



Town of Thetford Vermont

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

Selectboard Meeting *Draft* Agenda

VIRTUAL ONLY

Monday, February 21, 2022 6:30PM

To connect to Zoom via computer: <https://us02web.zoom.us/j/88122490498>

To connect via phone only: +1 (646) 558 8656 | Meeting ID: 881 2249 0498

Note: Selectboard meetings are in public, but not of the public. 1 V.S.A. § 312 (h) states, "At an open meeting, the public shall be given a reasonable opportunity to express its opinion on matters considered by the public body during the meeting, as long as order is maintained. Public comment shall be subject to reasonable rules established by the chairperson."

6:30PM – Call to Order

1. Agenda Review
2. Town Manager Report – Bryan Gazda
3. Public Comment
4. Discussion and Possible Extension of Town Mask Mandate
5. Anticipated Approval of Liquor License for Davenport Enterprises DBA Wings Markets
6. Consideration to Impose Vehicular Weight Restrictions on Town Roads
7. Warrants and Minutes
8. Adjourn

TOWN OF THETFORD

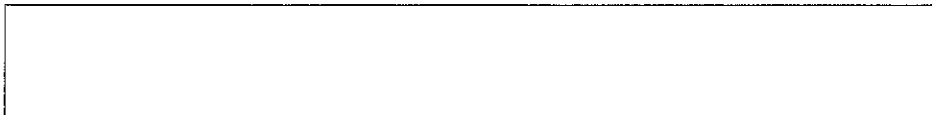
POSTING OF ROADS

In order to prevent the abuse of town highways, the Town has posted special weight limits in effect from March 1st, 2022, to May 15th, 2022(or until posting signs are removed) as follows:

Town Highways	
(Classes 2,3, and 4)	
Two-axle trucks	15,000 lbs
Three-axle trucks	18,000 lbs
Tractor-trailer Unit	20,000 lbs

In the Town of Thetford these restrictions shall apply to the following roads:

Academy Road	Godfrey Road	Poor Farm Road North
Amasa Bond Road	Gove Hill Road	Poor Farm Road South
Apple Tree Road	Hauger Road	Potato Hill Road North
Asa Burton Road	Houghton Hill Road	Potato Hill Road South
Barker Road	Ilsley Road	Quail John Road
Berger Road	Jackson Brook Road	Quinibeck Road
Bridge Road	Judd Road	Rabbit Road
Burnham Road	Lakeshore Road	Robinson Hill Road
Buzzle Bridge Road	Latham Road	Sanborn Road
Cadwell Road	Library Road	Sawnee Bean Road
Campbell Flats Road	Lower Bailey Road	Schoolhouse Hill Road
Cider Mill Road	Lower Cream Street	Stevens Road
Clay Road	Main Street	Stowell Road
Cobble Hill Road	Miller Pond Road	Tefft Road
Colby Road North	Mud Pond Road	Turnpike Road North
Colby Road South	New Boston Road	Turnpike Road South
Cranberry Hill Road	Norford Lake Road	Ulman Road
Cream Street	Old Stone Road	Upper Bailey Road
Cross Street	Old Strong Road	Van Norden Road
Ely Road	Pavilion Road	Vaughan Farms Road
Evans Road	Pero Hill Road	West Fairlee Road
Five Corners Road	Phelps Road	Whippoorwill Road
Garey Road	Picknell Road	





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Selectboard Special Meeting *Draft* Minutes

Thetford Town Offices

(w/Virtual Attendance Option)

Monday, February 14th, 2022 7:00pm

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

Others present: Town Manager Bryan Gazda, Town Clerk/Treasurer Tracy Borst, Town Attorney Brian Monahan, Selectboard Assistant Martie Betts

Participating community members: Melissa Krzal

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

1. Agenda Review

No changes to the agenda.

2. Town Manager Report – Bryan Gazda

Bryan said that 2 Transfer Station employees completed the 131 Degree School of Composting, Amy Record and Susanne Simon.

Bryan said the town will not be getting a UVM intern for this semester.

3. Public Comment

No public comment.

4. Open Meeting Law Violation Complaint

Sharon Harkay said this is in response to an accusation by Nick Clark that the Open Meeting Law was violated on February 7th by not having a Zoom link. Sharon said 2 different attorneys were consulted, Brian Monahan and Garrett Baxter. Both attorneys assured that the Open Meeting Law was not violated, and since no violation occurred, no cure is necessary. Sharon said she thought the confusion came because people had become accustomed to us having hybrid meetings. When they didn't find the link for that meeting, Nick and a few others felt it was a violation. Sharon said to be clear, it was a bad decision on her part and although it was not illegal, she really misjudged the fact that people would be interested in such a meeting with such a short agenda. Sharon said she wrongly assumed that people wouldn't be interested and had in her mind the Selectboard Assistant would be able to have the night off. In retrospect, it was a bad assumption and a bad decision, and Sharon said she owned that decision. We in no way intended to transition the meetings to without a hybrid option, as we have been doing it all along and intent was to continue. She thought for that one meeting it wouldn't be a problem. Sharon publicly apologized for the confusion and upset, but they did not break the Open Meeting Law. People could have come in person or called in using a phone. No one was prevented from coming or participating.

Nick Clark said the town doesn't have adequate equipment for a conference call which is why the equipment was purchased for Zoom, and if it did there was still no phone number that was provided so I could not access the meeting and no option was offered when I asked for one.



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1 Sharon said she was under the impression we were able to do conference calls. We have done it
2 in the past. Sharon said she had been out cross-country skiing and she returned to all this upset. It
3 did not occur to her to offer the option of calling in.

