



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, January 4, 2021 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 (Selectboard Chair), Sharon Harkay, Li Shen, Steve Tofel

Others present: Tom Yennerell (Interim Town Manager), Tracy Borst (Town Clerk/Treasurer), Jim Masland (State Representative), Martie Betts (Selectboard Assistant)

Total Zoom attendees: 35

Nick Clark called the meeting to order at 7:05 pm.

1. Agenda Review

No changes to the agenda.

2. Public Comment

Nick Clark said there would be a public hearing about the proposed AT&T cell tower project on January 14th at 6:00 pm.

Joy Gaine asked about the investigation of Nathan Maxwell's postings.

Tom Yennerell said that the Thetford Police Department conducted the investigation into how they occurred and who was responsible.

Alexis Jetter expressed great dissatisfaction with how this was dealt with and thought that town policy had been violated. She felt that Nathan had disgraced the Town and keeping him on the payroll was most inappropriate as the Town looked complicit. She thought that restorative justice could be applied if he were to step down.

Tom replied that he has not had any one-on-one conversations with Alexis, and he would welcome that. Tom said they have provided as much information as can be provided to the public.

Alexis said the town is being overly cautious to avoid a lawsuit and does not believe Nathan would prevail under freedom of speech.

Jim Masland said that he was disappointed that Tom said the investigation is complete. He thought that the charges against Nathan are potentially serious and may violate town policy. People have sympathy and want Nathan to heal, but he should not be a town employee.

Tom Yennerell said the Town's legal council has reviewed everything from the standpoint of town policy and criminality and does not see that it rises to a violation of the personnel policy or any criminal activity. Tom said he wanted to be really clear that we have to rely on a very experienced municipal and labor law attorney when it comes to these matters, and not on what the public thinks may have happened or their interpretation of it.



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Jim Masland said that the Vermont League of Cities and Towns (VLCT) does not represent the people of the town; its function is to protect the town from legal action. Jim was very concerned that legal professionals could conclude that the type of activity displayed was not a crime.

Nick reminded everyone that the Selectboard is no longer in charge of personnel matters. Statute dictates that the Town Manager has authority over personnel.

Annie Coulter said she was also very disappointed with the decisions that have been made. She said Nathan made those videos and without termination the town gives the appearance of condoning his behavior. She felt the decisions were not her decisions and her feelings were not represented.

Joe Deffner asked Tom for a clearer explanation of the freedom of speech issues they had discussed previously via email.

Tom said he would try to remember how the Town attorney viewed that issue. Tom also clarified that this was coming from the Town attorney, not from VLCT. Tom said freedom of speech was just one of the things that was touched on, but it wasn't critical because this issue revolves around labor law, not freedom of speech.

Joe said his second comment is that the people elected to be on the Selectboard are responsible for the Town Manager's decisions and actions. It's an abdication of responsibility to say that all personnel decisions are handled by the Town Manager.

Nick Clark said that the Town is new to this form of government. Tom is an interim manager, the third manager in a year, and the Selectboard has been struggling at every turn with the transition, what the role of the Selectboard is and what the role of the Town Manager is and it's been different with every Town Manager. While some things are spelled out in statute, there are also gray areas. The Selectboard is trying to adapt to operating in a new environment and is grappling both with the situation and the form of government. Tom has communicated with them about this issue, and there have been several executive sessions. The Selectboard will work with whatever Town Manager they have, and work towards the best in every situation.

Joe Deffner said that the citizens elect the members of the Selectboard and not the Town Manager.

Mary Bryant said she hasn't seen in this situation a lot of things other people said they have seen. Mary said it is very complicated in her heart and mind, and she has some things she'd like to go forward with.

In the interest of time, Nick said he would encourage anyone that has questions or comments to reach out to Tom or the Selectboard.

3. Town Manager Report – Tom Yennerell

Tom said there was a request made for the Town to get a seat at the table in the state process regarding handling the underground water situation in Post Mills and that has been accomplished. The Town will be involved as things develop; our concerns have been presented and the new owner is willing to have us participated in the conversation. The bridge on Turnpike Road South is complete.

