

Athens Selectboard Meeting Minutes
July 21, 2022
7:00pm at the Athens Town Office

In attendance: Fact TV, Sandi Capponcelli, Hannah Regier, Darlene Wyman, Donald Capponcelli, Janet Perry, Denise Randall, David Bemis, Candace Damon, Harold Noyes, Tina White, Wichie Artu, Sherry Maher, Tim Stevenson, Pamela Russo.

Called to order at 7:03

Adjustments to Agenda

None

Minutes of Prior Meeting

Denise makes a motion to approve the minutes from the special meeting. Sandi seconds. Put to a vote: all in favor.

Janet makes a motion to accept the minutes from the regular meeting. Harold seconds. Put to a vote: all in favor

Public Comments

Tim Stevenson: He sent an email to David asking for an update on the hazard mitigation plan. He didn't hear back from David then or from a follow up email. David says he didn't see the emails. Tim would like an update on the hazard mitigation plan. David suggests that be done in boards and officials.

Don Capponcelli: Says he wasn't comfortable with the speculative, unfounded and out of order remarks from the selectboard at the special meeting. In general he finds the relationship between the board and the meetinghouse committee disturbing and would like to offer to help out. He says there is a lot of work and effort going into grants there and the relationship between the board and the meetinghouse committee isn't where it should be. David says this will be take up more later in the agenda.

Sandi Capponcelli: wants to know if there is anything the health officer can do about the conditions at the Woodward property on route 35. Sherry also has this request. There are concerns that with the creek right there, a lot of debris could end up in the water. This is the property that Diane Shepherd who lives in Ascutney owns. Hannah mentions another property on Brookline Rd. across from the beaver pond also. David says he will reach out to the health officer and talk to him about these properties.

Boards and Officials

Hannah asks to cancel the Google Meet subscription now that no committees are using it any longer.

David makes a motion to discontinue the use of Google Meet and town committees can use Microsoft Teams if they need to. Denise seconds. Put to a vote: all in favor.

Hannah asks if she can get an estimate for someone to do maintenance on the safes, because two of them cannot be opened and the two that can be opened, the combination locks are sticky. There is a place in Rutland that services safes and vaults that was recommended at the VT Clerk and Treasurer association conference in the spring.

Hannah says we do have combinations for the safes that won't open, but they have been scratched out and rewritten, so it's hard to know what is the correct combination.

Denise makes a motion to have Hannah contact the safe maintenance company and ask what the service charge for a visit is. And get an estimate for having the safes serviced. If it's not too expensive, Hannah can get them down to look at and service the safes. If it's going to be thousands of dollars, she will bring the estimate to the selectboard for approval. Sandi seconds. Put to a vote: All in favor.

No one knows exactly what is in the safes that can't be opened. One of them may be old school records, which do need to be kept. It is not the land records — those are in one of the working safes. David says it's been 40 years since they've been opened.

Hannah mentions a letter from SEVCA asking for recommendations for people to serve on their board. If anyone is interested they can contact Hannah or SEVCA. Wichie expresses interest.

Wichie for Town Meeting Time Survey Committee: Everything is finalized for the survey and they are just waiting for an email template before they send it out. Then they will follow up by mail. Sherry points out that for the Emergency committee only got 16 responses for their online survey. So she thinks the mailing will likely need to be pretty comprehensive to reach people. David asks how much the mailing will cost. Donald says it was 190 letters for the Emergency committee. Wichie suggests \$200 for the mailing.

David makes a motion that the town approves up to \$200 for the survey mailing. [Motion not seconded or voted]

Discussion: Tim brings up that several letters were returned from the Emergency committee mailing because the mailing addresses are incorrect. They used a combination of the grand list and the voter checklist. David says that the town meeting time survey should just be from the checklist. Hannah says that the voter checklist does need to be maintained and mailing addresses updated. That is on her list to do before the general election when the state will be mailing out ballots to all registered voters. David suggests that the BCA have a meeting and review the addresses.

