



Town of Thetford Vermont

3910 Vermont Route 113 • P.O. Box 126 • Thetford Center, VT 05075
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Selectboard Special Meeting Minutes Thetford Town Offices (w/Virtual Attendance Option) Monday, July 11th, 2022, 7:00 PM

Selectboard Members present: Sharon Harkay (Chair), Mary Bryant, David Goodrich, Steve Tofel

Selectboard Members absent: Li Shen (Vice Chair)

Others present: Town Manager Bryan Gazda (via Zoom), Town Clerk/Treasurer Tracy Borst (via Zoom), Treasure Island Exploratory Committee members, David Roth & Dale Gephart

Contributing community members: Missy Krzal, Marion Williams.

Sharon Harkay called the meeting to order at 7:02 PM.

1. Agenda Review

No changes to the agenda.

2. Town Manager Report – Bryan Gazda

1. Latham Road Phase II Construction Update

Held preconstruction meeting with Stantec (town engineering firm) and Northwoods Excavating (contractor) today and went over in detail the scope of work of the project and project timeline. The contractor will be starting the project in early to mid-August and anticipates completing the project by mid-November. This will include the final topcoat of paving. Also discussed traffic control during construction and the contractor has requested that traffic be restricted to “local traffic” only to minimize throughfare traffic. The road will remain open, but the goal is to minimize use of the road as a shortcut. Given the short duration of this project it was agreed to post the road for “local traffic” only.

Sharon Harkay commented that Stantec has recommended in the past to wait a year to allow the road to settle before installing the final topcoat and shouldn't we do this for this project.

Bryan responded that this was discussed and due to the type of road construction (box cutting) being done for the majority of the road, all parties were in agreement that it was okay to topcoat this year, weather permitting. If settling was to occur during the first year, the work would be warranted anyway.

Tracy Borst read a question from the Chat asking about the drainage on Latham Road from the private side to highway side.

Brian said he was not aware of any new drainage culverts being installed, only those within the design plans nor was he aware of the flow of the drainage be rerouted being.

Marion Williams, 464 Latham Road, followed up to her Chat question by asking if the project would address the standing water in the drainage ditches in front of her house and along the road in this area.

Bryan said he needs look at the issue and get with the town engineer and contractor before any decisions could be made.



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2. ATT Cell Tower Update

The cell tower is up, and the road has been installed. Dale Lewis, DPW Foreman, and he were at the site today and they feel there is more work to be done regarding stormwater and erosion measures. The Town Manager contracted Bob Evan, from TowerCo, to relay their concerns about the current status of the site. The approved plan for the project requires the road construction to adhere to Vermont Low Risk Site requirements for stormwater and erosion control. The Town Manager forwarded a copy of these requirements to Bob Evans at TowerCo and will follow up on this issue before final approval is given, if required. The electrical service has been installed and the next step is for TowerCo to install the antennas and build the structure to house the equipment to make the tower operational. As far as he knows the goal is to have equipment installed by September and the tower operational shortly thereafter.

SH: Inquired if we knew who what cell services providers would be on the tower?

BG: No, and he is not sure that information will be provided but he anticipates most major carriers would want to utilize it.

3. Sayre Bridge Damage Update

Bryan signed a proposal with Daniels Construction to replace the damaged sign and boards and we are just waiting to hear back from them for a date to come out to complete the repairs.

4. FEMA Reimbursement Update

All of the FEMA funds have been received and the balance due on the outstanding loan is approximately \$187,000, which is our local share. Financing of this amount still needs to be determined at a later date.

5. Delinquent Taxes

Bryan met with Tracy Borst, Town Clerk-Treasurer, and he has all of the necessary information to proceed with mailing out a new letter that provides statutory information regarding the ability to request a meeting with the Board of Abatement, along with Vermont's Housing Assistance Program to help eligible homeowners with delinquent taxes. . He further stated that several property owners have already taken advantage of the state's housing assistance program, with four property owners being approved, one denied, and three applications pending.

He is also including a copy of the new delinquent tax policy and want to work with property owners to help them find a way to pay their delinquent taxes.

