Select board Meeting

September 16, 2021

7:00pm

Athens Town Office

Present were Fact TV, Dennis Mirane, Tina White, Tom Taylor, Sandi Capponcelli, Janet Perry, Darlene Wyman, Krista Gay, Lynn Morgan, Donna Currier, April Lyman, Wichi Artu, Hannah Regier, Bonnie Hitchcock, Sheryl Maher, Tim Stevenson, Denise Randall, David Bemis and Don Capponcelli.

David called the meeting to order at 7:05pm.

Adjustments to the agenda: There were no adjustments.

Minutes of the prior meeting: Denise made the motion to accept the minutes of the prior meeting. Janet seconded. Put to a vote. The motion carried.

Public comments: Tom presented a statement that he and Krista read. In it he asked the Board these three questions. 1. Has the select board ever held a meeting about me being on town property? The board stated there had never been a meeting where it was stated that Tom was not allowed on town property. 2. Is there, or has there ever been an order that I can’t be on town property? The board stated there has never been such an order. 3. Am I allowed on town property at the town office and town garage? The board stated Tom is allowed on town property. Tom said he was asking these questions because it was brought to his attention by Tim Stevenson, the chair of the Emergency Committee. Tim asked Tom to move the emergency trailer from the town garage to the church. Tom told Tim he could not do this until the gate to the town garage was unlocked. When Tim called back, he told Tom a member of the highway crew would move the trailer because Tom was not allowed on town property. Tom stated that this situation is very upsetting to him and is affecting his health, reputation and business. He asked that a copy of the letter be included in the minutes of the meeting. David stated the board will discuss the situation with the highway crew because it is not accurate that Tom is not allowed on town property. Tim asked if Tom could be given a key to the gate at the town garage. Tom stated he did not want a key. David stated that in the case of an emergency the gate can be opened prior to the emergency or at the time of the emergency. Tim asked if the select board would be responsible for doing this. David stated he would suggest the emergency committee talk to the road crew first and if they cannot get anything from them, they talk to the select board. Denise suggested that a key be kept at the town office. David will be in touch with Matt to get a key for the gate at the town garage to be kept at the town office. Wichi commented there should be a protocol set in place as to what should occur in an emergency. Tim stated there needed to be a clear protocol for getting the emergency trailer down to the church. David asked that the trailer not be parked behind the church, but be parked in the elementary school lower parking lot.

Krista stated she wanted to follow up on the situation because it is very upsetting to Tom and these are serious allegations and she read a statement regarding the mail boxes by the town garage. She stated she had contacted the state highway department and was informed that no one from the stated contacted the town regarding the driveway and that the driveway conformed to state standards. Krista was also concerned with the conflict of interest regarding town employees. David stated the board has a conflict of interest policy and she can get a copy of this from Darlene. David also wanted to clarify that the board voted 2-1 to not move the mail boxes. Krista asked if Janet was able to vote on disciplinary matters. David stated they follow the policy on these matters and if there is a conflict of interest, she cannot vote. Krista stated that since the board is now well informed of the situation, the town could be potentially liable for any future defamatory conduct to the employees unless the select board acts.

Bonnie asked if a key to the town garage gate could be given to the Emergency committee.

Dennis stated he is looking forward to meetings to where the rift between the road crew and certain family finally ends. He said he could understand why the crew could be protective of the garage property because of all the equipment and tools.

Sherry stated in regards to the camera being here, they do not usually stay after executive session. She felt it was important that they stay to capture the entirety of the meeting. David stated it is up to Fact TV whether they stay after executive session.

Sherry stated she had been in contact with Sandi and Darlene about the existence of a form for renting the school building and it raised the point that the school building was available to rent and the board gave Darlene the authority to handle that. Denise stated she wasn’t sure if it was for use of the building or rental. Darlene stated it was for the use of the building. David stated the policy was that the board wasn’t renting it out. Sandi stated the school committee should have a copy of the policy. Denise had a copy of the policy, but it wasn’t in the policy book. David stated we had adopted the policy, but it had not been signed. The board will adopt and sign the policy at the next board meeting. David asked copies of the policy be available to those who want one and to give a copy to Sandi. Sherry stated she borrowed a policy from Brookline for a facilities use agreement and thought it could be used for the school as well. Sandi felt it was good and could be used to be a little more specific about the use of the building.

