

Athens Selectboard Meeting Minutes
July 18, 2024
7:00pm at the Athens Town Office

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

Called to order at 7:10

Adjustments to Agenda

Krista has a sick leave policy and a follow-up on dog warrant to discuss. That will happen under boards and officials.

Minutes of Prior Meeting

David makes a motion to accept the minutes. Krista seconds. Put to a vote: all in favor.

Public Comments

Linda Taylor is questioning what decisions were made on the culvert situation. The board has not discussed it yet but plans to tonight.

Danny Taylor says he's been hired by Maureen Haver to clean up her property where the road slid in January. He wants to know if the town is finished working there, especially over the bank. The town will be putting in guard rails and Bazin will be fixing the pavement. David says he'll talk to Matt and let Danny know if anything else will happen over the bank.

Denise brings up the bus accident on her property in June. The school district's insurance company hasn't sent anyone to estimate the repair yet, and the process is going slow. She says that with all the major rain, there are holes starting under the blacktop. Hannah shares a letter from the school district's insurance company that the town received. They are asking for estimates and clarifications of town vs. private property to be forwarded to them. David says he'll talk with Matt and see what he wants to do for an estimate for work on town property. Hannah asks to be kept in the loop as well if it's an insurance claim as she opened a claim with VLCT so there was a claim number to reference.

Boards and Officials / Treasurer Report

Hannah says the budget is looking ok. It will be good to start collecting taxes soon. Tax bills will go out on Monday. The rates from the state are similar to last year, with the homestead rate being slightly lower and the non-homestead rate being slightly higher. Denise says that some budget lines look like they are running a little high but it's clearly not the fault of the budget committee or selectboard -- just unexpected expenses.

David asks if Hannah had looked into insuring the Cemetery structures. She did contact VLCT PACIF and had emailed info to Don and David. It is called Property in the Open. The town needs to provide a list of items with estimates to VLCT PACIF and they'll get a premium quote to the town. Gravestones are considered property of the deceased's family and are not generally insured by the town.

David makes a motion to allow the cemetery commission to decide if they want the PITO coverage from VLCT PACIF and get the values of items to be covered. Put to a vote: four in favor, Sandi abstains.

Krista reads an email from Sherry regarding the Meetinghouse Committee. The email is attached to the minutes. There is an ice cream social coming up on Sunday the 21st from 2-4pm. David is adding the tree clearing to the list of things he's talking to Matt about.

Krista / School Board – the board still needs another member from Athens. There is a new playground in Grafton. There will be around 30 students for the upcoming year, which is about the same as last year. The school is getting painted, and the parking lot is getting fixed.

Krista has a follow-up from VLCT on the unlicensed dog warrant. She says that the wording of the statute allows the animal control office to euthanize a dog within 10 days. She was concerned there wasn't a cure period. VLCT says the wording is mandated by state law but the warrant doesn't need to be issued for every unlicensed dog. There is also another law passed in 2009 that says the town must first attempt to find new homes for the unlicensed dogs before they are impounded. If rehoming isn't successful after ten days, then the dogs can be humanely destroyed. The law expressly allows a town to adopt an ordinance that lengthens the term before impoundment beyond 10 days and outlines the town's general animal control approach.

Krista says she feels better about signing the warrant now even though there isn't a way to add in a cure period. Hannah says that there is a "cure period" between April 1st and when she shares the list of unlicensed dogs with the board in June, when she is actively trying to get people to license their dogs. David says even though they've signed the warrant before, he's never known of a dog that has been euthanized as a result.

Krista makes a motion to sign the unlicensed dog warrant that was discussed at the June meeting, with the understanding the selectboard has no intention of euthanizing animals simply because they are unlicensed. Put to a vote: all in favor.

Krista says that Vermont law requires employers to offer a specific amount of paid sick leave. She has drafted a new sick/safe leave policy with that in mind. Krista reads the policy. The statute is for 1 hour of sick leave to accrue per 52 hours worked, which equals 40 hours a year for full-time employees. She suggests the board might want to offer sick leave to part-time employees working more than 18 hours a week as well. She explains the sick leave can either

accrue or be front loaded each year. The law doesn't require sick leave to carry over from year to year, but the town currently does allow 30 days to be carried over. The board discusses whether to prorate annual leave amounts or offer the full amount of sick leave regardless of when an employee starts. The board favors front loading the sick leave, and not having a waiting period. David suggests that the caregiving reason be extended to unmarried partners, household members, and Krista adds *in local parentis* figures. David says that his employer offers 2 hours to go to a medical appointment that isn't deducted from sick leave. The board wants to clarify what happens with sick leave when someone leaves employment. They don't want it to be paid out. April Lyman asks about documentation that an employee was at an appointment.

The board discusses whether Hannah is considered an employee as an elected official. They want to get clarification from VLCT. The board will discuss the policy again in August and vote in September.

Denise says that she, Matt and Sandi went to the Taylor residence in June and have a proposal for what to do with the blocked culvert. They came up with two solutions: one was to disconnect the culvert that ran across the Taylors' lawn and rechanneling the water; the other was to put in a catch basin in the spot where the two culverts meet. Linda Taylor says that the two culverts are not connected and the one that goes under their lawn to the creek is plugged. This is different than what Denise and Sandi remember Tom telling them. Linda says that Tom wants there to be a "Y" or a "T" connector in the culverts. The board tries to call Tom Taylor but doesn't reach him.