Sharon asked if there were any other questions for the town manager. Being none moved to # 3 Public Comments.

3. Public Comment

Missy Krzal read a prepared statement that expressed her concern that Selectboard members are not giving the proper respect to other Selectboard members and appointed officials, and she would like to see this behavior stop. She also commented that she attended the last Treasure



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Island Exploratory Committee meeting and felt the same disrespectful attitude was displayed during this meeting regarding while discussing the proposed trails at Treasure Island. She closed her statement with the hope that elected and appointed officials will conduct themselves with integrity their public service positions demand. Sharon asked if there were any other public comments. Being none, moved to item # 4.

4. Public Hearing on Request for Road Name (Makalas Way)

Sharon received a request from Matthew and Jamie Pierson for a new street name for a unnamed road that their new house will be located on.

Sharon asked if there was any discussion regarding the request.

Steve Tofel asked where the name came from, and it was determined the proposal street name is the name of the Pierson's daughter.

Motion by Steve Tofel to approve the naming of 0 Latham Road as Makala's Way. Roll call vote: David Goodrich-In favor, Steve Tofel-In favor, Mary Bryant-In favor, Sharon Harkay-In Favor, motion passes 4-0.

5. Discussion of Who Should Continue to Develop the Master Plan for Treasure Island, the TI Exploratory Committee or an Outside Firm

Sharon explained that she put this on the agenda as to discuss the charge of the TIE Committee regarding the development of a master plan for TI as Selectboard Member Li Shen expressed that an outside firm might be needed for this task and the TIE Committee needs guidance from the Selectboard. She asked if a Selectboard member would like to speak to this item.

Sharon identified that two members of the TIE Committee David Roth, Chairperson, and Dale Gephart are here to speak on this matter.

David Roth went over the development of the masterplan to date and the information that has been presented to the Selectboard and the public. He identified the masterplan as having three components; education, recreation, ecology and referred these components as the three legs of the stool the masterplan is developed on. He felt that the TIE Committee was following these principals in the development of the masterplan. He then mentioned another component that Dale Gephart would speak to, a stewardship plan, that would complement the three components.

Sharon commented the original charge of the TIE Committee did not include education. The charge was for the Committee to address, financial, environmental, and recreational concerns. She stated that education could be a part of it, but it is not part of the Committee's original charge from the Selectboard.

David Roth said he understood but felt that education has an overall part and is relevant to the three original charges. David then introduced Dale Gephart to discuss the concept of a stewardship plan for TI.

Dale introduced the concept of a "stewardship plan" for TI and that in his opinion stewardship consist of knowledge and responsibility for the overview environment of TI. He further expanded on concepts and values of knowledge and responsibility for TI. He stated that a



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stewardship plan complements a management plan and referenced two stewardship plans from another state that he felt would be a benefit for the overall development of TI. He proposed to the Selectboard that an outside consultant be engaged to help develop a stewardship plan.

Sharon asked Dale if the stewardship plan would more than look out for the natural undeveloped part of TI?

Dale responded that yes, the plan would take into account that TI is a park, the building, trails, and all of the human activity on TI. He stressed that it is not a plan to explore how TI can make a profit, but it does include how to make TI sustainable.

Mary Bryant asked if it would take into consideration, financial, recreational, and environment concerns.

Dale referenced the two plans he provided, and this type of information is included in the stewardship plans.

David commented that the stewardship plan and masterplan would be done in parallel and complement each other.

Sharon asked where would LakeWise assessment fit in?

David thought it would be an important part and the LakeWise plan is an action plan for the stewardship plan.

David and Dale both commented that Lisa Niccolai, who is currently working on the LakeWise plan, would be an ideal person to work on the stewardship plan.

Sharon commented the agenda item for this evening does not include discussing and deciding or engaging an outside consultant to complete a stewardship plan.

General discussion ensued on the need for a stewardship plan and the importance of it but engaging a consultant is not on the agenda for this evening.

Bryan commented that there are two different plans being spoken to, a masterplan that deals more with the physical layout of TI and a stewardship plan that would be included in the masterplan.

Sharon commented she thought the masterplan also needs to contain the financial aspect of making TI self-sustaining financially.