Tim wanted some clarification of the Hazardous Mitigation Plan. He asked for a copy of the plan that had expired. Tim asked what steps had been taken to renew the plan. David stated the board has applied for a grant to help renew the plan. Alyssa Sabatto is busy helping other towns because other towns have plans that have expired at this time and are working on them. David asked if the Emergency Committee is working on this. Tim asked David if a meeting could be called between the board, the emergency committee and the road crew. Tim stated the road crew should definitely attend. David mentioned that Tom had done a lot on the plan. David stated once we get information on the grant and can hire someone to assist, he will notify the board, the emergency committee and the road crew. Tim stated we should have someone on the select board who would assume the responsibility of keeping track of the plan so the town doesn’t suffer. David stated we have not suffered anything. The plan expired in 2021 and all the towns that have also expired in 2021 are now working on the plans as we are. The state is granting grants to the town to do it. David stated we have not fallen behind and takes exception to the fact that Tim feels the board is behind in working on the Hazardous Mitigation Plan. David stated he has been keeping track of the Hazard Mitigation Plan.

Tim stated that in an email from Caroline Maasa, who is the state Hazard Mitigation planner for Vermont Emergency Management, mentioned that someone from the town should be coordinating with the Vermont Emergency Management public assistance officer with regard to the public assistance from FEMA. David stated he has been working with the state and not so much with FEMA. FEMA approves the plan once it is written. The Hazardous Mitigation Plan goes to the state to be reviewed, then is presented to FEMA who either approves the plan or does not approve the plan and sends it back for revisions. Sherry asked if FEMA does not approve the plan if they tell what needs to be revised. David stated they would have suggestions as to what is needed.

Lynn asked about the school committee not wanting people to use the basement. David stated at this time the access is not good and there is still some stuff down there. Lynn commented there is not much left in the basement of the school and that is the room she uses, David stated he’s not saying it can’t be used, but there is stuff that needs to be removed and the access needs to be worked on. Sandi commented that there were a lot of chemicals stored down there as well and it is not a good place right now.

Sherry wished to go back to the Hazardous Mitigation Plan that at the previous meeting there was discussion around going ahead with the plan and not waiting for the grant to come in and finding somebody because we didn’t know how difficult it was.

Tina asked if Denise had gotten the chance to check on the question of being able to make amendments on the Australian ballot. Denise said she checked to see if we use Australian ballots, if we vote for Australian ballots it cannot be changed for this year. Candidates cannot speak, but the articles can be debated for the budget. Tina asked that once the article was written that the article cannot be amended. David stated that was correct.

Wichi stated he contacted the Agency of Natural Resources and Department of Environmental Conservation about flood zone mapping and about the Hazard Mitigation Plan. Wichi will be meeting with John Broker-Campbell to discuss flood maps and try to clarify what happened to the flood maps. David stated we have a resource in town who works for FEMA and deals with hazardous mitigation and if we get it together to put in place flood insurance, this person may be willing to help in the future.

Wichi asked for a copy of the Hazardous Mitigation plan and the Emergency Management plan. David stated that we have the Hazardous Mitigation plan, but we do not release the Emergency Management Plan because it has phone numbers and is basically used by Emergency Management in Montpelier.

Wichi asked if the school could be used. He would like to use the school about once a month to hold Salsa classes. David stated this is the goal of the committee that the school could be used. Sandi stated the school is not usable now, but once it gets cleaned out, it would be available.

Boards and Officials: Sherry stated there is a possibility of the rental of the Meetinghouse for a very small event. She mentioned that having the rentals in the name of the Historical Society on behalf of the town was discussed. She spoke to VLCT about this and they clarified there would be no problem with that. VLCT also strongly encouraged anyone renting the facility have a single day event insurance. There is a link from VLCT website for an individual to be able to build their policy based on their event. They would pay for it online and proof would be sent to the town. David asked if VLCT would be the insurer or if it would be a third party. Sherry stated it would be a third party. David recalled the Meetinghouse committee was asked to come up with a plan and policy for renting the facility. Sherry stated she had a draft of a rental agreement and wanted to clear it with the board. David stated he felt an agreement was needed but the committee needed a policy as well. Denise asked if the school policy did not include the Meetinghouse. David stated it did not and asked the Meetinghouse committee decide and come up with their own policy. David suggested the committee look at the former school policy to see if they could use that as an example. Sherry stated that the request for the rental was October 2 and wasn’t sure what the board wanted them to do since the event is before the next board meeting whether to have the policy in place or just have the agreement. David asked if alcohol would be sold at the event. If so, it is not allowed since Athens is a dry town. Sherry stated she didn’t think it would be since it is a very small wedding ceremony then they are going to a local inn for dinner and a reception. There was a question on #9 of the agreement concerning the cost of coverage for insurance. David suggested the VLCT review the agreement and see what they say about that. The Meetinghouse committee hasn’t discussed fees for rentals and there were suggestions of the possibility of being a donation. The agreement calls for a security deposit. Sherry asked the board to review the agreement and get back to the committee within the week. David made the motion to allow the Meetinghouse committee rent the building on October 2 providing that VLCT reviews the agreement and is satisfied with it and the board will get back to the committee by Monday. Denise seconded. Put to a vote. The motion carried.

