because the town doesn't have a plan for digitizing everything yet. She thinks that should be considered and done all at once, in the future.

Denise makes a motion for David to sign the estimate if and when it needs to be signed. Harold seconds. Put to a vote: all in favor.

Hannah gives a brief update on the status of repairs for the town office generator. On Memorial Day, Hannah was working and noticed that the transfer switch panel was clicking constantly. She called HB and Doug Perry came out that day. He discovered that the battery had exploded. There is extensive damage to the electronics from the acid spray. Doug is contacting Generac for advice on if it can be repaired. Hannah has filed a claim with VLCT PACIF, and they are waiting for more information from Doug about the cause of the explosion to determine what will be covered. The cost of repairs is likely to be higher than the initial high end estimate Doug gave. Hannah doesn't know what the town's deductible is. David thinks it is \$1,000. The board discusses the possibility of needing to replace the generator if it can't be repaired for a

reasonable amount. All of the infrastructure is there, so it would just be the generator unit needing replacement. Denise asks if the battery was the original that came with the generator. Hannah doesn't know, but Doug said that it was beyond its warranty, but not to what they considered its lifespan of around 5 years. David wonders if the battery manufacturer might pay for the damage caused. Don C thinks that either the battery ran dry or the voltage regulator was faulty.

Hannah mentions that the congressional earmark through Bernie Sanders that she, Don and Sandi applied for, for the Community Center and Town Office project, has been approved and has progressed to the senate appropriations committee. It still would need to be approved by the SAC, and then get through the omnibus bill negotiations before the town knows if it will get the money or not. If we do get it, it would be ~\$414,000, about $\frac{3}{4}$ of the wish list items for the building. Denise asks if the amount might be lowered by congress. Hannah doesn't think the details of each earmark are negotiated, they are either included or not in the final bill.

Hannah says the tax rate should be available within the next month, so a special selectboard meeting will be needed to set the tax rate. Hannah will let the board know when the rate is in from the state.

Don says they got locked out of the cleaning closet at the Community Center and contacted Gary Derosier and got a bunch of keys for the building, but didn't find the closet key. Most of the keys were old and useless. They did get a key for the teacher's office. They are going to drill out the doorknob of the cleaning closet. They may need to replace the knob. Sandi says that she thinks the kids in Josh Ferenc's program were responsible for locking the door with the light on. Sandi thinks that they do want to be able to lock that door.

Cemetery Commission Meeting: they had \$800 of plot sales in the West Cemetery new section and \$100 for the Valley Cemetery. David says that they also talked about having stones put up around the east wall of the new section of the West Cemetery on the back slope, to prevent ATVs getting into the cemetery. They talked about having Matt bring boulders up there that would otherwise be dumped over a bank.

David makes a motion to ask Matt to take boulders up to the West Cemetery and place them in that area. Sandi seconds. Put to a vote: all in favor.

Harold Noyes / School board: the BFUHS graduating class came to the Grafton school yesterday to spend a little time with the kids. Nine Athens Grafton kids graduated from BFUHS. Tomorrow at 6:00pm is the moving up ceremony for the kids. The school year ends on the 20th. The girls' softball team got to the quarter finals.

Meetinghouse and Community Center

Tina asks the selectboard to approve a fund be opened for the community center so it is easier to track the revenue and carry it over year to year.

David makes a motion to establish a community center fund for donations and fundraising. Denise seconds. Put to a vote: all in favor.

Discussion: Denise asks how much the committee asks for people to use the building. Sandi says for residents there is a \$50 deposit, \$25 of which is returned if the building is clean after the event. They haven't worked on costs for non-residents yet.

Tina also wants to know if Hannah can set up a square account for taking payments at tag and bake sales. Tina says that the woman who organizes the WRJ rest area nonprofit bake sales says that people often don't carry cash anymore and a credit card reader would help sales. Square takes a small fee and then direct deposits the payments into a checking account. Hannah is willing to do it but wants to open a separate checking account for this use. She also wants to have a debit card attached to this separate checking account. The separate account is because government entities aren't covered by Federal consumer fraud protections. There is discussion about how the fee charged by Square will very likely be offset by more sales because of the convenience of being able to use a card.

David makes a motion for the town to set up a Square account for the Community Center committee's use. Harold seconds. Put to a vote: all in favor.

Hannah says she can loan her business's Square chip reader to the committee if they only need it a few days a year, so they wouldn't have to spend \$50 to buy one.

David mentions that he heard recently that municipalities will be able to get the same federal incentives for solar as private businesses.

Harold makes a motion for David to sign the MERP mini grant agreement. Sandi seconds. Put to a vote: all in favor.

