

TOWN OF MARLBORO
REGULAR SELECT BOARD MEETING
Thursday, March 26, 2020
Town Office and Via Zoom Call Online
5:00 PM

ATTENDANCE: Present: Jesse Kreitzer, Select Board Chair (in the Town Office)

All others in attendance joined from their homes via Zoom, due to COVID-19 precautions: Julia von Ranson, Vice Chair; Aaron Betts, Member; Staley McDermet, Planning Commission Member; Mike Purcell, Hogback Preservation Commission Chair; Forrest Holzapfel, Town Clerk; and Lauren MacArthur, Select Board Assistant.

CALL TO ORDER: Jesse Kreitzer, Chair, called the meeting to order at 5:02 pm.

Changes to the agenda: *Signing of Pay Orders was moved to the end of meeting since only Jesse would be reviewing them at this meeting*

SCHEDULED BUSINESS:

Staley McDermet presented the Planning Commission's addition to the driveway permit. The Planning Commission would like to make sure that people know about the wildlife overlay. The proposed note states: "11. Please note that building or doing work more than 500 feet from a State Highway or a Class 2 or 3 town road will be within the Wildlife Habitat Overlay Zoning District and may require a Conditional Use Permit before work can begin. If contemplating work in this area, contact the Zoning Administrator for more information." The Planning Commission supports the addition of this note unanimously. The Select voted to approve the driveway permit note. (Kreitzer, Betts) Forrest Holzapfel, Town Clerk, volunteered to update the permit applications.

Mike Purcell, Chair of the Hogback Preservation Commission, joined the Select Board to review a Facility Use Agreement form, and application for use of the Hogback Mountain Conservation Area to conduct a passerine bird-banding project. The project is proposed by Eric Slayton and will take place from May-June, 2020. The Select Board approved and signed the Facilities Use Agreement. (Kreitzer, Betts) Jesse encouraged the HPC to contact Jenny Ramstetter, professor at Marlboro College, regarding the nature preserve on the Marlboro College campus.

Steven John did not log in to the meeting to give an MCUB and DV-CUD report, as scheduled. After the meeting, he sent a written report the Select Board (attached at the end of these minutes).

The Select Board approved minutes from 3/12/20. (Kreitzer, von Ranson)

OLD BUSINESS:

The Select Board tabled the discussion concerning the adoption of the Charter for Compassion, as advocated by Jim Levinson.

Lauren MacArthur, Select Board Assistant, reported that David Elliott, Road Foreman, had stated that he would support moving ahead with the installation of the Beaver Deceiver on North Pond Road, as he believes it would help keep the water level down and preserve the road. The Select Board approved moving ahead with the installation, pending landowner permission. (Kreitzer, von Ranson)

The Select Board reviewed and approved the letter to Senators Jeannette White and Becca Balint, and Representative Emily Long, expressing the sentiment of Town Meeting 2020 in support of making

Town Meeting Day a state holiday. (Kreitzer, von Ranson)

The Select Board reviewed new COVID-19 precaution protocols. Forrest reported that the door of the Town Office has been kept locked and the Town Office has been closed to the public, and essential business is being conducted by phone and email. Town Office workers are considering having just one person in the Town Office at a time. Forrest is working from home primarily, but comes to check the mail each day and is checking messages often. The listers are considering updating records via phone instead of visiting homes. The Select Board supported the idea of paying the town's hourly workers for their normal work hours, even if they are not able to work regular hours during the declared state of emergency. The Road Crew members are considered essential workers and not generally exposed to the public. The Select Board will encourage them to follow CDC recommendations for maintaining social distance and sanitizing shared vehicles, tools, and spaces.

Marlboro Cares has sent out another mailing to town residents over 60. The *Marlboro Mixer* mailing list is being used for a Marlboro Alliance mailing and can also be used for future mailings from the town.

Municipal committees and commissions will be asked to meet remotely or online. A recent bill in the legislature relaxes the Open Meeting Law by waiving the physical presence requirements, allowing for remote meetings, requiring at least a telephone number to call in, and recording of select board and school board meetings. It also allows 10 days to post minute. All of this holds true only during the declared state of emergency. Lauren will look into signing documents electronically.

Leon Knapp has been hired as the new Road Crew Member, and will start work on Friday, March 27, 2020. He is expected to complete the state-mandated requirements on Monday.

The Select Board signed the Excess Weight Permit submitted by Derrig Excavating, Inc. with the provision of restricting pass-through access to Higley Hill Road. (Kreitzer, Betts)

NEW BUSINESS:

The Select Board waived late fees for dog licenses this year. (Kreitzer, von Ranson)

The Select Board approved the Annual Financial Plan for Town Highways, to be submitted to the Vermont Department of Transportation. Jesse Kreitzer, Chair signed the Annual Financial Plan. David Elliott, Road Foreman will complete the Structures Grant application, applying for funds to resurface Augur Hole and Higley Hill Roads.

