



Town of Thetford Vermont

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Selectboard Meeting *Draft* Agenda Thetford Town Offices

(w/Virtual Attendance Option)
Monday, July 18th, 2022 7:00 PM

To connect to Zoom via computer: <https://us02web.zoom.us/j/89080661986>
To connect via phone only: +1 (646) 558 8656 | Meeting ID: 890 8066 1986

7:00pm - Call to Order

- I. Agenda Review
2. Town Manager Report
 - a. Latham Road Wet Area
 - b. Update on EEI's HVAC System Proposal
 - c. Other
3. Public Comment
4. Continued Discussion and Possible Adoption of Proposed Facilities Policy
5. Setting Speed Limits on Town Roads and Residents' Request for Lowering the Speed on a Section of Academy Road
6. Discussion on Which Requests for Liquor Licenses for Events Should Be Handled by the Town Clerk Versus the Liquor Control Board
7. Draft Survey for Soliciting Ideas for Spending of ARPA Funds
8. Warrants and Minutes
9. Anticipated Executive Session Pertaining to Employment or Evaluation of a Public Officer or Employee per I V.S.A. § 313(3)(a)(3)
10. Adjourn

Town of Thetford, Vermont

FACILITY USE POLICY

Proposed June 6, 2022

Revised Draft June 20, 2022

Revised Draft June 27, 2022

Purpose

The Town of Thetford has one or more facilities that are available for use by residents and members of the public. These facilities are available to all qualified users on equal terms without regard to race, color, religion, national origin, or other status covered by applicable state or federal laws or regulations. In allowing the use of these facilities, the Municipality will not discriminate against users of the facilities based on the users' particular viewpoint(s).

It is the obligation of the Municipality to ensure that its facilities are maintained in good condition and their use and maintenance do not impose an undue financial cost on the Municipality's residents. This policy is intended to help ensure that: the Municipality's facilities will be well maintained and accommodating and will provide a safe environment; and the Municipality will be fair and consistent with all parties wishing to use its facilities.

Facilities to Which This Policy Applies

This policy shall apply to the following facilities in the Municipality, which shall be available for rental during the following listed hours, at the following listed user rates, and with maximum occupancy as listed:

Facility	Available Hours	User Fee	Maximum Occunancy
Thetford Center Village Green	8am-9nm	\$50	150
Treasure Island Facilities	8am-9om	Per Treasure Island fee schedule	Varies per facility Used

By written request, the Selectboard may waive or reduce the user fee for not-for-profit organizations that serve a legitimate public and community good.

Priority of Use

The Municipality will make these facilities available on a first-come, first-served basis for individuals, groups, businesses, and organizations to rent during times when the facilities are not being used for Municipality programs or events sponsored by the Municipality and when they are not being used by Municipality staff, boards, commissions, or committees.

Facility Use

Any individual, group, business, or organization wishing to use municipal facilities shall notify the Town Manager or their designated agent of the date and time on which they wish to use such facility at least ten

(10) business days prior to event. No use of a facility shall be permitted until a written Facility Use Agreement is executed by the Municipality, the applicable user fee and/or security deposit has been paid to the Municipality, and proof of insurance has been provided to the Municipality as required by the applicable Facility Use Agreement.

Security Deposit

In addition to the user fee listed above, a security deposit of \$100.00 will be required for use of an indoor facility. An additional security deposit of \$150.00 will be required for events where alcohol will be furnished. Such security deposit(s) will be returned promptly to the User if no damage has been caused to the Facility and if all cleaning activities have taken place as specified in the signed Facility Use Agreement.

Alcohol, Tobacco, and Drugs

The consumption or possession of lighted tobacco products or use of tobacco substitutes and cannabis in any form is prohibited on municipal property. The consumption or use of alcoholic beverages is only permitted on municipal property as specifically described in a duly executed Facility Use Agreement. The applicant is responsible for ensuring that any federal, state, or local requirements for the disbursement or consumption of alcohol are secured prior to the submission of a Facility Use Agreement. The sale, possession, consumption, or use of illegal drugs is prohibited on municipal property.