The board discusses holding off on the generator service contract until the generator is fixed. David says he thinks it is important to have the generator at the town office. He has come down during a power outage and used the wifi, and seen other people using wifi as well. Denise questions the quality of the service if they didn't catch the battery before it exploded. David reads the contract with the specific maintenance activities they do. David doesn't think it was HB's fault that the battery exploded. Sandi would like to get information on when the generator was last serviced. Don C. says he will ask his old boss if it's reasonable to think they would have caught the battery issue in a regular service inspection.

David makes a motion to sign the HB contract. Sandi seconds. Put to a vote: all in favor.

Hannah will try to get the information on HB's service visits.

David makes a motion to sign the Sheriff's contract. Sandi seconds. Put to a vote: all in favor. David says he heard the Sheriff was in Athens today and wrote \$1000 in tickets.

The board looks at a quote from Bergeron Construction for an addition for the town garage for a bathroom, office and storage room. The quote is for \$187,500. David says he was talking to an architect recently who says commercial construction is about \$400/sf currently.

The board looks at the Meetinghouse contracts. There is one for the storm windows, one to lift up the floor and level it out, and one for moisture mitigation. Hannah says that it is all grant funded and the matching is coming from the Historic Society. Sandi says she thinks the board needs to talk to the meetinghouse committee about the rest of the Housing Rehab loan.

Denise makes a motion to sign the contracts for the meetinghouse committee. Harold seconds. Put to a vote: three yes, one abstaining, (with one member absent)
David signs the contracts.

David says the board can send the Meetinghouse Committee a letter about the loan. He thinks that will be less contentious than a meeting. He asks for someone to draft the letter. Sandi says she just thinks there needs to be communication about it between the committee and the selectboard. Everyone wants there to be respect, but Sandi feels that the Meetinghouse Committee isn't respecting the board when they said they would pay back the loan by the end of last year and have not. Sandi would have wanted the Meetinghouse Committee to come back to the board and say they couldn't pay the loan and try to work something else out. She thinks they are ignoring the situation and hoping it will go away. David will draft a letter and send it out for the rest of the board's review.

Appointments

David says that Tim Stevenson emailed him to resign from the planning commission. Hannah says the following people have expressed interest in being on the commission: Krista Gay, Mark Berman, John Oberling (if the selectboard votes to support having a town plan.) Hannah says she would also be interested in being on the planning commission if the selectboard voted to support the plan. She thinks that Tim also asked Andy Toepfer and he might be interested as well.

David says he is in favor of a resolution to support the town plan. He attended meetings when they were writing the last town plan and tried to support that process. Denise also supports the town plan. Dennis says maybe the board could say why they support the town plan. Dennis remembers that the big issue was the confusion around zoning. The board discusses the benefits of having a plan, including being eligible for more grants and having a voice in Act 250 hearings. It would give the town a voice about what happens in the town. David says that town isn't completely helpless without a town plan — that we fall under the Windham Regional plan. He says that it is simply something that the town needs to have to operate correctly. David says the board will come up with something that will fit on a sheet of paper to bring to the next meeting. Harold will create that document. Hannah will post the planning commission openings on the board and let the current interested people know that the board is preparing a statement

to vote on for the July meeting. David thinks the planning commission can have up to 9 members. The selectboard is ex-officio members of the commission.

Vendor Policy

Harold was called by Jimmy Fernette about the vendor documents. Jimmy was freaked out by the insurance requirements. Harold will talk with Jimmy and try to see if he has insurance and can comply.

The board and Hannah clarify who needs to fill out the full set of vendor paperwork. It is vendors who are sole proprietors or single member LLCs that need to get 1099s. Hannah will check with VLCT PACIF to see if Jimmy Fernette is ok without an insurance certificate.

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

Roads

Harold says the new cement culvert by the pond is in and hopefully will be finished by the middle of next week.

David says that when the Ober Hill bridge is looked at, he wants them to look at a box culvert. He thinks a box culvert would last longer than a bridge.

Executive Session

David makes a motion to enter executive session at 9:07 for a legal matter and asks for just the selectboard to stay. Sandi seconds. [no vote]

At 9:24 the board comes out of executive session.

Warrants and Mail

The warrant was signed and mail opened.

Denise asks why there is a bill for \$195 from HB to come out and look at the generator. Hannah says it was Memorial Day when she called. David points out that the service contract doesn't cover visits for repairs.

Denise notices that the Sheriff's report says they issued 410 warnings. David doesn't think that can be correct.

Sandi asks if David still wants to send Bob Bova the letter she worked on. She says that she can add a page telling him that it's late because the board had to meet to approve it before sending. Sandi says she worked hard on the letter. The board signs the letter. A copy is made to keep on file at the town office.

Further Business

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

Adjourned at 9:33

Respectfully submitted,
Hannah Regier, Town Clerk