Tom is still waiting for the remaining information from FEMA, but Stantec has promised to have answers for the first 3 inquiries by Friday, January 8th.



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Thetford Elementary School is not interested in hosting any recreation programs this winter, but the Recreation Advisory Committee is working to come up with other activities. The Norwich Recreation Department has continued to open their programs to Thetford residents. The 2021 budget does have a line item for a part-time Parks and Recreation Coordinator and the position will be posted this week. At this point, it is a 20-hour a week position. There will soon be an advertisement for bids to sell the property on Route 244 in Post Mills. Tom reminded the Selectboard that tomorrow he will be negotiating the two collective bargaining agreements. The Town attorney will be present at those negotiations.

4. Appointment to the Development Review Board

Motion by Li Shen to appoint Angela McCanna to be a full member of the Development Review Board (DRB).

Angela McCanna said she was sorry she didn't get to meet Don Longwell, who resigned after being on the board for many years.

Mary Bryant thanked Angela for her interest in being on the DRB board. Angela said she has been an alternate for some time.

VOTE by roll call: Li Shen – in favor, Mary Bryant – in favor, Steve Tofel – in favor, Sharon Harkay – in favor, Nick Clark – abstained due to a potential upcoming hearing.

5. Warrants and Minutes

Motion by Steve Tofel to accept the warrants, as presented. **VOTE unanimous (5-0-0)**

Motion by Nick Clark to accept the Selectboard meeting minutes of December 10, 2020, as edited. **VOTE unanimous (5-0-0)**

Motion by Mary Bryant to accept the special Selectboard meeting minutes of December 14, 2020, as edited. **VOTE unanimous (5-0-0)**

Motion by Sharon Harkay to accept the special Selectboard meeting minutes of December 19, 2020, as presented. **VOTE unanimous (5-0-0)**

Motion by Steve Tofel to accept the special Selectboard meeting minutes of December 21, 2020, as presented. **VOTE unanimous (5-0-0)**

Motion by Li Shen to accept the special Selectboard meeting minutes of December 28, 2020 as presented. **VOTE unanimous (5-0-0)**

6. Discussion of the 2021 Draft Municipal Budget <https://bit.ly/3atxtnV>

Items discussed –

Nick said an email from the Fire Department Trustees was received and will be added to the discussion about articles.

DPW Capital Equipment fund: there is a proposal to change when the equipment would be purchased, but the amount to be raised stays the same.

Recycling: the budget is incomplete. A weekly volunteer is leaving, and a staff person will need to be hired, with an anticipated yearly income of \$1500. Tom is waiting for final numbers from Nathan Maxwell. The amount was later confirmed by Nathan and the Selectboard agreed to add the amount to the Transfer Station budget.

Police Department budget: Sharon Harkay felt the department should be level funded with no decrease in hours, because the union contract is currently in negotiations. Mary Bryant



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agreed, saying she wasn't expecting the decrease to be calculated in the budget when it was discussed previously. The budget item, along with an update on union negotiations will be put on the next agenda.

Stipends: The stipend for the Planning Commission clerk will be removed. The duties of an Animal Control Officer will be shifted to one of the Police Officers. The Town Manager will appoint the position, so the stipend for animal Control Officer will be removed. The stipend for the Emergency Management Officer will be adjusted to \$4500, and the stipend for the Health Officer will remain at \$500.

Life insurance for Town employees: this will be moved to the next agenda.

Town facilities: Sharon Harkay has been documenting the facility needs for the Town. The two main areas to consider are the Department of Public Works and the Transfer Station. Both would benefit from being moved to new land where they could consolidate and expand. The Selectboard agreed to keep the contribution to the planning/consulting fund at \$4000, and the Transfer Station at \$2500. The Department of Public Works facility fund will increase to \$5000.

Tree Fund: this was discussed. No changes made.

Elections was discussed. No change made at this time.

Articles will be discussed at the next meeting.

7. Adjourn

Motion by Sharon Harkay to adjourn the Selectboard meeting at 9:21 pm. **VOTE unanimous (5-0-0)**