Obligations of Users

Use of municipal facilities must not disrupt the provision of municipal services. Nor shall use of a facility create a nuisance or disturb the quiet enjoyment of anyone using adjacent or common premises and facilities. Users must return the facilities in a neat, orderly, and clean condition after their use. Users will be responsible for, and liable to, the Municipality for all repairs to the facilities required as a result of damage caused by Users.

Effective Date

This Policy shall become effective upon adoption by the Selectboard, and the fees may be amended from time to time as deemed appropriate by the Selectboard.

Adopted this _____ day of _____, 20

Sharon Harkay, Selectboard Chair

David Goodrich, Selectboard Member

Li Shen, Selectboard Vice Chair

Steve Tofel, Selectboard Member

Maty Brant, Selectboard Member

Tracy Borst

Subject: FW: Documents for Selectboard Packet
Attachments: VLCT Facility Use Policy - Draft 6 27 2022.docx; Traffic Ordinance 2020.pdf

From: Charlie Buttrey <Charlie@lvylegal.con-p>
Sent: Thursday, July 14, 2022 10:14 AM
To: Bryan Gazda <gq_gzda@thetfordvt.gov>
Subject: RE: Insurance Requirements for Town of Thetford Facility Use Policy

Bryan -As we discussed, I have a few comments for the Selectboard's consideration.

As a threshold matter, the Facility Use Policy and the Facility Use Agreement are both very good and have obviously been drafted by attorneys who are well-versed in matters of municipal law and liability. So my criticisms are fairly picayune.

1. Paragraph Two of the Facility Use Policy provides that "By written request, the Selectboard may waive or reduce the user fee for not-for-profit organizations that serve a legitimate public and community good." I am troubled by this language insofar as it creates no standards by which the Selectboard is to determine what is a "legitimate and community good." Suppose, for instance, that the Selectboard waived the fee for a community forum sponsored by Black Lives Matter on the grounds that BLM serves a "legitimate and public good." What would happen if the Proud Boys then asked for a waiver for their forum? My fear is that this section leaves far too much room for subjective judgments on the part of the Selectboard. My advice would be to have that sentence simply read "The Selectboard may, on request, waive or reduce the user fee." If someone requests a fee reduction, I would not engage in a discussion over whether the organization advances a "legitimate and public good" but, rather, whether a fee reduction is appropriate under the circumstances. If, for instance, someone is holding a memorial service for a long-time town employee, it strikes me that a fee reduction makes a great deal of sense.

2. Here's where I put on my personal injury lawyer hat and try to find loopholes in the agreement to go after the Town's insurance coverage. Paragraph Eight of the Facility Use Agreement reads "The Municipality is not liable for any injury to persons or loss or damage to private property which occurs *during the Event.*" (Added emphasis). Suppose there's an event at which alcohol is served, and someone at the event is clearly impaired and drives away and kills someone ten minutes later. That collision will not have occurred "during the event," which would potentially make the Town liable. I would amend that language to add the phrase "or as a consequence of the Event" at the end of the sentence.

3. Finally, I would amend Paragraph Five of the Facility Use Agreement so that the language is consistent with the "Alcohol, Tobacco, and Drugs" section of the Facility Use Policy. The latter prohibits the use of tobacco substitutes on town property, but the former does not.

Cheers!

Charlie Buttrey, Esq.
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Lebanon, NH 03766
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(603) 448-3683 - fax

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The security of email cannot be assured.