Bryan commented that he was not sure that addressing the self-sustainability of TI would be in a masterplan but there would be a financial component in the plan.

Sharon reaffirmed the original charge of the TIE Committee is to identify how to make TI financially self-sustaining.

Mary felt the planning work done to date by the TIE Committee has been very invigorating. She said as the masterplan moves forward, she would like to make sure the community is a part of the process and stressed the importance of public support.

Dave Goodrich asked David and Dale if he heard correctly that completing a stewardship was above what they can do as a committee?

They responded that the information needed for a stewardship plan requires expertise beyond what the TIE Committee possesses and reiterated the need to engage an outside consultant.

Steve commented that with his experience working with volunteer groups the fastest ways to stifle committee members or for them lose interest is to micromanage them and let them do a lot of work without giving them a fair hearing. He believes TIE Committee is an exceptional committee that has the energy and talent to complete the masterplan to be brought back to the



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Selectboard. He stated he is prepared to make a motion to that effect. He also stated that he thought the TIE Committee should be made a permanent committee.

Sharon asked the Town Manager if he had any additional comments.

Bryan agreed with Steve's comments that the TIE Committee has the talent to complete a masterplan, but it would not be in the same format as the proposal presented by the SE Group a couple of years ago for TI.

Sharon fully supports the TIE Committee and believes they have the talent to create a multipage masterplan which contains the committees' original three primary charges for TI.

Mary asked Doug and David if they felt supported with what they are doing.

Dale stated they feel they are being empowered to move ahead with what they are doing.

Motion by Sharon Harkay to continue to charge the TIE Committee with the task of developing a formal masterplan for TI rather than hiring an outside consultant. Asked for further discussion from Selectboard members.

Mary asked if the motion would preclude from hiring an outside firm for architectural firm or Lisa Niccolai at some point.

Sharon stated no it would not. The motion only relates to the masterplan document.

Roll Call Vote: Mary Bryant – In Favor, Steve Tofel – In Favor, David Goodrich – In Favor, Sharon Harkay – In Favor. Motion passed 4-0.

Selectboard members thanked David Roth and Dale Gephart for attending the meeting and giving their input.

6. Decision on Who Should Handle Late Homestead Declaration Penalty Appeals Based on Hardship, Selectboard or Board of Abatement

Sharon commented that based on correspondence between Tracy Borst, Town Clerk, and an attorney at Vermont League of Cities and Towns (VLCT), either the Selectboard or the Board of Abatement could hear hardship requests from property owners regarding the late filing penalty for Homestead Declarations. Currently, the Selectboard hears these appears based on hardship.

Tracy commented the Selectboard hears all Homestead Declaration penalty appeals, not just for hardship. She further explained that state statute has that the initial request to hear an appeal should go to the Listers within 14-days of the penalty notice. If the property owner is unhappy with the Listers' decision, then they appeal to the Board of Civil Authorities, and then the court system. The Selectboard hears appeals based on hardship only. There are four categories of hardship: military duty, illness or disability of the property owner, illness or disability of a family member, or flood/fire or other natural disaster.

A general discussion ensued between Selectboard members and the Town Clerk on the proper process and timeline to hear appeals regarding the penalty for the late filing of Homestead Declaration. The discussion centered around past practices of the Selectboard hearing all appeals and new standard of only hearing appeals based on hardship.

David Goodrich made a **motion** that the Selectboard hear hardship appeals of Homestead Declaration penalty after 14-days. Roll call vote: Mary Bryant – In favor, Steve Tofel – In favor, David Goodrich – In favor, Sharon Harkay – In favor. Motion passed 4-0.



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7. Possible Adoption of the Facility Use Policy after Revisiting Renter's Need for Insurance

Sharon stated after the last meeting there were still questions regarding insurance requirements for applicants looking to use a town facility. She referenced an email Bryan Gazda (BG), Town Manager provided on this topic and asked if he wanted to go over his email.

