

Athens Selectboard Meeting Minutes  
September 15, 2022  
7:00pm at the Athens Town Office

In attendance: Fact TV, Sandi Capponcelli, Hannah Regier, Darlene Wyman, Janet Perry, Denise Randall, Harold Noyes, David Bemis, Lynn Morgan, Don Capponcelli, Sherry Maher, Tim Stevenson, Matt Perry (at 8:55)

**Called to order at 7:02**

**Adjustments to Agenda**

None

**Minutes of Prior Meeting**

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

**Public Comments**

Sherry: Asks about a follow up on properties that had been brought up as having excess trash in the July meeting. David says he thinks there was a dumpster at one and the other one has moved. Tim says there was a dumpster but the property could use another one. Hannah says that the trailer by the pond has not been moved. Sherry says she appreciates the order of the executive session on the agenda.

**Boards and Officials**

Tim/Hazard Mitigation Plan: No one in Brookline, including Dorothy Maggio, the chair of the selectboard, knows anything about collaborating with Athens on the HMP. Another person on their selectboard is on the WRC and also hadn't heard about this plan. Tim thinks there isn't interest amongst officers in either town. David reiterates that the idea was brought by WRC and the Athens selectboard had agreed to explore it. FEMA and the state have been contacted already to give approval for the combined plan, but that request can be withdrawn. David says the Athens can go ahead on their own if Brookline isn't interested. Lynn asks if Brookline actually doesn't want to collaborate or if they just hadn't heard about the idea. Tim says that they had heard about it, and knew that WRC had suggested it, but they weren't interested.

David/Decamp Trucking: Decamp has informed Janet that townspeople have been placing trash (rotting food) in the recycling and the last two loads could not be recycled and were refused at the plant. Decamp suggests asking people to use clear bags so the driver could see what they are picking up. Janet asked about using open containers that the drivers could see into, but Decamp says that wouldn't work because it could get mixed up with trash (the board doesn't understand exactly what this means). David thinks some people may be confused about composting and putting that in the recycling. David thinks we can encourage people to use clear bags, and also do some education via the Athenian, Facebook, FPF and the website.

Also have a printout in the town office to give to new residents. David wants to communicate to Decamp to still pick up any opaque bags still out there. There isn't clarity on if food scraps are picked up on trash day or not. Hannah clarifies her conversation with Decamp, that people can purchase their compost bags to put compost in, but that hasn't been communicated to townspeople. David says that if the town offers trash pick up, there also has to be compost pickup.

*David makes a motion that Janet relay that information to Decamp and we put out education info to the town. If there is a problem between this meeting and next meeting the board can confer and work on setting up a new system if need be. Janet seconds. Put to a vote: all in favor.*

Janet will write up the educational materials.

Hannah/Clerks office: .gov emails for selectboard members can be licensed for \$6.00/month per email address, which would allow for outlook web email. Hannah asks if the selectboard can reapprove the payment to the school district. It is not on the warrant because the state board of education has not yet given the breakdowns to the school districts. By statute the payment must happen within 15 days of collecting taxes.

*David makes a motion that the treasurer be authorized to pay the school portion of the taxes when the information is delivered by the state. Denise seconds. Put to a vote: all in favor.*

Hannah mentions a public records request by someone out of state who is looking into the 2020 election. It hasn't been an issue yet for Athens, but this person has been asking other clerks in the state to scan and send digital copies of the documents. Will Senning at that SOS office has advised towns to consult with their attorney on how much to comply with the requests. David suggests that it be run by the town agent. Hannah will reach out to Krista if she gets additional requests. David wants to make sure that copy fees are collected. The office doesn't have a fee schedule for scans, but Hannah will check with what the state recommends. Sandi says it should be prepaid before any documents are sent.

Hannah says the lister want to set a BOA meeting at 6:30 on October 20th, before the regular selectboard meeting. That time seems to work with the selectboard.

