

Athens Selectboard Meeting Minutes
June 20, 2024
7:00pm at the Athens Town Office

In attendance: David Bemis, Sandi Capponcelli, Janet Perry, Krista Gay, Denise Randall, Hannah Regier, Amber Stevens, Carol Bingham, Tom Taylor, Linda Taylor, April Lyman, Don Capponcelli, FACT TV (Cody)

Called to order at 7:02

Adjustments to Agenda

None

Minutes of Prior Meeting

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

Public Comments

Tom Taylor asks about the culvert in front of his house. The culvert is plugged and there is gravel across his lawn. David says he talked to Matt about it some time ago. Tom says he mentioned it to Matt about four years ago and suggested a way to fix it. Sandi says that she and Matt will go look at it together. Denise might join as well.

Janet wants to state that she's heard there's someone going around town calling dogs off their property and into the road. She thinks it's harmful for the dogs. Tom Taylor thinks it's a black SUV with a dented fender on the driver's side. He saw them stopped on the road next to a basset hound. David says he will contact the Sheriff's office and have them contact Janet for more information.

Listers

Amber shares the proposed RFP for the townwide reappraisal for the selectboard's review. They extended the date until July to send it out, after the grievance hearing. They plan to send it out to a handful of contractors. Carol says some companies are looking four years out, but Athens is smaller, and she hopes we can possibly piggyback on Brookline or Newfane who are starting theirs soon. Amber says there is also a letter from the state now mandating a townwide reappraisal. The state understands projects are backed up, but the town does need to start the process now. The state is still figuring out how frequently townwide appraisals will be required. Amber thinks it will be according to CLA, not a set number of years.

David makes a motion to accept the proposal from the Listers to be put out as an RFP for the townwide reappraisal. Sandi seconds. Put to a vote: all in favor.

Boards and Officials / Treasurer Report

Hannah asks if the selectboard has any questions about treasurer's stuff. Janet asks if the tablet for the road crew has been purchased yet. Amber is researching the model and then will buy the one that's recommended.

Hannah says that Tiana Smith from Green Mountain Power reached out with updates on their resiliency work. Athens is now connected to the Westminster substation instead of having power come from Chester and Grafton. This is supposed to reduce outages. GMP is working on a plan to do more work on the lines in town, including undergrounding them and other measures to improve resiliency.

Hannah says the town's CDS application for the Community Center and Town Garage renovations was selected by Senator Welch. It still needs to get through the Senate appropriations process. That would be \$1.4 mil.

The board discusses the \$9 mil hazard mitigation funding that the state has available. Sandi will reach out to Mike McConnell at WRC to see if he thinks some of the town's projects could apply.

Jon Saccoccio has the initial design directions to share at another public forum. The two dates he's suggested for the forum are July 9th and 11th. Hannah asks the board to choose the date that would work for them to come to the forum. The board chooses Thursday, July 11th. Hannah asks everyone to spread the word and invite other townspeople. Krista asks who is hosting the meeting. Hannah says she hosted the last meeting and probably will again, but Jon is going to talk about his designs. Krista wanted to make sure it wasn't a selectboard meeting and would need to comply with S55.

Hannah says that there is still one property that the tax sale process was initiated on, where the owner hasn't responded to the notice. The tax sale notices were sent out on the same day that the Governor signed the new legislation for tax sales. Because of this, Hannah says the sale that was scheduled for July 11th will be postponed until September to comply.

Hannah says there is a warrant for the board to sign and give to the Constable for the unlicensed dogs. David says this is not for the constable to pick up the dogs but for him to contact the people. Even though the warrant that is in the statute states that unlicensed dogs can be taken away, rehomed, or euthanized, this is not what the board wants. The board reviews the names on the warrant to see if any of them are known to not have dogs anymore.

David makes a motion to sign the unlicensed dog warrant and turn it over to the Constable to have him reach out to people and get them to license their dogs. Sandi seconds. Put to a vote: all in favor.

Don Capponcelli says the cemetery Commission met in June and will look at options for a gate for Valley Cemetery to discuss at the September meeting. Regarding the Community Center work, Don says that in 2010-2012 he thought the building wasn't considered a two-story building because 2/3 of the foundation wall was below grade. Now the code has changed, and the building is likely to be considered a two-story building and would need a sprinkler system. The

criteria for a single-story building now is if it has two diagonal exits that both exit at grade. Don thinks the sprinkler system won't be such a big issue if the town gets some big grants, but it could be an issue if the town tries to do the renovation work piecemeal, over more time, with smaller grants.