The reason that this is such an issue is that the culvert is on private property and there isn't a record of the town ever putting in a culvert there. It is unclear who's responsibility the culvert is. Sandi asks for another month to research the issue and create a plan. It is suggested to record the conversation with Tom Taylor using the town's voice recorder and take notes.

Community Center / Town Garage

Sandi says the CCAC have made it through the first round of the Village Trust Initiative grant selection and has been invited to submit a full application for funding. There is a site visit on July 23rd at 2:00pm with the Preservation Trust and partners. She asks that officials and residents show up for that visit and show interest in and support for the project. The full application is due by August 2nd. Hannah has been helping gather documentation for the application. There is a site control letter for the board to sign, indicating that the town supports the project and gives the committee permission to use the site for the long term and won't sell the building. This won't conflict at all with having the town office in the building – the VTI likes that it will be a multi-use building.

Sandi makes a motion for the board to sign the Community Center site control agreement letter. Denise seconds. Put to a vote: all in favor.

Krista thanks Sandi and Don for all the work they are putting into the Community Center project and the garden tour fundraiser they did in June.

Hannah says that the design review with Jon Saccoccio was attended by 10-12 people. The consensus was to move forward with "Option C" which would have all the major functions of Town Office and Community Center on the main floor. It would mean building an addition on the west side of the 2nd floor to accommodate the town office and vault and would leave the lower level available for rec space, pet shelter, storage and mechanical needs.

David makes the motion to move ahead with Option C of the architect's plans. Sandi seconds. Discussion: Denise asks if this is all pending funding. Sandi says it is. There are many funding options all in play right now. Krista asks for explanations of the drawings. They are very high-level concepts that will be detailed in this next phase. Janet asks if the architect's work is covered by a grant. Hannah says that it is covered by the MTAP grant and no additional funding is needed to continue with the design work. Don Capponcelli says he wants to get together with the people who will be using the space and make sure the square footage is correct for all the functions. Hannah says she hopes this is a project that will serve the town for the next 100 years and she doesn't want the spaces to be short-sighted.

Put to a vote: all in favor.

Janet made up an ad for the town garage roof bid. The board edits the ad to say the replacement roof would be metal. David asks Janet to give the ad to Hannah and have the bids for the August meeting.

Sand Bid / Roads

JP Trucking: 1000 yards \$24/yard

Bazin Brothers: 1000 yards \$23.35/yard

Derrig Excavating: 1000 yards \$23.80/yard

David makes a motion to accept the bid from Bazin Brothers. Janet says they might want to consider Derrig's even though it's \$0.45 more because Matt liked it better. David withdraws his motion. Krista says she is frustrated that the town gets bids and doesn't go with the lowest one.

Krista makes a motion to accept the bid from Bazin Brothers. Denise seconds. Put to a vote: Sandi, Denise, David and Krista in favor. Janet opposed.

Set Municipal Tax Rate

David makes a motion to set the town tax rate at 1.56. Sandi seconds. Denise amends the motion for the rate to be set at 1.555. Krista seconds. Put to a vote: all in favor.

David makes a motion that if the tax program can't do less than a cent in the tax rate, the rate can be set at 1.56. Sandi seconds. Put to a vote: all in favor

Warrants and Mail

The mail was opened, and warrants signed.

David makes a motion to sign the Grants in Aid agreement. Sandi seconds. Put to a vote: all in favor.

David makes a motion to sign the 2024 reappraisal order from the state. Sandi seconds. Put to a vote: all in favor.

Further Business

The board discusses getting a prebuy rate for fuel oil, acknowledging that the cost of fuel is high now and fuel company prices change daily.

Denise makes a motion to authorize Janet to secure a prebuy for heating oil for the town's three buildings and diesel. Sandi seconds. Put to a vote: all in favor.

The town's diesel usage may go up from all the ditching that's been done. Some of it will be covered by the grants. So far, the town has used 72% of the diesel contracted in last year's prebuy.

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

Adjourned at 9:05

Respectfully submitted,
Hannah Regier, Town Clerk

July minutes and note for the board meeting

Sherry <samaher@vermontel.net>

Wed 7/17/2024 8:01 AM

To:Hannah Regier <townoffice@athensvt.gov>

 1 attachments (29 KB)

July 8, 2024 Meeting minutes.pdf;

Hi Hannah,

In follow up to our conversation on Monday as I will not be at the Board meeting. Here's what I would like shared with the board and the public.

1. Please let the Board and public know that an Ice Cream Social is on for this Sunday, July 21st from 2 - 4. Donations are welcomed but not required. Also, pianist David Feurzeig will be at the Athens Meetinghouse for a Play Every Town Concert on Sunday, August 11th at 3 PM.
2. What progress has been made since April on clearing along the corner of the Bialy property to open the view to the Meetinghouse? The plan to do this began with Board approval in 2016, and the current owner has welcomed the plan since 2021 again with Board approval. A written plan was agreed upon 2022 and Jay Maciejowski has been awaiting word from Matt to confer on the tree selection. It's now going on 8 years. What is holding this up and what progress will be made in the next 2 months?

Thanks,

Sherry

Sherry Maher
Co-Manager
[Brattleboro Winter Farmers' Market](#)
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