



Town of Thetford Vermont

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Selectboard Special Meeting Minutes

Thetford Town Offices
(w/Virtual Attendance Option)
Monday, 8/9/2021 7:00pm

Selectboard members present: Sharon Harkay (Chair), Li Shen (Vice-Chair), Mary Bryant, Steve Tofel

Selectboard members absent: Nick Clark

Others present: Bryan Gazda (Town Manager), Tracy Borst (Town Clerk/Treasurer), Martie Betts (Selectboard Assistant)

Total attendance in meeting room: 1

Total Zoom attendance: 13

Discussion Participants: Stuart Rogers, Melissa Krzal

Sharon Harkay called the meeting to order at 7:00 PM.

1) Agenda Review

Li Shen said she would like to add one item having to do with masks and the COVID Delta variant. The item will be added after the Liquor Commission.

2) Town Manager Report – Bryan Gazda

a) Route 132 Update

Bryan said he has received some weekly reports from Stantec, and they are somewhat technical, but basically, they are right on schedule and have been putting in sub-base on 200' – 300' of linear feet per day. The majority of the culvert pipes are in. They are now working between Cream Street and the Thetford/Norwich Town line.

b) Treasure Island Update

We are getting towards the end of the season. Amy Fahey provided an update and Brittany Burke, the beach manager, put in her last day as of Saturday (7th). Bryan thanked Brittany for coming on board and her efforts to provide swimming lessons. Staffing has been a concern all summer, and for the rest of the season there may or may not be either a lifeguard or gate attendant. The plan is to stay open through Labor Day, but at times with swimming at your own risk. It will be posted if no lifeguard is on duty.

Li asked how fees would be collected with no gate attendant. Bryan said there wouldn't be a sure way to collect fees, but the decision was made to stay open for those people who purchased a Season Pass.

There were some programs that took place. The Montshire Museum came out twice and there were 20 – 25 children per event. They had Story Hour with Emily, from the library, which was very popular, and there was Paddleboard Yoga. Bryan has asked Amy to brainstorm for other events that would make it four-seasonal.

Sharon said she received an email from a resident asking if there was any chance, we would leave Treasure Island open beyond Labor Day, as there may already be swim at your own risk in place for some of the rest of the season.



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Bryan said it would come down to opening and closing the gate. He'll take a look and see what he can do.

c) Staff Emergency Training

Bryan said he emailed Mariah and they are working on getting someone from Vermont Emergency Management to come and do the training.

d) Other

Bryan said the FEMA funds for the Cranberry Hill Road project came in. There are still four other projects, but receiving this money is a good sign.

Bryan told the Selectboard he would like to add an agenda item about the Lebanon landfill for the next meeting. Lebanon is starting a new permitting process for their landfill, and they are updating their agreement with Upper Valley municipalities. Thetford will need to sign an agreement with Lebanon for residents to be able to use their landfill and there are three options presented to the towns. An individual can go online or directly to the landfill, they can purchase their permit from the Town Clerk, or the town can opt out entirely. If a Town Clerk agrees to sell the permits, that Town Clerk then becomes an agent of the city of Lebanon, which means they need to adhere to all city codes, including their "Welcoming Lebanon Ordinance" which pertains to immigrant status. Thetford residents can take their trash to the Thetford Transfer station on Saturdays, or still go to the Hartford Transfer station, although Bryan said it is his understanding that Hartford may be limiting services in the future. Lebanon would like to have signed agreements by September 1.

Bryan said the Municipal Grant is due on November 1st and he thinks a water system review of the different water districts in town would be a good use of that money.

Mary Bryant thought that sounded like a good plan.

3) Consideration of AT&T MOU and Letter of Intent to Conserve Town Forest Land

Sharon said this agenda item is going to be part of Bryan's report because the Upper Valley Land Trust has submitted questions about the agreement that was ready for review and possible acceptance by the Selectboard.

Bryan said that the attorneys were supposed to meet this morning, but he received an email that the meeting was postponed. There are two documents to be considered, the Memorandum of Understanding (MOU) between AT&T, the town and the Agency of Natural Resources, plus a letter of intent between town and the Upper Valley Land Trust (UVLT). The UVLT would like changes made to both the MOU and the letter. AT&T has requested an extension to at least August 31. Bryan said he questions why they aren't looking for another 30-day extension as there are still things that have to be done. Bryan said he would like our engineering firm to look at the plans.