From: Bryan Gazda [<mailto:bgazda@thetfordvt.gov>]
Sent: Thursday, July 14, 2022 9:35 AM
To: Charlie Buttrey <Charlie@lvylell.tl.fom>
Subject: RE: Insurance Requirements for Town of Thetford Facility Use Policy

Bryan R. Gazda, MPA
Town Manager
Thetford, VT
bgazda@thetfordvt.gov
802-785-2922, ext. 2

From: Charlie Buttrey <Charlie@lvylegal.com>
Sent: Wednesday, July 13, 2022 9:36 AM
To: Bryan Gazda <1.gazda@thetfordvt.gov>
Subject: RE: Insurance Requirements for Town of Thetford Facility Use Policy

Hi Bryan - I'm happy to chat with you at your leisure. Let me know what days/times work for you.

Cheers!

Charlie Buttrey, Esq.
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 SCHUSTER, BUTTREY & WING, P.A.

The security of email cannot be assured.

From: BryanGazda@thetfordvt.gov
Sent: Tuesday, July 12, 2022 12:31 PM
To: Charlie Buttrey <Charlie@lvylegal.com>
Subject: Insurance Requirements for Town of Thetford Facility Use Policy

Hi Charlie,

The Selectboard has been reviewing a new facility use policy based on a template provided by Vermont League of City and Towns (VLCT), along with the more detailed insurance requirements contained in the use agreement. There has

been a lengthy discussion regarding insurance requirements for individuals and community based *events* and the Selectboard asked me last night to reach out to you for your input, if you so desire.

Please let me know if you would be able to discuss what insurance requirements the Selectboard should be considering.

Thank you,

Bryan R. Gazda, MPA
Town Manager
Town of Thetford, VT.
PO Box 126
Thetford Center, VT. 05075
(802) 785-2922 Ext. 180

TOWN OF THETFORD

TRAFFIC ORDINANCE

Pursuant to the provisions of Title 23, Vermont Statutes Annotated, Sections 1007 and 1008, and Title 24, Vermont Statutes Annotated Sections 1971 and 2291 (I), (4), and (5); and such other enactments as may be material hereto, **it** is hereby ordained by the Selectboard of the Town of Thetford that the following Traffic Ordinance is adopted for the Town of Thetford.

ARTICLE I

DEFINITIONS

The definitions in Title 23, Vermont Statutes Annotated, Section 4 are incorporated by reference.

ARTICLE II

SCOPE

This Ordinance establishes special traffic regulations on public highways within the Town of Thetford.

ARTICLE III

TRAFFIC CONTROL DEVICES

Section 1: It shall be unlawful for any person to disobey the direction of a traffic control device except in response to the direction of a law enforcement officer.

Section 2: It shall be unlawful for any person to intentionally remove, injure, obstruct, deface, alter, or tamper with any traffic control device.

Section 3: It shall be unlawful for any person to install any device which may resemble or be mistaken for an official traffic control device without prior approval of Town of Thetford Board of Selectmen.

ARTICLE IV

SPEED REGULATIONS

On the basis of traffic and engineering surveys, the following maximum speed limits are hereby established:

Academy Road	25 mph beginning at VT Route 113 extending southerly .4 miles to just south of 399 Academy Road; then, 35 mph southerly for approximately 2 miles to the entrance to Hillcrest Cemetery; then, 25 mph from Hillcrest Cemetery southerly to the Union Village Covered Bridge
Amasa Bond Road	25 mph the entire length from Academy Road, back to Academy Road
Apple Tree Road	25 mph the entire length from Garey Road to the end
Asa Burton Road	25 mph the entire length from VT Route 113 to the end
Barker Road	35 mph entire length from VT Route 113 to Sawnee Bean Road
Berger Road	25 mph the entire length from VT Route 113 to the end
Bragg Road	25 mph the entire length from Robinson Hill Road to the Class 4 section
Bridge Road	25 mph the entire length from US Route 5 to the River Access
Bumham Road	25 mph the entire length from Academy Road to Godfrey Road
Buzzell Bridge Road	25 mph the entire length from VT Route 113 to the Union Village Dam gate
Cadwell Road	25 mph the entire length from VT Route 113 to Sanborn Road
Campbell Flats Road	25 mph the entire length from Academy Road to the Thetford/Norwich town line
Cider Mill Road	25 mph the entire length from US Route 5 to the Class 4 section
Clay Road	25 mph the entire length from Schoolhouse Hill Road to US Route 5
Cobble Hill Road	25 mph the entire length from Asa Burton Road to the end
Colby Road - North	25 mph the entire length from Sawnee Bean Road to the Class 4 section
Colby Road - South	25 mph the entire length from Sawnee Bean Road to the Class 4 section
Cranberry Hill Road	25 mph the entire length from Godfrey Road to the end
Cream Street	25 mph the entire length from Route 132 to the end
Cross Street	25 mph the entire length from VT Route 244 to West Fairlee Road
Elv Road	25 mph the entire length from the Thetford/Fairlee town line to the end
Evans Road	25 mph the entire length from VT Route 113 to the end
Five Corners Road	30 mph the entire length from VT Route 113 to the intersection of Turnpike Road-North
Garey Road	25 mph the entire length from VT Route 113 to the end
Godfrey Road	35 mph the entire length from VT Route 113 to the Thetford/Norwich town line
Gove Hill Road	35 mph the entire length from Route 132 to New Boston Road
Hauger Road	25 mph the entire length from Academy Road to the end
Houghton Hill Road	25 mph the entire length from VT Route 113 to Turnpike Road
Ilisley Road	25 mph the entire length from Gove Hill Road to the end
Jackson Brook Road	25 mph the entire length from Route 132 to the end
Judd Road	25 mph the entire length from New Boston Road to the end
Lakeshore Road	25 mph the entire length from VT Route 244 to Robinson Hill Road
Latham Road	35 mph the entire length from VT Route 113 to US Route 5
Library Road	25 mph the entire length from VT Route 113 to Academy Road
Lower Bailey Road	25 mph the entire length from Gove Hill Road to the end
Lower Cream Street	25 mph the entire length from Route 132 to the end
Main Street, Union Village	25 mph the entire length from Academy Road/Union Village Bridge to the Thetford/Norwich town line
Miller Pond Road	35 mph the entire length from Route 132 to the Thetford/Strafford town line.
Mud Pond Road	25 mph the entire length from VT Route 113 to the Class 4 section

