



# Town of Thetford Vermont

3910 Vermont Route 113 • P.O. Box 126 • Thetford Center, VT 05075  
802-785-2922 • thetfordvermont.us

## Selectboard Regular Meeting Minutes

– Online Only –

Monday, November 9, 2020 7:00pm

**Please note Section 6 of H.681, signed into law on March 30th, 2020, for the temporary suspension of designated physical meeting location requirements.**

Selectboard Members present: Mary Bryant, Nick Clark (Chair), Sharon Harkay, Li Shen, Steve Tofel

Others present: Tom Yennerell (Interim Town Manager), Tracy Borst (Town Clerk/Town Treasurer), Jessie Schmitt (Director of OCRJC) Nathan Maxwell (Acting Director of DPW and Parks & Rec), Martie Betts (Selectboard Assistant)

Total Zoom attendees:41

Nick Clark called the meeting to order at 7:02 pm.

### 1. Agenda Review

Nick Clark said the request to appeal the Homestead Declaration late filing penalty has been withdrawn so the item can be removed from the agenda.

Nick said he would like to discuss the Regional Energy Committee when making the Joint Energy Committee appointments, as Mary Bryant would like help with the workload.

### 2. Public Comment

No public comment.

### 3. Town Manager Report – Tom Yennerell

Sidewalk project: The project on Thetford Hill has received final approval from VTrans and the engineers. Once the remaining invoices are paid the project will be complete.

Paving on Pavillion Road was completed last week.

Robinson Hill Road: Stantec was tasked with finding a paving contractor for this project and they have not succeeded. Paving contractors are obligated with prior commitments so the paving will be delayed until spring.

Turnpike Road South: Work on the bridge structure that replaces the culvert will begin this week.

Stowell Road Bridge: Stantec's structural engineers looked at the bridge and it needs some work. Concerns are not about the deck, but other elements of the bridge.

Route 132: Tom said he met with Stantec last Friday (11/6) to kick off an engineering design for Route 132. The project will be going out to bid this winter.

FEMA: Tom said to date he has still not received information on the last three projects in question. The 30-day clock for the town to respond will not start until that information has been received.



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Melissa Krzal asked what 3 projects are we still waiting to hear about and how much money has FEMA sent to the town.

Tom said the town has not received any money from FEMA to date, and the projects are damages from the Storm of 2017.

Nick explained that there are 6 sites that FEMA had under legal review. The Town reached out to Senator Leahy's office, who then reached out to FEMA. After that, FEMA sent information on 3 of the sites, but we are still waiting for the remaining 3.

Li Shen said two of the locations are on Cranberry Hill Road, Schoolhouse Road, and then the third is listed as "storm repair on local roads".

Melissa commented that the town is still paying interest on all these things and they are still costing us money.

Li said how we respond to FEMA will affect how much money we get back. The town has to answer why some of the projects weren't bid properly or why materials and design specification from FEMA were exceeded.

Tom said the amount of money we're hoping to receive is 1.9 to 2 million dollars.

#### ~~4. Request to appeal Homestead Declaration late filing penalty~~

#### **5. Presentation from Orange County Restorative Justice Center**

Jessie Schmitt is the Director of the Orange County Restorative Justice Center (OCRJC), which has a home base in Chelsea, but they serve all of Orange County.

Jessie said the board of OCRJC is making an effort to reach out to every town they serve about their mission, programs and to talk more directly with communities about their pressing issues and needs.

The mission of OCRJC is to be a major catalyst in Orange County for building and advocating for a just community by addressing legal issues, wrongdoing, conflict and the needs of harmed parties and streamlining access to services that improve the health, well-being and positive behavior of individuals and the community.

Jessie said that this organization was formally known as Orange County Court Diversion, but a year ago they joined forces with Randolph Restorative Justice Center. Most of the clients they serve are referrals from law enforcement and States attorneys. OCRJC aims to work with clients before they end up in court, but there are also programs where they work with people after they have been found guilty and after they have been incarcerated.

Jessie said their clients have to take responsibility for the part they played, be accountable for their behavior and willing to make amends.

Orange County Restorative Justice Center also has a youth substance abuse safety program which can entail brief intervention, and substance abuse training. They also work with people who have suspended or no driver's license. Jessie said they have a powerful speaker who comes and talks about the impact of distracted driving.

Jessie said she would be interested in hearing what the Selectboard feels are concerns around safety and crime in the community.

Nick Clark said that recently the Selectboard has worked with concerns about speeding and pedestrian safety near a covered bridge, dealing with a potentially vicious dog, and an ongoing



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issue with a resident who practices shooting on his property, causing the neighbors to be concerned about the noise and their safety

Nick asked if law enforcement agencies opt in to OCRJC services or do clients come through the court system in some other way.

Jessie said to a degree it is an opt in program. Clients have an option to participate in a program pre-charge; the States attorney brings the issue to court, and law enforcement makes the recommendation for the OCRJC program. In this past year there were 18 or 19 different incidents in Thetford that were referred to us from the State's attorney. There have not been a lot of direct referrals from the Thetford Police department.