Don shares a MERP update: Many towns are still waiting for their audits. There isn't a date yet for the implementation grants to open. These grants will be competitive, with 25% of buildings getting funded. The town was hoping to use this grant money to replace the insulation in the town garage. Don wants to get ahold of Mike McConnell and point out that there is mold in the existing insulation in the garage to see if that can get priority.

Krista has a question about the dog warrant. She doesn't feel comfortable signing the warrant with the wording that authorizes the Constable to euthanize all unlicensed dogs within 10 days. No one on the board wants the constable to harm a dog. Krista wants to review the warrant language and add something about owners being able to cure the violation, before the board gives the warrant to the Constable. David says the warrant is right out of the statute and he doesn't know if it can be changed. Krista asks if the board can instruct the constable differently instead of using the warrant. David thinks the board is required to use this warrant. Krista will review the statute and the board will revisit it at the next meeting.

The board hasn't always used the warrant in the past, but Darlene used to give them a list of unlicensed dogs. Hannah says she has sent postcards to all the people who didn't register their dogs by April 1st, so they have had warning. She thinks the people who are left probably just don't care.

David makes a motion to postpone signing the warrant until the July meeting. Sandi seconds. Put to a vote: all in favor.

Krista says the schoolboard really, really needs a new member from Athens. There are consequential votes coming up.

David brings up the Wi-Fi hotspot license. He reads the info that Hannah researched. The free license ends in 2026. It could cost \$750 then to renew for another 5 years. He gives it to Amber to keep it in mind for the budget committee.

Krista asks Sandi to post a reminder about dog licenses on the Athens My Hometown Facebook page. Sandi says she does every year.

David says that there are DOT physicals coming up for an employee so that they can keep their CDL. The physicals aren't covered by the employee's insurance. Sandi says she's read that it's required for the town to pay for it if the insurance doesn't.

The costs may be around \$500. It might be annual or every other year.

David makes a motion to pay for the DOT physical. Krista seconds. Put to a vote. Four in favor, Janet abstains.

Denise brings up guardrails on the section of 35 in front of her house where the school bus went off the road. Matt has a quote of \$2,900 for the guardrails there. Denise is hoping the school district's insurance will cover the cleanup work. David says the visibility of the corner needs to be considered when putting in the guardrails. Denise says the bank is eroding and needs something to stabilize it. Tom Taylor suggests a blacktop berm to keep the water from washing out the bank.

Janet brings up the repair work on Brookline Rd. where the bank washed out. The town hasn't heard back from the state about the emergency repair grant yet. The board signed the letter about it two months ago.

David makes a motion to proceed with the repairs as needed because it is dangerous and someone could go over the bank. Krista seconds. Put to a vote: all in favor.

Sandi makes a motion for Matt to contact Lafayette and arrange to have the guardrails installed. David seconds and reiterates that he is concerned about the visibility at the corner of Brookline Rd. and route 35. Put to a vote: all in favor.

David brings up the Sheriff's animal control bills and contract. The Sheriff's animal control officer had done some work in town when there wasn't a Constable. They are still doing follow up on that. David says that the Sheriff's animal control work will come out of the regular contract hours and the town will not sign a separate contract or pay \$40/hour for the ongoing work.

Amber has an update on FEMA reimbursement from last July's floods. It's finally been run up the chain and is in the supervisor's hands. Someone was out to look at the sites, which have all been repaired. Hopefully they'll be sending some paperwork back to be signed in the next couple of weeks, and then the money will be sent to the town.

Sandi makes a motion for either David or herself to sign the FEMA papers for the board. David seconds. Put to a vote: all in favor.

Janet wants to send out a request for proposals to get the roof repaired on the town garage. It's not looking like any grants will come in before another winter goes by. David asks how much it's going to be. Janet got quotes of \$20,000 two years ago. Last year she got a \$60,000 estimate to paint and tar it. The person who gave the \$20,000 bid said this spring that he didn't think it will go up too much.

