



Town of Thetford Vermont

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

Selectboard Special Meeting Minutes Thetford Town Offices (w/Virtual Attendance Option) Monday, January 23, 2023 7:00 PM

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

Others present: Bryan Gazda (via Zoom), DPW Foreman Dale Lewis (via Zoom)

Participating community members: Sarah Martell, Joel Teenyanoff, Carole Petrillo, Tammie Hazlett, Carolyn Hack, Garrett Hack

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

1. Agenda Review

A possible appointment to the Conservation Commission was added after agenda item #5.

2. Notes from the Selectboard Chair

Sharon gave an update on Town Meeting preparations. Two students are scheduled to lead the Pledge of Allegiance, and one student is tentative for singing the National Anthem. Morning refreshments will be provided by Patty McIlvaine's journalism class. Sharon has not had any luck finding childcare or someone to provide a luncheon. As the meeting will probably not last long, Sharon is wondering if a luncheon is even needed.

3. Town Manager Report – Bryan Gazda

1. Union Village Bridge Update

Bryan said that before repairs could be completed on the bridge due to damages from last fall, the bridge was hit again by a truck from a local waste management company. The driver knew the truck was too big, but they went through it anyway. The estimate is \$8600.00 in damages. The Town shouldn't have any out-of-pocket expenses for this incident once we settle with their insurance company.

2. Green Mountain Economic Development Corporation Information Meeting on ARPA

Bryan reported on a meeting he had attended on state level ARPA spending. The individual agencies are handling the funds versus one central office, and this meeting allowed an opportunity to hear about the different programs. Bryan learned about funding that might be available from the state through some of these agencies, such as housing projects, water, and the Timothy Frost building. The HVAC system for Town Hall won't be eligible for grants as the grants won't happen until 2024.

Sharon asked if there might be any funding for businesses when the Thetford – Lyme bridge is closed. Bryan said basically there was a direct no, but an indirect maybe. Erica Hoffman Kiess would be the conduit for that situation.

3. Gravel Road Winter Material Update

Bryan said there was a change in stone material to something with a little larger and more angular stone, with the intent of mitigating mud season. When the roads started to freeze, the



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material no longer sank into the roadbed and that is what has caused the problems. The road crew has now switched over to sand. Bryan will put a notice out to collect information from residents who have experienced problems due to the road surface. Bryan apologized for the unintended consequences. Bryan did say that the stone material would be able to be used later.

Steve Tofel commented that engineers from CRREL had recommended the material and Bryan clarified that they hadn't recommended the exact material used, but that we not use such fine material as had been used.

Dale Lewis said the super grit material will come from Hartford.

Joel Teenyanoff asked if remediation of the roads or removal of the rocks would be done?

Bryan said when the crews plow the rocks will be pushed off to the side. He doesn't anticipate any more issues with the stones coming up. Bryan added that when he traveled the roads his biggest concern was stones thrown up on his windshield from a truck passing him at a pretty good speed.

Carole Petrillo expressed concerns about using this stone during mud season and asked if there was any guarantee that we aren't going to be faced with flat tires then.

Bryan replied that it would be a different scenario because the rock gets pushed down into the road. We put down a lot of stone last year.

4. Public Comment

No public comment.

5. Possible Appointment to The Housing Committee

Motion by Steve Tofel to appoint Melissa Krzal to the Housing Committee. VOTE: All in favor. (5-0-0) **Motion passed.**

Sarah Martel, Chair of The Housing Committee, asked about the term length for Melissa's appointment.

Motion by Steve Tofel to appoint Melissa Krzal for a 3-year term, ending in 2026. VOTE: All in favor. (5-0-0) **Motion passed.**

6. Addition: Possible Appointment to the Conservation Commission

Motion by Sharon Harkay to appoint Donn Downey to fill Jeff Smith's seat until 2026 at which point, he will need to be reappointed. VOTE: All in favor. (5-0-0) **Motion passed.**

7. Possible Approval of the Writing of a Watershed Grant Application by the Conservation Commission

Motion by Li Shen to approve the Conservation Commission writing and submitting a Watershed Grant Application for continued restoration of, and invasive species control on the Taylor Flood Plain parcel. VOTE: All in favor. (5-0-0) **Motion passed.**

8. Possible Approval of the Town Meeting Warning

Sharon reminded the Selectboard that they had reviewed all the articles at their previous meeting, except for articles 2 and 3, as the final numbers had not been received from the town auditor.

Bryan said the town auditor had come to Town Hall on January 16th and worked with Kristie and Tracy. It was his recommendation to utilize excess money in the General fund to pay off our



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local share of the FEMA fund. There was also an excess in the Highway fund, which was given back to the voters by lowering the rate of the DPW fund.

Motion by Mary Bryant to accept the 2023 Town Meeting Warning as presented tonight. VOTE: All in favor. (5-0-0) **Motion passed.**

9. Initial Discussion of the ARPA Survey Results

Sharon reviewed the process for compiling and sharing the survey results.

There was discussion about whether the survey results are suggestions or whether the Selectboard is obligated to follow through. In terms of housing, Li Shen pointed out that the money would not go very far.

Mary Bryant agreed saying \$20,000 could make a big difference in one category, but not be much in another category. Mary felt this is a one-time chance to improve things and did not think the money should be used just for repairs or infrastructure. What is the greatest amount we can do for the money we have?

Bryan said after the workshop today, it may be that state agencies could provide funding for a lot of the items in the survey. He will take a deeper look at the funding that might be available.

Bryan said the state was looking for rural communities to come up with projects and submit applications.

Li asked if the state money was competitive, and if so, we wouldn't know that we are going to get the money.