4 Nick said that's never been an option and I've used that option.

5 Sharon said in any case she apologizes but we did not violate Open Meeting Law.

6 Melissa Krzal said Nick put in his letter that Steve said that "you are not required to be here, you
7 can leave." Is this true?

8 Steve said absolutely. He missed over 20 meetings last year, why wouldn't he know that he was
9 not required to be here.

10 Melissa said she was really floored that another Selectboard member would say that to another
11 person on the board. This seems so out of place for you. I know that he hasn't been at other
12 meetings and that there is a lot of animosity on this board, but to come out and say it at a
13 meeting? You might privately speak to him and say something like that, but you're dissing
14 another board member? Melissa said civility was a big thing to her, and with boards before this
15 one there was humiliation and things used against other board members. This is in that vein and
16 I'm shocked.

17 Steve said to put it in context Nick was saying he was required to be here, and I didn't suggest to
18 him that he should leave, just that he is not compelled to be here.

19 Sharon said she assumed Steve meant that Nick not required to be physically in the building.

20 Again, the idea that he could have gone to his home and called into us.

21 Melissa said she just felt, because of how she feels about civility, and how people treat each
22 other, that it was an inappropriate comment. It falls right into other boards before you where the
23 chair would humiliate and try to get people to his way. Melissa said she is sorry that she had to
24 say it because it doesn't seem like you. This board has been very civil publicly to each other. I
25 don't know about privately. But this was so out of the blue and out of context, and I think it was
26 inappropriate.

27 Sharon thanked Melissa for speaking up and acknowledged that they are hearing her.

28

29 **5. Discussion and Possible Appointment to the Recreation Advisory Council**

30 **Motion** by Li Shen to appoint Brent Mellon to the Recreation Advisory Council for a term of 3
31 years, ending in March 2025. All in favor (5-0-0). **Motion passed**

32

33 **6. Discussion and Possible Decision for the Civic Pride Award**

34 **Motion** by Sharon Harkay to award the Civic Pride Award to candidates' number 2 and number
35 11. All in favor (5-0-0). **Motion passed**

36

37 **7. Warrants and Minutes**

38 #3.4 \$23,692.14

39 #4.2 \$7,228.38

40 #7.1 \$5,009.22

41 #9.3 \$17,603.24

42 **Motion** by Li Shen to approve the warrants as presented. All in favor (5-0-0). **Motion**
43 **passed**



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1 **Motion** by Sharon Harkay to accept the regular Selectboard meeting minutes of February 7th,
2 2022, as presented. All in favor (5-0-0). **Motion passed**

3 **Motion** by Sharon Harkay to accept the special Selectboard meeting minutes of February
4 10th, 2022, as amended. All in favor (5-0-0). **Motion passed**

5

6 **8. Anticipated Executive Session for Consideration of the New England Police**
7 **Benevolent Association Contract per 1 V.S.A. § 313(a)(1) and Town Manager**
8 **Performance Evaluation per 1 V.S.A. § 313(a)(3)**

9 **Motion** by Sharon Harkay to find that the premature general public knowledge of the contract
10 with the New England Police Benevolent Association will clearly place Thetford at a substantial
11 disadvantage by disclosing the contract contents and terms before they have been ratified. Sharon
12 asked All in Favor? Mary Bryant, Steve Tofel, Li Shen and Sharon Harkay said aye.

13 Nick Clark comment that he has only had the final draft for a week and hasn't had a chance to go
14 through it completely. Nick said it is short notice for him to discuss this. Sharon said that four of
15 the Selectboard members agreed that we would go into it.

16 **Motion** by Sharon Harkay to enter into Executive Session to discuss the New England Police
17 Benevolent Association contract under the provisions of Title 1, subsection 313, section (a)(1) of
18 the Vermont Statutes. Sharon said she also want to add that while in Executive Session she
19 moves that we also discuss the Town Manager's performance evaluation with him, and since that
20 is confidential information, we should use Executive Session pursuant to 1 V.S.A. section
21 313(a)(3) of the Vermont Statutes, and to invite Bryan Gazda, Town Manager and Brian
22 Monahan our Town Attorney into Executive Session with us. Sharon asked All in Favor. Mary
23 Bryant, Steve Tofel, Li Shen and Sharon Harkay said aye, Nick said no. Sharon said since they
24 had a vote of 4 to 1 we can still go into Executive Session. Nick said there needs to be a roll call
25 vote, and Tracy Borst also requested that they do a roll call vote.

26 VOTE by Roll Call: Mary Bryant – in favor, Steve Tofel – in favor, Li Shen – in favor, Sharon
27 Harkay – in favor, Nick Clark - opposed **Motion passed**

28

29 **Motion** by Mary Bryant to leave Executive Session at 8:26 PM. All in favor (5-0-0). **Motion**
30 **passed**

31 **Motion** by Mary Bryant to ratify the agreement between the Town of Thetford and the New
32 England Police Benevolent Association (NEPBA) Local 403, effective January 1st 2021 through
33 December 31st 2025. VOTE by roll call: Mary Bryant – in favor, Steve Tofel – in favor, Li Shen
34 – in favor, Sharon Harkay – in favor, Nick Clark – abstain **Motion passed**

35 Nick added that the board was only given a week to review the NEPBA contract and he did not
36 have available time due to other commitments.

37 No action taken regarding the evaluation of the Town Manager.

38 **9. Adjourn**

39 Motion by Steve Tofel to adjourn the special Selectboard meeting at 8:29 PM. All in favor (5-0-
40 0). **Motion passed**