Donald/Community Center: Took down the play set at the community center and there is some scrap wood available for repurposing. There was an offer for a donation of a smaller, used, play set. Don and Tina White looked at it and they think it might last for three years with constant supervision. David thinks if a new play set is put up it should be a commercial grade, not a home grade set. Donald says the offered one wouldn't work then. Tim asks if the town is liable if anyone gets hurt on the play set. David says the town could possibly be sued, but more importantly, he wants anything put up there to be safe for kids. The town does have insurance for the school building and grounds. Denise says if the town wants a playground up there they could go for a grant and put a bunch of work into it and it would still need to be maintained.

Lynn/School Board: School season is off to a good start. The school is spruced up and welcoming. There are 38 students currently. There are no Covid restrictions any longer and parents and community members are welcome to come back in and participate in activities. On Monday they had the second community meeting with good questions and answers and brainstorming on ideas to meet identified needs. The school will plan to have a community meeting quarterly. Sherry says the link was broken to join remotely. If it was recorded, Lynn will find out and try to share the link. Tim asks about a controversy he had heard about the principal last year. David asks to not get into gossip. Harold says the issue has been resolved to the satisfaction of everyone, teachers and staff. Donald asks about concerns on air quality in the school. Harold answers that the school has looked into it and is having an audit soon that will give recommendations on what needs to be done. They will be able to use some Covid grant money to begin this work.

Sherry/Meetinghouse: The project is almost, but not quite, done. She has the last project invoice, but there are some additional locks that need to be ordered that aren't on there. So there will be one additional invoice. Sherry is asking for there to be two different checks for this invoice, withholding 10% until the project is finished and inspected by Don and Sherry. She would like the invoice payment approved tonight.

*David makes a motion that the payment be made when the work is done and the 10% be withheld until Sherry and Don inspect the work and say the money can be released. Denise seconds.*

*Discussion: Don says the work that has been done is excellent, but there are a few details that aren't finished yet like clapboards and crown molding. He thinks the work will be done by the Pinnacle crew, but as of now, 10% wouldn't cover the remaining work.*

*Put to a vote: all in favor.*

Sherry says there is now a hatch in the floor with a recessed hook so they can check under for the conditions under the floor.

Sherry says there has been some digging out of a culvert in front of the meetinghouse and that the exposed white end cap on the end of the drain pipe that comes out of the meetinghouse is now broken. She points out that the land that comes down to the culvert is lower than the pipe and is concerned that water could pool in heavy rains. She'd like the road crew to look at it and at the broken pipe and fix if needed.

The Meetinghouse committee couldn't have a meeting this week because they didn't have a quorum. They are thinking of having an open house at the building and possibly an ice cream social or cider and donuts this fall.

Sherry, speaking for herself, has been thinking a lot about what transpired since the beginning of July, and makes a request that audio recordings of meetings be archived. Hannah confirms that they are. Sherry wants to know from the board what are the expectations of people on a

committee and how can the selectboard assist a committee when members aren't meeting those expectations. David says some committee expectations and rules are in statues. Sherry asks about attendance and communication with other members. David thinks that would fall to the committee. If someone is elected, it's between them and their committee board whether they attend or not and what should be done. The chair can reach out to the member and discuss what is going on.

Harold: Says the culvert behind the town office has been replaced. David asks if there needs to be a barrier so people don't drive off the end of it. Harold says the culvert is larger so there is more space. David thinks it might be hard to see at night where the edge is, so Matt could put some rocks in as a barrier. Danny has also suggested putting in some larger stone along the ditch to keep it from washing out in heavy rain. Harold or Darlene will reach out to Scott Jensen to see if a permit is needed for putting more rock in.

Tim: Feels like he wants to commend Sherry and her committee for the outstanding job they have done on the Meetinghouse over the months and years. He asks for the selectboard to give her and the committee the recognition that they deserve. David adds to that it's more than the window project — all of the projects have only improved the building and ensured that it will last another 200 years.

Janet says that people don't realize how much people put into all of the committees in town. Everyone on a committee should be commended.