Bryan said there is an application process, but the money would go a long way for some of these projects. Potentially there could be money for the town garage and the Timothy Frost building.

Sharon said the Governor's budget plan doesn't give childcare providers money but opens up more money for the parents who need financial assistance. She noted that it's not ARPA money, but money in his budget. Hopefully the state will be making it more affordable for the parents.

Li commented that more money to the parents seemed like a funny way to help if the providers need more space or more funding.

Mary Bryant agreed.

Tammy Hazlett said childcare legislation is on the docket this year and she can get information to the Selectboard if they would like it.

Sharon said two places where a little money might go a long way is with two organizations that sent in requests, the Thetford Center Community Association and the Historical Society.

Steve Tofel said that he attended the same state ARPA meeting and June Tierney kept offering help. He thought if the list was sent to her, she could help prioritize.

Sarah Martel asked if the Selectboard had considered who would manage any projects that will be funded? It seemed like some really aren't the purview of the town to take on, for example, should the town be developing housing?

Steve will contact June Tierney and the discussion will be added to a future agenda.

10. Discussion of Response Letter from TRORC Concerning the Thetford-Lyme Bridge

Sharon said there was a response from TRORC to the letter sent asking them to put serious thought into whether we could encourage the state to build a separate pedestrian/bicycle bridge.



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They wrote back and did not sound encouraging at all. The Selectboard agreed that it did not appear to be something they should move forward with.

11. Follow-Up Discussion of Jackson Brook Road

Bryan said he reached out to the Town Attorney, a local researcher and a local surveyor. The paralegal from the town attorney's firm would bill at \$90 hour. This individual has a lot of experience in this field but would the fact that their office is in Burlington impact the price. A fair amount of work can be done online, but they might also have to travel to the Town Clerk's office for research. This option would be something to consider if there are concerns about any legal issues later.

Paul Donahue's rate is \$75 hour. He is a researcher that has done a lot of work in Thetford. Ethan Gilmore from Holt Gilmore Survey Associates in Woodstock recommended starting with either the paralegal or a researcher. The surveyor would work from any information either of the other two had gathered. All the title work gets done prior to the surveyor even going out. Bryan said he felt it would be better to go with the Town Attorney's office if there is the potential that we will have to be involved in or have any potential legal challenges. If the Selectboard does not think that is a concern, go with title searcher.

After discussion, the majority of the Selectboard members felt the paralegal should be hired. Bryan will contact the attorney's office.

Carolyn Hack had a statement she wanted to read to the Selectboard. Carolyn said a road could not be changed unless they have a survey, so they will have to hire a surveyor at some point. Carolyn's statement acknowledged that the Mani's have a private right-of-way across their land, but not that the town can legally take our land to extend the Class 4 Road. Carolyn said the town violated state highway statutes that pertained to the petitioning, notice and hearing. Carolyn said the Open Meeting Laws were violated because the Selectboard knowingly and intentionally excluded stakeholders from participating in this process.

Garrett Hack said when they have a survey done, they are going to end up going to the 1858 discontinuance, which will tell you that the discontinuance is at the other end of the town on Colby Road. You need to hire a paralegal to find out if the road was ever laid out or ever surveyed. Garrett said in his research he never found that out, nor did he find anything that said it was discontinued. Garrett said going back 90 years, as far as he was concerned, the road never changed, and the town has done zero maintenance on it. Garrett said the Selectboard needs to nullify their previous vote.

Sharon said they have just asked Bryan to hire the paralegal from the Town Attorney's office to do the title search.

Garrett said this has nothing to do with titles, it has to do with roads.

Sharon said her intent is not to argue but what she doesn't understand is that we keep saying that we may have made a mistake and have been figuring out how to go forward to find out if we did or didn't make a mistake. We are acting in good faith; we are spending town money to figure it out and every time you come here and accuse us of willfully doing something wrong it does nothing to advance a solution to the problem.

Carolyn said the Vermont state road statutes are clear about the process you must go through. This town did not follow that process by any measure.



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The discussion went back and forth concerning the process and whether a mistake had been made.

Carolyn said she acknowledged that it's not the board's fault, as they are citizens who are trying to do good and she appreciates that, but our town manager should have known the process. Somebody should have looked at the process before heading into this.

Mary Bryant said they would be happy to take a change in that vote, when we find out the facts, whatever they are.

Carolyn said she feels completely disrespected by this town because that legal process was not followed.

Mary apologized. If we missed something, we didn't know it. We are all learning, and she is sorry that Carolyn feels that way. We are really trying to look for exactly the best, most straightforward honest path that we can.

Garrett wanted to add that he did a lot of research, and he knows where to start, and it's going to be a waste of money to hire this person. Mary said that they have to do this. Garrett said that the burden is on you to prove that this road exists. He added that he also feels totally disrespected.

Sharon said they acted on the information they were given, and we have said repeatedly that we are willing to say we may have made a mistake and now we are trying to rectify it.

There was more discussion about nullifying the vote, violating the Open Meeting Laws, why the town would even do this and what the next steps are.

Sharon ended the discussion.

12. Warrants and Minutes

#1.1	\$194.00
#1.2	\$39,635.32
#1.3	\$29,680.94
#1.4	\$23,716.42
#2.1	\$108,905.11

Motion by David Goodrich to accept the warrants as presented. VOTE: All in favor. (5-0-0)

Motion passed.

Motion by Sharon Harkay to approve the Selectboard special meeting minutes of January 9th, 2023 as amended. VOTE: All in favor. (5-0-0) **Motion passed.**

13. Adjourn

Motion by Steve Tofel to adjourn the Selectboard meeting at 8:37 PM. VOTE: All in favor. (5-0-0) **Motion passed.**