4) Public Comment

No public comment.

5) Discussion of Telecommuting Policy

Sharon explained that Li and Bryan have been working on this policy.



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Mary Bryant said she would like to see more flexibility with the section that speaks to in-home care duties. Someone may be in a certain situation such as having a sick family member and might have to take them to the doctors. Mary would prefer to trust the employee, let them take their time and fill in their hours later in the evening.

Sharon asked what the source was for the document. She was also a little confused because she didn't think the Town Manager had the ability to tell elected people what they can and cannot do and yet the agreement signature page includes elected officials.

Bryan said he and Li did an extensive internet search, and this was the only one they found which is from the City of San Francisco. The other thing to consider is equipment. Do we want to exempt elected officials?

Li pointed out that elected officials can agree to be bound by the town personnel policy. Isn't it the same thing?

Tracy said there should be some clarity to what extent the policy comes into play. She gave the example of trying to be on a Zoom meeting in an office with two other people, plus members of the public who may come in. If she stays home to take the meeting there, is she telecommuting?

Bryan said they could identify a certain number of hours a week, if we wanted to put that in there. Aside from the Department of Public Works staff, this would be for everybody else.

Li said that if they decided they needed the policy, for just a Zoom call this seems like overkill. But the situation with the previous Recreation Director, who took home a lot of files with personal information and then left them there when he moved, would require this type of policy.

Bryan said this could be a general policy with more flexibility, but these are the guidelines.

Li said it is possible that a future employee might be interested in working from home, and this would give us something to fall back on.

Sharon brought up lack of office space in Town Hall.

Bryan said there is a definite shortage of office space. For instance, the Recreation Director and other part time positions work at nights, on the weekends and early mornings before they go to work. This would be a benefit to them. It would set a standard, give direction on resources, town equipment, and who is getting what. Instead of putting that responsibility on the Town Manager, you have a policy moving forward.

Stuart Rogers asked if this policy has this been reviewed by VLCT, and if not, he would strongly recommend it. The purpose of elected officials signing the personnel policy was so they could receive benefits as they are not town employees. They do not answer to a Town Manager.

Sharon liked the idea of VLCT having a look at it. Sharon also thought one or two bullet points should be added to the agreement page to point out that an employee can't save any town business to a personal hard drive or keep any confidential files at home.

Mary asked if they could go back to the discussion on her point about flexible hours.

Sharon said she didn't disagree with Mary. Sharon thinks that flexible time is important.

Tracy explained that when she works remotely, she uses her VPN to log on to her office computer. Files are accessed that way, not by saving on a personal computer. Tracy also noted that on the first page it refers to doing personal business during unpaid lunch periods, but town employees have a paid lunch period.

Steve wondered if they could add language that flexible hours could be arranged with the Town Manager. The Town Manager would have the flexibility to authorize work hours.



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Sharon said she would be interested in what VLCT has to say and asked Bryan and Li to make the changes discussed and send it out again. She thanked Li and Bryan for their work on the policy.

6) Consideration of Lake Wise Program

Sharon said they have seen the presentation about the Lake Wise Program and now they need to decide whether to participate. Sharon said she doesn't see how the town could possibly lose. The town doesn't have to follow any or all of the recommendations and the assessment doesn't cost the town any money.

Li Shen added that it would give the town information about natural resources that are there and what might be potentially damaging to those natural resources.

Mary Bryant agreed and said she appreciated the partnership with the Lake Fairlee Association. Steve Tofel added that shoreline property owners are also being contacted about the program, and he felt it would be a good thing for the town to lead by having the assessment.

Motion by Sharon Harkay that we ask the White River Conservation District to conduct a Lake Wise assessment at Treasure Island. **VOTE by roll call:** Steve Tofel in favor, Mary Bryant in favor, Li Shen in favor, Sharon Harkay in favor

7) Setting the 2021 Tax Rate

The Selectboard reviewed the information put together by the Tracy and Bryan.

The documents and process were discussed.

Motion by Li Shen to set the town tax rate at 0.822289, as presented in the documents before us. **VOTE by roll call:** Steve Tofel in favor, Mary Bryant in favor, Li Shen in favor, Sharon Harkay in favor

8) Discussion of Zoning Administrator and Lister's Clerk Positions

Bryan gave a summary of the search-to-date for a candidate for these positions. Bryan said one candidate decided against the position as it was not full time, and they were looking for benefits. Bryan said he would still like to combine the two positions, making it a full-time position, but he would look at the budget to make sure it could be funded.