Sherry / Meetinghouse Committee: Don and Sherry paid a visit to the window shop last week and saw the restoration in action. The quality of work was impressive. The second half of the

windows are being worked on now and will be reinstalled in 2-3 weeks. Then carpentry work to repair the window and door sills will begin with the same guys who are doing the windows. Sherry will be scheduling a site visit with Lisa Ryan from Preservation Trust sometime when the crew is on site. Harold asks about some concerns they had mentioned about the work that had been done in the first phase. Don met Sherry at the building to look at a couple of things. Sherry had seen a gap between a window and a sill, and a piece of trim that looked incomplete. Those things have been looked into and are not a concern.

Don / Cemetery Commission: Someone else put out veterans flags at all the veterans graves at the West Cemetery and he can't figure out who it was. He asks if anyone has information on who did it, the commission would like to know. It would have been nice for the commission to know that someone wanted to do that so they could have provided the list of veterans. Harold commented that it saved the town some money and was a nice gesture. Sandi says she personally missed the ceremony that she and Don usually do — speaking the name of the veteran when replacing each flag.

Tim / Emergency Committee: The committee has been busy with various chores, including cleaning the cots and the trailer and getting out their survey mailing. He gives special thanks to Don, Sherry, and Lynn Morgan for all their help. They cleaned everything in the trailer.

David / Hazard mitigation plan update: Alyssa Sabetto had suggested combining Athens and Brookline for a plan. Brookline was open to the idea. The towns need permission from the state to do that because it would combine planning grant funds from the two towns. And then the two towns could put out a combined RFP to get a contractor to create the plan. David has not heard if the state has approved for the two towns to work together. The last he heard they were still waiting on the state. Tim says that Alyssa is anxious that the town isn't farther along in the process. David knows that Alyssa had reached out to the state. David isn't sure if the state has to then involve FEMA to ask permission to combine plans. Tim asks if Vermont Emergency Management has anything to do with the decision. David says they would manage the grant from FEMA. Tim says Alyssa suggested to contact Caroline Paski(?) of VEM. David says that wouldn't hurt, and that Athens can also set out on its own with an RFP if they don't hear back about the combined plan. The town would put it out to bid. WRC could also be a bidder for the RFP. All bids would be considered, but WRC does know the community, does good work, and David would like them to be considered. The beginning of the hazard mitigation planning process is a public meeting to share ideas and concerns, including people with particular knowledge and members of the public. David will try contacting Caroline Paski(?) and then follow up with Tim for more help if needed. The towns already have the grants dedicated individually. The grant is to hire a contractor to assist with writing the hazard mitigation plan. Last time the town did a lot of the writing themselves. This time the contractor will be writing the plan in the format that FEMA wants so it won't have to go back and forth.

Wichie says he's tried calling FEMA multiple times with no answer. He wants to know what he should do next. David suggests reaching out to Hillary now to facilitate getting a call back. David suggests contacting congressmen and senators as a next step after Hillary. Wichie says he will contact Peter Welch if Hillary can't help.

Sandi says the town is complete with the FEMA grant for last year's flooding and at some point the town will be getting a reimbursement check for over \$58,000. This is a different branch of FEMA than Wichie is dealing with.

Meetinghouse Loan Repayment

David says this was asked to be put on this agenda at the special meeting. No decisions were made at that special meeting, but the meeting was not handled as well as it should have been. David apologizes if what people said at that special meeting was hurtful to anyone on the committee. He acknowledges the enormous amount of work that Sherry and the committee has done over the years to save the building. He says he's not sure the building would still be standing if that work hadn't have been done. David says that if his or the board's sensibilities weren't right at the special meeting, he apologizes to Sherry.

Sandi has done research into the history of the loan from the Housing Rehabilitation Fund. See attached document with her research. She has tried to keep it as impartial as possible, and she thinks there was a lot of miscommunication on both sides as to if the money was a loan or a grant. There was never a repayment schedule in place which was an error on both parts. She has copies of all of the original documents (minutes, town reports, etc.). Her observation is that the HRF has been misused as a bank when the town has needed money for other projects. It would take additional forensic accounting to explain where all the money has gone from that account and if it has been repaid. The minutes are incomplete for the HRF. Her opinion is that the HRF has hit a dead end and could be dispersed in some way. Windham no longer has their Housing Rehab Fund — it was gone a long time ago from what she understands. Athens' fund has only been used as intended by four people in the last 32 years.

