



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 Thetford Town Offices (w/Virtual Attendance Option) Monday, December 19, 2022 7:00 PM

Selectboard members present: Sharon Harkay (Chair), Li Shen (Vice-Chair), Mary Bryant, David Goodrich, Steve Tofel (via Conference Call)

Others present: Town Manager Bryan Gazda (via Conference Call), Selectboard Assistant Martie Betts

Participating community members: Denkanikota Mani, Kaja Lakshmi, Christopher Watts, Renata Watts, Erika Ko, Garrett Hack, Carolyn Hack, Eric Lafayette (via Conference Call), Attorney Margaret Jacobs (via Conference Call)

Sharon Harkay called the meeting to order at 7:05 PM.

1. Agenda Review

No changes to the agenda.

2. Notes from the Selectboard Chair

Sharon reminded everybody that January meetings will be on the 2nd and 4th Mondays. The Town Meeting warrant needs to be completed and approved at the January 23rd meeting. As of last Wednesday, there were 180 respondents for the ARPA survey. Announcements will continue to go out and the deadline for submission is January 15th.

Mary Bryant has put together a Restorative Justice Information meeting, to be held at the Thetford Center Community Building. When Mary arrived, she confirmed the date as January 14th from 10 AM to 12 PM.

3. Town Manager Report – Bryan Gazda

1. Stowell Road Bridge Update

Stowell Bridge is now open. There is still some work to be done along the stream bed, which will be held off until the spring.

2. AT&T Cell Tower Update

Bryan has not heard a response from AT&T on the status of the tower.

3. Storm Event

Bryan and EMS Director Mariah Whitcomb started communication on Saturday morning. The generator at Thetford Elementary School is not operable but a repair person from Yankee Generator should be there on Thursday to fix it. Rain and high winds are expected on Friday, and then a severe drop in temperature. Bryan wants the school to be open as an emergency shelter if needed. Sharon noted that Fairlee didn't have a warming shelter open during this last storm either. Bryan said there does seem to be a little bit of a disconnect at the state level. There should have been more state coordination involved in this. Steve Tofel said it appears that the emergency plan revolves around the internet, and they should be revisiting our plans for this type of situation in the future. Sharon agreed.



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4. Public Comment

No public comment.

5. Review of Proposal from EEI with Erica Ko and Eric Lafayette

The Selectboard reviewed the latest proposal from EEI. There was discussion around the increase in electrical which was caused by an error in the original budget estimate, and an added increase in amperage.

David Goodrich and Steve Tofel expressed dissatisfaction with EEI's process and changes to proposals.

There was discussion about the added heat pump hot water heater and the need for it.

There was discussion about the original purpose for the system change; was it to be completely off fossil fuels or to create comfort for the employees as the current system is very ineffective.

The warranties were discussed.

Motion by Sharon Harkay that we accept the EEI quote without the added heat pump water heater, for \$257,133.00, and give the Town Manager authority to sign any documents that need to be signed.

There was more discussion.

Garrett Hack suggested using on-demand hot water heaters right in the rooms where needed.

The VOTE was called by Sharon. Mary Bryant – in favor, Li Shen – in favor, David Goodrich – opposed, Steve Tofel – abstain, Sharon Harkay – in favor. **Motion passed (3-1-1).**

6. Possible Appointment to the Conservation Commission

Motion by Li Shen to appoint Janet Dowell to complete the remaining term of Kate Milligan.

VOTE by roll call; Mary Bryant – in favor, Li Shen – in favor, Sharon Harkay – in favor, David Goodrich – in favor, Steve Tofel – in favor. **Motion passed unanimously.**

7. Discussion of the Jackson Brook Road Research by Sharon Harkay and Next Steps

Attorney Margaret Jacobs, representing Denkanikota Mani and Kaja Lakshmi, was brought in via conference call.

Sharon explained what the order of and goal of the discussion would be.

Sharon explained her research and report to the Selectboard and asked the Selectboard for any questions or comments. The question is whether the town owns the road up to the Mani's property or whether it ends sooner than that. It is not up to us to decide who does own that piece of land, if not the Town, but rather up to attorneys. Then what is the next step.

The Selectboard discussed the materials Sharon presented.

The Selectboard agreed that the next step would be to contact an attorney and hire a surveyor.

Sharon then opened up the discussion to the landowners. D R Mani said he was in favor of the proposal to hire a surveyor. Attorney Margaret Jacobs said that if the Selectboard wants to determine where the discontinued portion of the road is, then they need a surveyor more than they need a lawyer.

Carolyn Hack said she was representing both abutting neighbors. She went through research that they had done, including information from Attorney Paul Gillies, the foremost old roads lawyer in Vermont, working out of Barre.



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Sharon Harkay ended the discussion a few minutes after 9:00 PM.

Carolyn said that the abutters would ask the Selectboard to follow the process and agreed that a surveyor needs to be hired.

8. Consideration to Grant Authority to the Town Manager for Underground Utility Lines and Review of Request

Motion by David Goodrich to grant authority to the Town Manager to give permission for underground utilities in the Town's right-of-way and inform the Selectboard when the requests are received. **VOTE by Roll Call**; Steve Tofel – in favor, Mary Bryant – in favor, Li Shen – in favor, Sharon Harkay – in favor, David Goodrich – in favor. **Motion passed unanimously.**

9. Review of DRAFT Pedestrian Bridge Letter to Kevin Geiger

The Selectboard agreed to the draft and a formal copy will be printed on the town letter head for Selectboard chair to sign and mail.

10. Warrants and Minutes

#48.1 \$5,502.66

Motion by Sharon Harkay to approve the warrants as presented. VOTE by Roll call: Mary Bryant – in favor, Li Shen – in favor, Sharon Harkay – in favor, David Goodrich – in favor, Steve Tofel – in favor. **Motion passed unanimously.**

Motion by Mary Bryant to accept the Selectboard meeting minutes as amended for December 5th, 2022, December 12th, 2022 and December 14th, 2022. VOTE: all in favor. **Motion passed unanimously.**

11. Anticipated Executive Session to Discuss the Evaluation/Discipline/Dismissal of a Public Officer per 1 V.S.A. §313(a)(3)(4) and discuss Department of Public Works Contractual Agreement Concerning Health Benefits per 1 V.S.A. § 313(a)(1).

Motion by Sharon Harkay to enter Executive Session at 9:28 PM to discuss the evaluation, discipline or dismissal of a public officer per 1 V.S.A. §313(a)(3)(4) and to discuss the DPW's contractual agreement concerning health benefits per 1 V.S.A. §313(a)(1) and to invite the Planning Commission Chair and Town Manager to the discussion. VOTE by roll call: Mary Bryant – in favor, Li Shen – in favor, David Goodrich – in favor, Steve Tofel – in favor, Sharon Harkay – in favor. **Motion passed unanimously.**

Motion by Sharon Harkay to exit Executive Session at 10:45 PM. VOTE: all in favor.

The Selectboard will invite a member of the Planning Commission to an Executive Session on January 9th, 2023.

The Selectboard Chair will contact the Town Attorney for clarification of the words “primary” indemnity plan, and also “single coverage” in the DPW contract.

12. Adjourn

Motion by Steve Tofel to adjourn the meeting at 10:47 PM. VOTE: all in favor.