### **Roads / Bid Opening Brookline Rd. Project**

Four sealed bids:

Fitzpatrick Excavating and Trucking: \$154,000

JP Trucking and Excavation: \$181,200 with membrane / \$175,540 without membrane

AS Clark and Sons: \$149,970

Daniels Construction: \$182,275

Details to be found in attached bid documents.

Denise asks if the road will be closed. Hannah confirms that Matt said it will be closed for 10 business days.

Sandi says there is a \$200,000 grant for the project that the town will need to match 10% in kind.

Two of the beaver dams will be removed, one upstream and one downstream of the culvert. Scott Jensen says it's ok to take out the dams and drop the pond water by one foot a day.

*David makes a motion to award to AS Clark for \$149,970 which is the lowest bid. Janet seconds.*

*Discussion: Denise says she's not sure that Clark meets the expectations. David says they were all given the same RFP and are responding to the same specs. David says AS Clark has worked*

for the town before and has done what's needed. Harold suggests Fitzpatrick's 154k quote. Denise says the Fitzpatrick bid doesn't say it includes raising the whole road. David thinks it is understood and included. Denise points out that all of the bids say "estimate" and could go over. Sandi says JP Trucking were the only ones asking questions at the viewing and physically looking at the job. The others were just standing around. David says they should go with the lowest bid. Sandi points out that even though the cost is higher, it is grant money being used and the 10% would only be about \$3000 for the town.

Put to a vote: David, Janet, Harold in favor; Denise and Sandi opposed. The bid is awarded to A.S. Clark.

### **Policy Review**

Sandi rewrote the paragraph of the personnel policy about rolling over sick leave to be more clear. See attached sheet for the new language.

David makes a motion to amend the policy. Denise seconds. Put to a vote: David, Harold, Sandi and Denise in favor, Janet abstains.

Janet made an appointment for a perk test to be done at the town garage on the 20th. Michael Marquis is doing it. The last one he did has expired and there are new regulations as of 2019.

Sherry says she wants to appreciate Don for all he's done to help the Meetinghouse project. Don says he wants to appreciate the town of Brookline for collaborating with them at the welcome center fundraiser and sharing the profits.

Sherry asks about the hearing she's heard about. David says it will be October 12th at the Community Center at 9:30am, with viewing of Taylor road first, and then a hearing at the Community Center.

### **Executive Session**

David makes a motion to go into executive session where premature public knowledge would place the town of Athens at a significant disadvantage to discuss a legal matter and a contract matter. Denise seconds. Put to a vote: all in favor.

David makes a motion to leave executive session. Sandi seconds. Put to a vote: all in favor.

David makes a motion to have a special selectboard meeting on Thursday, September 22nd at 6:00pm.

David makes a motion to pay \$5000 to the village of Saxtons River for fire protection. Denise seconds.

Discussion: There is agreement that the town is obligated to give the Village of Saxtons River \$5000. The board would also like Krista Gay to review the contract from 1994.

Put to a vote: all in favor.

Matt comes in at 8:55pm. The board reviews the bid award and informs Matt of the special selectboard meeting on September 22nd.

David asks Matt about putting riprap by the culvert behind the town office. Matt says he has stone they brought up from Brookline. David brings up putting something on the sides of the culvert to keep people from driving off. Matt says they would have to keep the 22' width of driveway standards. Matt will take a look at it next week.

### **Warrants and Mail**

The board opens mail and signs the warrant.

David brings up an email from FACT TV inviting townspeople to their board meeting.

Matt talks about work he's doing on Christian Rd.

Jeff Slade the Cat salesman, was at the shop and they talked about trading in the grader. Jeff offered \$80k for the current one. Matt would like to get a newer, slightly smaller one. David says they can hear about what Jeff has available and talk about it next meeting. Denise says she'd like a warranty. The town would have to buy that separately.

Matt has also been talking to different dealers about used big trucks.

### **Further Business**

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

*Adjourned at 9:15*

Respectfully submitted,  
Hannah Regier, Town Clerk