Michael Snow asked how many people are being served right now, and how are they meeting the demand. Jesse said the data capturing system changed this year which now tracks incidents per town vs. individuals. Overall, last year, there were 324 different clients from Orange County, which was a 22% growth over previous year, keeping in mind that those figures are for ¾ of the year because COVID-19 shut the courts down in the spring.

Michael Snow asked if they had the funding that they need?

Jessie said they felt lucky that our funding will be level funded this year, but they are always short-handed, as are a lot of social service agencies across the state. Jessie said they have a lot of volunteers on their panels and involved with their re-entry program.

Michael Snow wanted to know how they define and measure success.

Jessie said it is difficult to measure success because the core of their program is accountability.

The expectation is that clients will complete what they agreed to in their contract. Jessie said OCRJC is a small step in people's journey. They are there to support and help their clients reflect on their actions and help them figure out what is important to them to make change.

Jessie said another goal of the OCRJC board this year is to start community conversations around social justice and racial diversity. They will be inviting people from Orange County starting at the beginning of next year. If people are interested, they can subscribe to the newsletter now, will add them to the email distribution list.

Nick said there are people in town interested and he would pass along any information Jessie forwarded to him.

## 6. Social Services Appropriations Policy

Nick Clark said there is currently no policy on social services. There are 2 ways to get an article warned; submit a petition which has enough signatures to equal 5% of the voter check list, or the Selectboard can choose to add an article.

The Selectboard reviewed the Social Services Appropriations Policy.

**Motion** by Nick Clark to adopt the Social Services Appropriations Policy.

Tracy Borst said that in 2019 the Selectboard moved to have social services submit a petition beginning 2020 and then every 3 years after that if they are asking for level funding. If they are asking for an increase within that 3-year period they need to submit a petition.

Li Shen said she recalled that discussion because the town was just sending money to organizations who never acknowledged the payment and then the town had to chase them for their next year's request. Li said she would like to keep the 3-year petition request in the policy.

Tracy said the organizations are asked to submit a letter requesting the funds, and there is language about something for the town report. A policy should include a report deadline of 60



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days before. The report typically includes how many people they served and what types of service they offered in Thetford.

Mary Bryant said she did not realize that this was on the agenda to adopt and would appreciate one more week to look at the policy more closely.

Li Shen agreed with Mary. Li agreed to amend the draft for review at the next meeting.

## 7. Timothy Frost Engineering Study

Nick Clark said there was information on what the Timothy Frost building needs, so now there will need to be an engineering study.

The cost for the engineering study will be between \$7000 and \$11,000.

Tom Yennerell recommended that the Selectboard appropriate on the high end as this study will be time and materials charged.

Li said she thought Guy had mentioned doing some fundraising for the building. Nick said regardless of how the study is funded, there needs to be a target amount in order to apply for grants, such as the Municipal Projects Grant. This grant is awarded once a year and the deadline is in the fall.

**Motion** by Nick Clark to authorize expenses up to \$11,000 for an engineering study of the Timothy Frost building. **VOTE by roll call:** Li Shen – in favor, Mary Bryant – in favor, Steve Tofel – in favor, Nick Clark – in favor (Sharon Harkay left the meeting prior to the vote.)

## 8. Joint Energy Committee appointments

Nick Clark said the Selectboard will appoint 5 people to the new committee and the School Board will make the other appointments (3 members from the public school board and 1 from TA plus 2 youth – if they choose to join).

Mary Bryant felt all those who were on the previous energy committee and re-applied for this committee should be the first to be considered.

Li Shen agreed that the slate of the 5 members who were on the previous energy committee should be appointed. These people have been very active, dedicated and engaged.

**Motion** by Mary Bryant to reappoint the previous members of the Thetford Energy Committee (Michael Kiess, Chuck Cole, Erica Ko, Alice Stewart, Tom Ward) to the new Joint Energy Committee. **VOTE by roll call:** Li Shen – in favor, Mary Bryant – in favor, Steve Tofel – in favor, Nick Clark – in favor

### ADDITION TO AGENDA:

**Motion** by Nick Clark to authorize the Energy Committee to appoint a representative to Two Rivers-Ottawaquechee Regional Commission. **VOTE by roll call:** Li Shen – in favor, Mary Bryant – in favor, Steve Tofel – in favor, Nick Clark – in favor

Mary will let them know they were appointed and have the authority to appoint someone.

### ADDITION TO AGENDA: CHARGING STATION

Nick Clark said the Energy Committee had budgeted \$1200 for an electric vehicle charging station study, but the estimate they received is between \$3,000 and \$5,000. The study will be helpful when seeking grants.



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Melissa Krzal said that the new park and ride has 3 or 4 EV stations and wondered where more stations would be needed now that there are some already installed by the state.