Sharon wondered about starting the position at 32 hours with benefits.

There was discussion about elected Listers versus appointed Listers. Changing the status from elected to appointed would require voter approval.

Sharon said Janet Stowell is more than willing to come and speak to the Selectboard during an open meeting. She can explain what they do, and whether the position could be appointed rather than elected.

Mary said she would like Janet to come in.

Bryan said his recommendation is for the Selectboard to make him interim Zoning Administrator just to keep the office going.

Motion by Sharon Harkay to accept Bryan Gazda's offer to become interim Zoning Administrator until such time as we are able to recruit a permanent replacement for Diane Osgood. **VOTE by roll call:** Steve Tofel in favor, Mary Bryant in favor, Li Shen in favor, Sharon Harkay in favor.



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9) Convene the Liquor Commission for Request to Cater Liquors

Motion by Sharon Harkay to adjourn the Selectboard meeting to convene a meeting of the Liquor Commission. **Motion passed (4-0-0)**

Motion by Mary Bryant to approve the request from Blood's Catering & Party Rentals Inc to serve alcohol on September 18th at Camp Ohana. **Motion passed (4-0-0)**

Motion by Steve Tofel to adjourn the meeting of the Liquor Commission and reconvene the Selectboard meeting. **Motion passed (4-0-0)**

Agenda Addition, whether to mask during in-person meetings

Li Shen said the data now shows that a vaccinated person can get infected by COVID and infect others. We are traveling now and there is potential to encounter someone at the airport who is shedding a lot of virus. That's how the Delta variant can infect people. The Delta variant sheds 1000 times more virus than the original COVID virus. There have been sporadic incidents in our community where people have become infected while vaccinated. Li knows of 5 people who chose not to get vaccinated, and if she picks up the virus in this room, she could potentially infect them. She feels that people should probably be wearing masks indoors.

Steve Tofel noted that Hanover has just instituted a mask mandate for all indoor activities. Dartmouth College has as well.

Sharon Harkay asked people who worked in Town Hall how they felt about it. Martie Betts said she felt safe in the office but does think it would be a good idea to wear masks during meetings.

Mary Bryant heard about the positive cases on the rise and said by wearing a mask people are hopefully protected themselves from serious illness, adding that she is happy to wear a mask. Sharon said she doesn't object to wearing a mask.

Bryan wondered if it would be better just to say masks are required in all Town facilities.

Tracy Borst said her office has been able to manage opening up without requiring masks. She said she hasn't been asking if people are vaccinated and people are still being encouraged to do their research on the portal and to use the website. The Clerk's office has two plexiglass barriers and a stanchion barrier which keep people at a safe distance.

Sharon thought Bryan should make the decision as he is in charge of town facilities.

Stuart Rogers questioned whether the town could have a mask mandate as municipal government is an extension of state government and the state no longer has a mask mandate.

Bryan will check with the Vermont League of Cities and Towns (VLCT) and Mariah Whitcomb. Melissa Krzal said she was away twice in July, and 5 days after she returned, she took a COVID test out of caution. She wore a mask the entire time and advised that it has been recommended that masks should have many layers or to wear more than one mask.

Sharon confirmed that as a group they agree to wear masks when meeting in person and Bryan will reach out to Mariah and VLCT.

10) Warrants and Minutes

Warrants:

#27.1 \$13,011.64

#28.1 \$29,992.79

#15.2 \$10,295.17

#16.2 \$11,357.52



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#14.3 \$107,061.93

#15.3 \$717.40

#16.3 \$550.51

#17.3 \$146,559.65

#14.4 \$26,009.67

#15.4 \$26,867.93

Motion by Li Shen to approve the warrants as presented. **Motion passed (4-0-0)**

Steve Tofel said that members of the Selectboard who attend virtually need to be visible or audible, so he would like to amend the minutes of July 19th to show Nick Clark as absent and to reflect that in the votes from 4-0 to 3-0.

The Selectboard listened to the audio recording from the beginning of the July 19th meeting.

Motion by Sharon Harkay to approve the regular Selectboard meeting minutes of July 19th, 2021 as amended, including marking Selectboard member Nick Clark as absent and removing his votes. **Motion passed (3-0-1)**

11) Adjourn

Motion by Steve Tofel to adjourn the special Selectboard meeting at 8:39 PM. **Motion passed (4-0-0)**