David says to put together a proposal and put it out to bid since it's likely to be over \$25,000. The moldy insulation needs to come out as well. The insulation is wrapped between the roof and the framing. The town has been waiting for MERP money, but the roof needs to be done by winter. Denise says it's hard to coordinate two different contractors to work at the same time on

the building. The roof could be done before the new insulation is put in, but then they'll be going into the winter with no insulation in the building. There has been a quote for \$60,000 for spray foam insulation from VT Foam Insulation in Chester. Farnham also bid but they were higher. The town has been hoping to use MERP funds for the insulation, but the roof must be done now. David asks Janet to come up with what the proposal needs to be, put it out, and bring the bids to the next meeting. David says they can email with the draft of the RFP. If a special meeting is needed later in July to review bids, that can happen.

The board and Don C. discuss options for how the roofing and insulation work could be done and coordinated.

Janet asks if the sand bid should go out. Matt has said that the company the town bought sand from last year would do it for the same price. It still needs to go out to bid. Matt will talk to Hannah about getting the bid in the paper.

David brings up the Sheriff's rural law enforcement meeting that's coming up on Friday. Hannah says she has a zoom link for it as well. Krista might join on Zoom.

S55 / Act 133 Public Meeting Law

David goes over the new aspects of the legislation, namely recording meetings and posting the recordings on the town website until the approved minutes are posted. Denise says that the board doesn't approve their minutes until the next meeting, so it will be a month out. He says it won't be much of an issue for the selectboard because FACT TV is usually recording and there is also an audio recording. Other town committees that are non-advisory would also need to record and post recordings. Cemetery Commission, Meetinghouse Committee, Planning Commission, etc.

Krista says that if anyone requests to join electronically or by phone, two days before a meeting, the board needs to let them join that way. She asks if the board wants to start making their meetings accessible on zoom. She suggests the town could budget for an Owl or another laptop to be used for hybrid meetings. She thinks it's a good idea, long term, to have the option. David says he's heard of grants available for an Owl or other equipment. Denise said that Google Meet was difficult to use during Covid. Krista says that the law about open meetings, and how to make a complaint, needs to be posted on the town website and in the meeting space. Hannah says that info needs to be posted in the room also. David says that VLCT is probably making materials for towns to post. The chair of the selectboard also needs to do trainings. Krista says that the board should remind themselves of the law and follow it. She thinks emails regarding town operations are ok, emails about decisions or actions are not allowed. David says it's ok to make a motion that communication about something will happen by email. Amber says to only reply to the sender, not to all.

David asks Hannah to coordinate with other committees so they can comply with the new law. Depending on how committees meet, there are different ways they can comply with the law. Hannah may buy a second voice recorder for committees to use.

Payroll Childcare Contribution Tax

This is the new state payroll tax to support a childcare fund. It is 0.44%. 0.11% of that could be withheld from employees' checks. Hannah says most towns are choosing to pay the whole amount.

David makes a motion that the town pay 100% of the childcare contribution tax. Denise seconds. Put to a vote: four in favor, Janet abstains.

Krista asks if the town is considering offering the state's paid family leave benefit. David says they can run it by the employees to see if they're interested and if they are, to enroll at the beginning of the year. Krista reads the circumstances that would be covered by the insurance.

Janets asks if the vacation leave for an employee had been decided. It was decided at the last meeting, but Krista wants to rewrite the policy so sick leave complies with the law. Vermont law requires 1 hour for every 52 hours of work, up to a maximum of 40 hours. Krista thinks the town wants to frontload it, so all the time is available at the beginning of the year. The town currently offers 6 days of sick leave a year, so it is already compliant.

Warrants and Mail

The mail was opened, and warrants signed.

David makes a motion to sign the contract with the Windham County Sheriff. Sandi seconds. Put to a vote: all in favor.

Sandi makes a motion to sign the generator contract with HB Energy. Denise seconds. Put to a vote: all in favor.

Further Business

Sandi suggests that the selectboard start reviewing the town policies because some of them have become outdated. David says the board can look at them and bring recommendations to the next meeting. He says going over all of them is a good project for the winter.

Krista asks for an agenda item for the next meeting to review the sick leave policy.

There hasn't been any communication from the governor about the JP appointment.

Janet hasn't contacted Dead River yet for a prebuy for the next year. The town's contract runs out in August. She thinks that the way the prices are now, it might be a little more expensive than last year.

David wants to contact VLCT about the cemeteries and make sure they are insured, including the gravestones and the stone wall. If not, he wants to get a quote for what it would cost to have them covered. Hannah will contact VLCT PACIF.

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

Adjourned at 8:52

Respectfully submitted,
Hannah Regier, Town Clerk