Sherry thanks Sandi for the research and asks what was in the fund when it first came into the hands of the town. David says initially there was \$100,000 in the fund. But Windham Regional was managing the money for some time and ended up taking more than half of the money in management fees. So it was a lot less when it came to be fully under the town's management. David says there have been some conversations about loans where the town hasn't had the money to loan out. Sandi couldn't find any minutes related to those conversations. She says the minutes are very spotty and inconsistent over the years, and often in the wrong binder, so it's impossible to know the entire history of the fund. David says the only time the committee would meet was when someone had an application. Sandi suggests committees, commissions and trustees should meet at least once a year to make sure financials are in line, maintain the board's roles, read over guidelines, etc. Harold asks if the HRF used to be called the overseer of the poor? No, David explains that it was federal grant money, distributed by the state to the towns of Athens and Windham, and may have initially required a third party for management. Once the management agreement expired, the funds came to the town and the town had to form a management committee on it. Darlene remembers that it had a different name at first. Sandi says it has been called the "Housing Grant Fund" at one point also, adding to the confusion around loans and grants. The initial guidelines are still in place and money is only intended to be used for a residence, and would be a low cost loan with sliding scale interest.

There were guidelines for how much could be borrowed based on how much a resident earned. Candace brings up statute of limitations on very old guidelines.

Candace thanks Sandi for all the work. She also wants the town and the meetinghouse committee can work together on a long term operating plan for the meetinghouse. Candace says that will require the selectboard and meetinghouse committee will have to work a lot better together. Candace thanks the board for the apology and says the recording of the special meeting was appalling. She says to start to fix things, the selectboard has to stop referring to the Meetinghouse Committee as just Sherry. There are five elected citizens who volunteer as members of the committee, on behalf of the town, not separate from it. David agrees that they are all working together in the same interest. Denise says she did refer to Sherry as the Meetinghouse Committee, but wasn't putting it all on Sherry, and she does apologize.

Candace says the meetinghouse has raised over \$200,000 of non-taxpayer money to do the restoration of the building and is working hard at making the loan repayment. The Meetinghouse Committee wants to shed the HRF loan so they can move forward more productively. They are presenting a formal letter citing other letters that offered repayment plans. [See attached letter.] She hopes the town will immediately approve transferring \$2500 to the HRF. They are in the middle of a construction project that's going really well. She thinks they will have enough funds to repay the HRF loan at the end of the construction work, by around January 1, 2023. There should be ~\$12,000 of unrestricted money left over if the project comes in on budget and on schedule. The four members of the committee who signed the letter believe the committee should just pay off the loan. There may be a small gap between the funds they have and the full loan amount that they hope can be forgiven.

Denise makes a motion that the selectboard accept the proposal. Sandi seconds.

Discussion:

David asks if the money could come in by December 31, 2022 so it could show in the town report. Candace says that's reasonable.

Tim suggests that the selectboard do more to recognize the people who volunteer for the town. He thinks that more respect for people doing work for the town would create good will and help to get more people involved in helping the town. He wants there to be motions made to recognize individual volunteers. David thinks that is not unreasonable, and points out that everyone doing work for the town is basically a volunteer. No one is making money at it, they do it because they care about the town and the people in the town. Don says there is a lot of responsibility living in a small town because this work has to be done. He can see the whole form of town government changing if people don't step up to do the work.

Wichie notes the amount of caring for each other that is happening in the room.

Motion put to a vote: all in favor.

Town Office Maintenance

Don presented a quote from Farnham Insulators for the moisture barrier and weatherization of the crawlspace. David points out the moisture on the floor right now and how there is a mold smell in the building.

Donald will also volunteer his time to put foam board around the foundation before spring. The foam board would cost ~\$150.

David makes a motion to agree to the contract with Farnham insulators for \$4832.00 and ask Don to complete the prep work with up to \$200 for supplies. Sandi seconds. Put to a vote: all in favor.

Harold points out that the building needs an exterior paint job badly. Sandi says they've had the conversation about community service — getting teens to do the touch up work.