New Boston Road	25 mph the entire length from the Thetford/Strafford town line to thy Thetford/Norwich town line
Norford Lake Road	25 mph the entire length from Stowell Road, Thetford/Norwich town line to the end
Old Stone Road	25 mph the entire length from Godfrey Road to Quail John Road
Old Strong Road	25 mph the entire length from Academy Road to the .Class 4 section
Pavilion Road	30 mph the entire length to US Route 5 at each end
Pero Hill Road	25 mph the entire length from Colby Road - South to the end
Phelps Road	25 mph the entire length from Barker Road to the end
Picknell Road	25 mph the entire length from Gove Hill Road to the end
Poor Fann Road-South	25 mph the entire length from Tucker Hill Road to the Class 4 section
Potato Hill Road - North	25 mph the entire length from the Five Comers intersection to the Class 4 section
Potato Hill Road - South	25 mph the entire length from Turnpike Road - South to the Class 4 section
Quail John Road	25 mph the entire length from Godfrey Road to US Route 5
Quinibeck Road	35 mph from the Five Corners intersection northerly to the Thetford/Fairlee town line
Rabbit Road	25 moh the entire lenoth from US Route 5 to Stevens Road
Robinson Hill Road	30 mph the entire length from the intersection with VT Route 244 to the intersection with Quinibeck, Potato and Turnoike Roads. .
Route 132	35 mph from the Thetford/Strafford town line, easterly to the Gove Hill Road intersection; then, 40 mph from Gove Hill Road southerly to the Thetford/Norwich town line
. Sanborn Road	25 mnh the entire lenoth from Latham Road to US Route 5
Sawnee Bean Road	35 moh the entire lenlth from VT Route 113 to the Thetford/Strafford town line
Schoolhouse Hill Road	25 mph the entire length from Latham Road to Turnpike Road South
Stevens Road	30 mnh the entire lenlth from nuail John Road to the Thetford/Norwich town line
Stowell Road	25 mnh the entire lenlth from Route 132 to the Thetford/Norwich town line
Teft Road	25 moh the entire lenlth from Gove Hill Road to the end
Trussell Road	25 mph the entire length from VT Route I13 to the end
Tucker Hill Road	25 mph beginning at Route 113 extending southerly .5 miles to the Sayre's covered bridge and continuing another .2 miles to approximately 459 Tucker Hill Road; then, 35 mnh continuin" southerlv to Route 132.
Turnpike Road - North	25 mph the entire length from the Five Corners intersection to the Class 4 section
Ulman Road	25 moh the entire len,,th from Route 132 to the end
Upper Bailey Road	25 mph the entire length from Gove Hill Road to the end
US Route 5	50 mph from the Thetford/Norwich town line, northerly for approximately 2.6 miles to 2685 US Route 5; then, 40 mph northerly approximately 700 feet from 2685 US Route 5 to the intersection of Church Ln; then, 30 mph from Church Lane northerly for approximately 2000 feet through the village of East Thetford to approximately 100 feet north of3183 US Route 5; then, 40 mph northerly approximately 800 feet to the East Thetford Cemetery; then, 50 mph northerly for approximately 1.4 miles to 4804 US Route 5; then, 40 mnh northerlv for a•mroximately 2000 feet to Cider Mill Road; then,

	35 mph northerly through the village of North Thetford for .4 miles to 5590 US Route 5; then, 40 mph northerly for approximately .2 miles to 5734 US Route 5; then, 50 mph northerly to the Thetford/Fairlee town line
Van Norden Road	25 mph the entire length from Turnpike Road - South to the end
Vaughan Farms Road	25 mph the entire length from US Route 5 to the end

VT Route 113	40 mph from the New Hampshire state line, westerly to US Route 5; then 40 mph from US Route 5 westerly to Berger Road; then 50 mph westerly to 2166 VT Route 113; then 40 mph westerly approximately 100 feet; then, 30 mph through Thetford Hill village westerly for approximately 2,500 feet; then, 40 mph westerly for approximately 4000 feet; then 35 mph westerly through Thetford Center Village for approximately 3,000 feet; then 40 mph westerly to 4397 VT Route 113; then, 50 mph westerly for 2.75 miles to Post Mills Village; then 40 mph westerly for 2,000 feet; then, 35 mph westerly through Post Mills Village for .5 miles; then, 50 mph westerly to the Thetford/West Fairlee town line
Wells Fargo Road	25 mph the entire length from Miller Pond Road to the Thetford/Strafford town line
West Fairlee Road	35 mph from VT Route 113 to the Thetford/West Fairlee town line on the south end; and, 35 mph from VT Route 244 to the Thetford/West Fairlee town line on the north end
Whippoorwill Road	25 mph the entire length from Tucker Hill Road to the Class 4 section
Wilson Road	25 mph the entire length from VT Route 113 to the end

**ARTICLE V
STOP AND YIELD INTERSECTIONS**

Section 1: The following intersections shall be designated as "STOP" intersections, and will be signed as such.