Nick said that is the question that a study could answer. The town needs to consider not only where, but how to do it in coordination with villages and efforts for car-pooling. We need to consider how are we planning for our village development, how would the EV stations be used. Mary Bryant told Melissa she did not know there were EV stations at the park and ride. Mary said the town is looking at transforming the town fleet to a green fleet, which is something to consider. Mary said that Geoff Martin, the new regional energy coordinator may know of a good person to do this study, and that she felt it was important to have the study done.

Steve Tofel said while he is certainly in favor of renewable energy, he doesn't know enough to say whether they should spend \$5000 on a feasibility study. He would not want to have the expense of putting them in and then not being used.

Mary Bryant said GMP is leasing them so you don't have to purchase them, which helps with the cost of installation.

**Motion** by Nick Clark to spend up to \$5000 for the EV charging station study. **VOTE by roll call:** Li Shen – in favor, Mary Bryant – in favor, Steve Tofel – in favor, Nick Clark – in favor

## 9. Town-owned property at 1585 Route 244, Post Mills

**Motion** by Nick Clark to restore the original covenant, and to list the property at 1585 Route 244 for sale for not less than the Town's total out of pocket expenses.

Mary Bryant suggested giving Post Mills residents the first right of refusal to purchase the land. Nick said residents would need to form an entity.

Nick said when a municipality sells a property, the sale must be noticed for 30 days. Residents could petition and block the Selectboard from selling the land. After that notice has passed and no petition is received, the land can sell. The motion tonight is essentially what we need to do to get the sale noticed.

Tom Yennerell said he has been involved with a sale such as this many times. A petition would require enough signatures to equal 5% of the voter checklist or more.

Alissa Southworth asked if this would be like any other real estate transaction, where the seller can choose who they are selling to.

Nick said the petition can only be against the authority of the Selectboard to sell it, so the Selectboard can sell it to anyone they want.

Steve Tofel said it would probably be sold to the highest bidder or something equally objective. Alissa wanted to know if the town was prohibited from soliciting people to buy it.

Nick Clark said that real estate negotiations do qualify for executive session, but acceptance of the offer is in public session.

Tom said Alissa was raising 2 separate questions. The public notice is very generic, the Town of Thetford wants to sell land, with description, and a reference to the deed. If someone is opposed to the selling of the land, they must present a petition. There is no mechanism that the Selectboard would use to agree to sell it to any specific potential buyer.

Alissa wanted to confirm that during that process there isn't any solicitation for a buyer from the town.



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Jennifer Boeri Boyce said she agreed with Steve that the land should be sold to the highest bidder. If someone is concerned about who might purchase the land, then they can buy it. If people want to protect it, they will buy it and protect it.

Michael Snow wanted to know if there had been any conversation about asking one of the land trusts in conservation if they would be interested in the land.

Alissa said she had reached out after the housing issue, but the property is too small for the Upper Valley Land Trust. There is a neighbor, an abutter, who might be interested in putting their land in a land trust.

Nick Clark said the motion is clear about restoring the covenant and list the land at a price to recoup our cost.

The motion was called. **VOTE by roll call:** Li Shen – in favor, Mary Bryant – in favor, Steve Tofel – in favor, Nick Clark – in favor

## 10. 2021 Town contribution to employees' health insurance

**Motion** by Nick Clark to set the Towns 2021 healthcare contribution to \$846 for a single person and \$1692 for a 2-person coverage plan. **VOTE by roll call:** Li Shen – in favor, Mary Bryant – in favor, Steve Tofel – in favor, Nick Clark – in favor

## 11. Warrants and Minutes

**Motion** by Nick Clark to approve the Bond Informational Hearing minutes of October 26, 2020 as presented. **VOTE unanimous (4-0-0)**

**Motion** by Li Shen to approve the regular Selectboard meeting minutes of August 31, 2020 as edited. **VOTE unanimous (4-0-0)**

**Motion** by Li Shen to approve the special Selectboard meeting minutes of October 1, 2020 as edited. **VOTE unanimous (4-0-0)**

**Motion** by Nick Clark to approve the regular Selectboard meeting minutes of October 5, 2020 as edited. **VOTE unanimous (4-0-0)**

**Motion** by Nick Clark to approve the special Selectboard meeting minutes of October 7, 2020 as presented. **VOTE unanimous (4-0-0)**

**Motion** by Steve Tofel to approve the special Selectboard meeting minutes of October 11, 2020 as presented. **VOTE unanimous (4-0-0)**

**Motion** by Mary Bryant to approve the special Selectboard meeting minutes of October 14, 2020 as presented. **VOTE unanimous (4-0-0)**

**Motion** by Li Shen to approve the regular Selectboard meeting minutes of October 19, 2020 as edited. **VOTE unanimous (4-0-0)**

**Motion** by Li Shen to approve the regular Selectboard meeting minutes of October 26, 2020 as edited. **VOTE unanimous (4-0-0)**

**Motion** by Nick Clark to approve the special Selectboard meeting minutes of October 29, 2020 as edited. **VOTE unanimous (4-0-0)**

## 12. Adjourn

**Motion** by Nick Clark to adjourn the regular Selectboard meeting at 9:06 pm. **VOTE unanimous (4-0-0)**