Policy Review

Janet has a model policy for Highway Access. She put in some specific day durations that she thought were appropriate. She doesn't think anyone should be charged for an access permit. She thought it could be put on the town's website to make it easier for people to apply for a permit. Everything cites VT Agency of Transportation standards /statutes.

Tina asks what size culverts are in the policy. Sandi says that the policy states the culverts are 15" unless the road foreman thinks it needs to be a larger size. The foreman will inspect the location before the permit is approved. Tina wants to know if an 18" culvert is required, would the town change their road culverts to a bigger culverts to handle the extra flow. David says yes, if there was a problem, the culverts would be replaced. David says with climate change it's reasonable to overbuild the town's infrastructure. Sandi says when the state is giving grant money, they are asking to upgrade the size of culverts.

Denise asks if this is a first reading. The board has had the policy since last month, so no.

David makes a motion to approve the policy, and it can be reviewed and changed if there's an issue. Sandi seconds. Put to a vote: all in favor.

The board signs the policy.

Private Road Naming

Sandi did research on this. According to the 911 system private roads and public roads need different suffixes on the. Athens has in the past used "Drive," "Circle," or "Lane" in the past for private roads, and "Road" for public roads, so she suggests the new private road be called "Shady Ridge Drive." Sandi has also noticed the same conventions when driving through other towns. Harold asks if there should be a policy for the town's road naming so there will not be any questions on where the town stands on road names. Hannah says as the E911 coordinator

it would be helpful to know what the town's parameters are. David suggests including renumbering in the policy.

Sandi brings up that different people have been appointed E911 coordinators in the past and that the selectboard should consider who should be the E911 coordinator. Hannah has filled out the state's annual renewal form already to switch the E911 coordinator from Darlene to herself.

David makes a motion that Hannah be the E911 coordinator for the town. Denise seconds. Put to a vote: all in favor.

Sandi will work on a road naming policy. David thinks the selectboard that sets the name of roads, and will take into consideration the wishes of the people on the road.

Sandi makes a motion to name the new private road "Shady Ridge Drive" as it is a private road and that is how the town has previously named private roads, and on the recommendation of the state E911 board. Janet seconds. Put to a vote: all in favor.

Executive Session

Not needed.

Warrants and Mail

Mail was opened and warrants signed.

The only bid for winter sand is from Basin Bros. for \$19.75 a yard for a total of \$19,750.00, delivered to the town garage. There is \$16,000 in the budget for it.

Janet makes a motion to accept the bid for winter sand. Denise seconds. Put to a vote: all in favor.

List of owners of unregistered dogs — 28 people on the list.

David makes a motion to turn the list over to the constable to try and get the dogs registered.

Sandi seconds. Put to a vote: all in favor.

There is a cannabis growers license for an operation in town. Hannah will put it in a secure file as it is not a public document.

David asks if the town has to vote to allow or not allow retail sales of cannabis. Hannah asks if the town would have to not be a dry town to allow retail sales. David says the dry town was voted only 30 years ago, not during prohibition. It was decided because an establishment wanted to start business and there was a petition at town meeting that the town overwhelmingly voted to become dry.

Sheriff's contract

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

Roads

Matt, Eugene and Clarks are almost finished with the ledge work on Hedgehog Gulf. They are widening the road and put in two culverts to help with water flow. They did some stone lining of the ditches. Just have headers for the two culverts left to do. Some of the removed ledge was used for the stone lining, and Matt is bringing some of the big stone back to the garage and considering getting a crusher in to make it into gravel.

Sherry says Drew and Katie are still waiting for Matt to come with a document for them to sign. Sandi says she is working on the document and will bring that to them. She found the original agreement with the LaVoys in the selectboard minutes. She asks how the meetinghouse committee wants the maintenance of the corner to be handled. Sherry says previously the plan was to have the landowner have their lawn care provider cut the area once a year. Sandi says Drew and Kate don't want any of the wood that is cut down. Sherry says the wood from the clearing can go to Grafton Cares for firewood. The town's chipper still isn't functional to process the smaller stuff. David suggests that Ivor cuts the grass on the corner once or twice a year. Sandi will write something up and give it to the meetinghouse committee to review.

Further Business

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

Adjourned at 8:44

Respectfully submitted,
Hannah Regier, Town Clerk