Bryan contacted Bushway Insurance, a local insurance agent, and the insurance representative stated insurance is available to an applicant, but it would depend on if they currently carried some form of insurance, and their insurance carrier. The cost for insurance can range from free to a couple hundred of dollars, again based on the insurance carrier. The insurance representative had is familiar with Thetford Community Center, and using this as a example, if the event was a low-risk event (baby shower, birthday party, etc.) then they can typically get insurance coverage at no cost. If alcohol is going to served regardless of the location, then insurance should be required. He stated that if the event is a small low-risk event without the consumption of alcohol, then he could see not requiring insurance for such events.

Sharon clarified that a professional business or an event where alcohol will be consumed should be required to have insurance.

Bryan agreed that any professional business or event with where alcohol will be consumed should be required to provide insurance. He further commented that we also need to look at the event, regardless of who is applying, to see if it warrants requiring insurance. He cited the upcoming Thetford Community Center vendor fair in the Thetford village green and the potential for a trip and fall incident.

General discussion ensued between the Selectboard and Town Manager regarding what type of organization and events require the need for insurance.

Steve recommended that Charlie Buttrey, local town attorney and former Selectboard member, be contacted for his opinion on this matter. If Mr. Buttrey is unable to provide an opinion, the Selectboard authorized the Town Manager to contact the Town Attorney for his opinion. Agenda item is tabled until the next Selectboard meeting.

8. Possible Waiver of Fee for TCCA's use of Town Green for Fundraising Event on July 23rd

Sharon commented that TCCA is requesting a waiver of facility use fee for their event on the Town Green on July 23rd. TCCA's request is based on the fact that any proceeds from the event will be used to help them maintain their building.

Steve Tofel made a **Motion** to waive any fees associated with using the Town Green on July 23rd from 8am to 7pm for the Thetford Center Community Association for their Market Fair on July 23rd. Roll call vote: David Goodrich – In favor, Steve Tofel – In favor, Mary Bryant – In favor, Sharon Harkey – In favor. Motion carried 4-0.

9. Possible approval of Auditor's Term of Engagement.

Sharon asked Tracy if this was something they have authorized before and how long they have been the town's auditors?



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Tracy responded, the Selectboard has approved the engagement letter required by the auditing firm before and they have been the town auditors for many years. She also commented the firm is very well respected across the state and she works well with them.

Mary inquired if this is required by statute?

Bryan responded that the Selectboard is required to have a financial audit done each year, whether the Selectboard does it or they hire an outside accounting firm, it is their choice.

Sharon made a **Motion** to approve the auditor terms of engagement for the upcoming audit of the audit of Thetford's books.

Further discussion ensued regarding how the accounting firm invoices for their services (lump sum), if it was budgeted for (yes), who can sign the engagement letter.

Sharon modified her **Motion** to authorize the Town Manager to sign the letter of engagement.

Roll call vote: Mary Bryant – In favor, Steve Tofel – In favor, David Goodrich – In favor, Sharon Harkay – In favor. Motion carried 4-0.

10. Warrants

Cash Transfer Warrant T-2002-003 - \$59.00

27.1 – \$38,236.85

12.2 – \$40,687.33

21.3 – \$575.29

22.3 - \$73.80

23.3 - \$58,006.71

24.3 - \$515,824.26

13.4 - \$25,123.48

Steve Tofel made a **Motion** to approve the warrants as presented. Roll call vote: David Goodrich – In favor, Steve Tofel – In favor, Mary Bryant – In favor, Sharon Harkay – In favor. Motion carried, 4-0.

11. Anticipated Executive Session Pertaining to Employment or Evaluation of Public Officer or Employee per 1 V.S.A. §313(3)(a)(3)

Sharon made a **Motion** to move into executive session at 8:44pm pertaining to employment or evaluation of public officer or employee per 1 V.S.A §313(3)(a)(3). Roll call vote: David Goodrich – In favor, Steve Tofel – In favor, Mary Bryant – In favor, Sharon Harkay – In favor. Motion carried, 4-0.

Sharon made a **Motion** to move out of executive session at 10:11pm, with no further action taken. All in favor. Motion carried, 4-0.

12. Adjournment

Steve made a **Motion** to adjourn the meeting at 10:12pm. All in favor. Motion carried, 4-0.