Road	At the Intersection With:
Academy Road	VT Route 113
Academy Road	Union Village Covered Bridge
Amasa Bond Road	Academy Road
Apple Tree Road	Garev Road
Asa Burton Road	VT Route 113
Barker Road	VT Route 113
Barker Road	Sawnee Bean Road
Berger Road	VT Route 113
Bragg Road	Winnibeck Road
Bridge Road	US Route 5
Burnham Road	VT Route 113
Buzzell Bridge Road	VT Route 113

Cadwell Road	VT Route 113
Cadwell Road	Sanborn Road
Campbell Flats Road	Academy Road
Cider Mill Road	US Route 5
Clay Road	US Route 5
Clay Road	Schoolhouse Hill Road
Cobble Hill Road	Asa Burton Road
Colby Road North	YIELD
Colby Road South	Sawnee Bean Road
Cranberry Hill Road	Godfrey Road
Cream Street	Route 132
Cross Street	VTRoute244
Cross Street	West Fairlee Road
Evans Road	VT Route 113
Five Corners Road	VT Route 113
Five Corners Road	Turnpike Road - North
Garey Road	VT Route 113
Godfrey Road	VT Route 113
Gove Hill Road	Route 132
Gove Hill Road	New Boston Road
Hauger Road	Academy Road
Houghton Hill Road	VT Route 113
Ilsley Road	Gove Hill Road
Jackson Brook Road	Route 132
Judd Road	New Boston Road
Lakeshore Road	VT Route 244
Lakeshore Road	Robinson Hill Road
Latham Road	VT Route 113
Latham Road	US Route 5
Library Road	Academy Road
Lower Bailey Road	Gove Hill Road
Lower Cream Street	Route 132
Main Street, Union Village	Union Village Covered Bridge
Miller Pond Road	Route 132
Mud Pond Road	VT Route 113
Old Stone Road	Godfrey Road
Old Stone Road	Quail John Road
Old Strong Road	Academy Road
Pavilion Road	US Route 5 (north end)
Pavilion Road	US Route 5 (south end)
Pero Hill Road	Colby Road - South
Phelps Road	Barker Road
Poor Farm Road- South	Tucker Hill Road
Potato Hill Road - South	Turnoike Road - South

Quail John Road	Godfrev Road
Quail John Road	US Route 5
Quinibeck Road	Robinson Hill Road
Rabbit Road	US Route 5
Rabbit Road	Stevens Road
Robinson Hill Road	VT Route 244
Robinson Hill Road	Quinibeck Road
Sanborn Road	US Route 5
Sanborn Road	Latham Road
Sawnee Bean Road	VT Route 113
Schoolhouse Hill Road	Latham Road
Schoolhouse Hill Road	Turnpike Road South
Stowell Road	Route 132
Taft Road	Gove Hill Road
Trussell Road	VT Route 113
Tucker Hill Road	VT Route 113
Tucker Hill Road	Route 132
Tucker Hill Road	Sayre's Covered Bridge South bound
Tucker Hill Road	Sayre's Covered Bridge North bound
Ulman Road	Route 132
Upper Bailey Road	Gove Hill Road
Vaughan Farms Road	US Route 5
VT Route 113 (East bound)	US Route 5
VT Route 113 (West bound)	US Route 5
Wells Fargo Road	Miller Pond Road
West Fairlee Road	VT Route 113
West Fairlee Road	VT Route 244
Whippoorwill Road	Tucker Hill Road

Section 2: The following intersections shall be designated as "YIELD" intersections, and will be signed as such.

Road	At the Intersection With:
Colby Road - North	Sawnee Bean Road
Picknell Road	Gove Hill Road
Quail John Road (East bound)	Stevens Road

ARTICLE VI GENERAL PROVISIONS

Section 1: Each violation of this ordinance shall be deemed a separate offense.

Section 2: The provisions of this ordinance l'tre declared severable, and of any provision hereof be judged invalid, such judgement shall not affect the validity of any other provision.

Section 3: This Ordinance refers to highway designations shown on the "General Highway Map of the Town of Thetford" prepared by the Agency of Transportation dated 2005.

**ARTICLE VII
ADOPTION**

Adopted by the Town of Thetford Selectboard, dated this 5th day of January, 2020.

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"Ji,,

Nick Clark



Douglas Stone

Mike Pomeroy