Will Shakespeare and Edie Mas, Windham Regional Commissioners, had expressed (via email) interest in reaching out to the Windham Regional Commission (WRC) to discuss how they might help evaluate the social, cultural and economic impact the closure of Marlboro College campus will have on the town. The commissioners hoped the WRC might provide financial and technical assistance in collecting data and helping the Marlboro Planning Commission develop strategic planning options for the town plan. The SB approved and encouraged WRC Commissioners Edie Mas and Will Shakespeare to reach out to the WRC for support in the wake of Marlboro College campus closure. (Kreitzer, Betts)

INFORMATION ITEMS AND MAIL:

The Select Board received a copy of the Deerfield Valley CUD Bylaws, which will likely be adopted at their next meeting in early April.

The Select Board acknowledged receipt of daily COVID-19 Situation Reports by Vermont Emergency Management.

The Select Board acknowledged receipt of the Situational Report from the Sheriff's Office.

The Select Board acknowledged receipt of the Windham Regional Commission's Wifi Map, tracking wifi hotspots in the region.

The Select Board acknowledged receipt of the ACO's report of a dog running at large and the first warning letter sent to the dog owner.

The Select Board acknowledged receipt of a copy of the letter from Kevin Quigley, Marlboro College President, the Marlboro College community, sharing the news of Marlboro College's closure for the rest of the semester due to COVID-19.

Lauren shared that she will remain in the Select Board Assistant position for the time being.

Jesse Kreitzer signed the pay orders.

The meeting was adjourned at 6:11pm.

Respectfully Submitted,

Lauren MacArthur, Assistant to the Select Board

MCUB Report to the Marlboro Select Board March 27, 2020 – Steven John, Chair

Submitted by Steven John, MCUB Chair to the Select Board, following the March 26, 2020 Meeting:

Since my previous report to this Board, the MCUB has met twice to continue our review of the proposals from Matrix Design Group and Consolidated Communications Inc. The review process has been complicated by the physical distancing required to fight the pandemic and we are unable to make a recommendation at this time.

Regrettably, I have just received an email from Matrix formally withdrawing their proposal from further consideration. In doing so, Matrix is adhering to the notification deadlines we set in Marlboro's RFP. This leaves MCUB with only one proposal to consider.

In order to recommend that Marlboro accept either proposal, MCUB realized that private funding or grants would have to be secured. Presently, Vermont statute does not permit a Town to issue a municipal bond to build internet infrastructure. MCUB's agenda for April 26 at 4:00 pm will explore possible solutions to our funding problem. We may also arrive at a recommendation to accept or reject CCI's proposal.

In the meantime, the Deerfield Valley Broadband Group (DVBG) including MCUB members has continued to meet remotely. This includes one lengthy consultation with Carole Monroe, the BB Consultant for the WRC's Broadband Innovation Grant Feasibility Study Committee. This study includes all Windham County Towns and WRC will make a final report, now delayed until Aug. -Sept. The DVBG met yesterday to discuss steps the DVCUD should take.

The DVBG is an informal group, chaired by Ann Manwaring of Wilmington. Subgroups of volunteers have done some important work to enable the DVCUD to get started without delay. The DVBG has proposed a Mission Statement and By-Laws for the DVCUD Board's approval. The by-laws follow those of the most successful CUD in Vermont, ECFiber.

On Thursday, April 9 at 5:00 pm the DVCUD representatives from Halifax, Marlboro, Stratton, Whitingham and Wilmington will meet (remotely) to organize and elect officers as required by law. Committees will be appointed as deemed necessary at this time. The Clerk of the Board will submit the appointment letters from the five SBs to the VT Secretary of State, to register the DVCUD as a legal (municipal) entity. The DVCUD Board will then be regulated by the CUD statute and subject to the requirements of Vermont's Open Meeting Law. The DVBG members will be attending this initial meeting of the DVCUD.

As the work of the DVCUD proceeds to include planning and overseeing all aspects of what is needed to provide universal highspeed internet access for all locations, I look forward to the MCUB continuing its work. In so doing, MCUB will provide timely advice and recommendations to Marlboro's Representative (Steven John) and two Alternates (Bob Anderson & Bill Esses) re: the work of the DVCUD Board.

Allow me to publicly recognize all of members of the MCUB for their generous commitments of time, energy, expertise and judgment since appointed by the SB last June. I know representatives on the DVCUD Board can count on the MCUB help realize its Mission.