Sherry commented there was some old sheetrock in the closet of the Meetinghouse that needs to be disposed of. The board suggested if we get a dumpster we will have the road crew take care of it.

Lynn reported that on September 8th the school boards were notified that the Superintendent, Chris Pratt and the Assistant Superintendent, Dr. Lynn Carey handed in their resignations due to personal reasons. Andy Haas has been appointed as Interim Superintendent as of September 8th and the process of seeking superintendent candidates will start ASAP.

As of September 15th the Grafton Elementary School has been closed and using virtual learning due to two students being tested positive for COVID. The 5th grade at Westminster school is also operating in temporary virtual learning due to a student testing positive for COVID.

The state has accepted the steps that Westminster has done to withdraw from the WNUESD at their meeting with Westminster on Wednesday September 15Th. They also granted the newly elected Westminster school board their request to have authority starting now to build a budget and to establish a teacher staff roster for the year 2022-2023, but the day to day running of the Westminster school will remain under the authority of the WNUESD board until July 1, 2022. David asked if the school had someone from outside testing the students or if they had to find someone on their own. April stated they had to find someone on their own.

Lynn also stated if anyone has suggestion for renaming the Athens/Grafton union let her know.

Hannah reported the budget committee would like to be on the agenda for the October meeting to discuss any projects for next year. It was decided to have a joint meeting of the budget committee and the select board on October 12th at 7:00pm at the town office.

Sandi reported the school committee had their first meeting and named the committee the Community Center Advisory Committee. They went over the school and there is still a lot of stuff in the school that needs to be cleaned out. The committee is considering having a donation tag sale at the end of October to see if anyone is interested in purchasing the items such as paper, desks, chairs, etc. The sale will be open to the public. Saturday the committee will be meeting informally to generally look at what’s in the building. They will be getting a dumpster. Denise suggested using students that need community service hours to help with the cleanup of the attic. David made the motion the board authorize the advisory committee to dispose of the unneeded property either through the tag sale disposing of it or any school or town needing some of the equipment can have it for free, but the committee has the authority to dispose the rest of it that is not needed or further used by the town. Denise seconded. Put to a vote. The motion carried.

Darlene stated she is going to be retiring and not seeking election as Town Clerk and Town Treasurer at the next Town Meeting. She has spoken with Hannah and she is interested in these positions.

Darlene stated she is in the process of conducting a tax sale.

Brattleboro Development Credit Corporation: The representative did not attend the meeting. Sandi stated she would contact Gabriel and see what’s up with him.

Warrants and Mail: The warrants were reviewed and signed. The mail was reviewed.

Tina asked about the winter sand. David stated Matt reviewed the sand from Eastman Sand and Gravel and agreed the sand was fine and took the lowest bid.

Roads: Janet reported for Matt that the roadside mowing was done. The mower was delivered on Friday and the road crew worked from Saturday through Friday on the mowing. He is waiting for Ivor to work on Mill Hill and needs to finish up on Brookline road. Janet called Jeff to get the appraisal and estimate for the lease purchase of a new backhoe. The last payment will increase by $1.00 to purchase the vehicle. The decision to lease the backhoe needs to be made before October 1. It may take three to four months or longer before a vehicle becomes available. The yearly lease will be for $10,662.00 and the trade in value is $89,000.00. David made the motion to enter into in an agreement with Milton Cat to trade in the backhoe for the cost of $10,662.00 per year for five years with a lease to own agreement and Janet contact Milton Cat. The board authorized Janet to sign any contracts on behalf of the select board. Denise asked if this would cover maintenance or would the town have to pay. David stated the town would probably have to provide maintenance. Denise seconded the motion. Put to a vote. The motion carried.

Executive session: There was no executive session.

Further business: Janet asked about having a town meeting in the fall to ask if the townspeople about having an Australian ballot. David stated we probably should because we don’t know about COVID and if the legislature would have us do it like last year. David suggested the state representatives be contacted to see what their thinking is and what the law is going to be. It will be discussed further at the October meeting. Janet said she would reach out to them. There being no further business, David made the motion to adjourn. Denise seconded. Put to a vote. The motion carried. The meeting adjourned at 8:32pm.

Respectfully submitted,

Darlene Wyman, Town Clerk