

Minutes

Town of Marlboro, VT Select Board Meeting

Thursday, October 26, 2023

Call to Order @ 6:02pm

Attendees: Molly Welch – SB Vice-Chair; Jeff Skramstad – SB Member; Nick Morgan – SB Assistant/Town Admin; Rebecca Sevigny – Asst. Treasurer; Kate Kirkwood – Energy Committee (ZOOM); Andrew Richardson – Highway Supervisor; Mary Sargent – Zoning Admin; Tim Segar – Planning Commission; Ryck Morales – SBA; Jim Herrick, Jean Boardman – Residents.

It was noted that Jim Agate – Chair was unable to attend, but with Welch & Skramstad there was a quorum, so the meeting proceeded.

Regular Select Board Meeting Agenda

Identify Any Changes to Agenda: None

Scheduled Business:

Unscheduled Open Public Comment:

Ryck Morales of the SBA came to advise the Select Board of various programs available through the SBA for both the municipality and individuals for assistance after declared disasters should FEMA assistance be unavailable. Mr. Morales provided a collection of literature for the Board's review as well as extra copies for any resident to review as well. The Board asked Mr. Morales if he could send more copies of the literature so it could be available to residents and Mr. Morales noted that he would certainly do so.

Nick also took the opportunity to speak for Brook Castle who had called earlier in the day and was unable to attend to report that there have been several "flat tires" due to an unknown cause over on Grant Road. The cause of the situation is unclear as Brook did not have information from the tire repair people. Nick noted that he advised her to try and find out from them if they could identify a cause (i.e., nail, glass, etc.,) and that he told Brook he would bring this situation to the attention of the Board and the Highway department and report back to her.

Approval of Minutes from October 12, 2023 (Welch/Skramstad – Passed unanimously)

Signature of Pay Orders - Done

New Business

Review of Upcoming Zoning Amendments & Education District: The Planning Commission has developed several amendments to the current Zoning Regulations which have gone through the PC's procedures and public hearings and have been presented to the Select Board for their review and subsequent Public Hearing prior to being presented to the residents for approval on the upcoming ballot. As part of this process, the Zoning Administrator noted additional issues in the regulations, especially regarding Potash Hill, the EDU Zoning District, & work that Potash Hill is looking to do on the former Marlboro College property. Ms. Sargent (Zoning Administrator) has consulted with Town Attorney Bob Fisher about this issue as well as others, as in her position and responsibility to enact the regulations "as written" need some distinct clarification. The Board noted that these issues were highly involved and intricate and that before moving forward the Board should hear from the attorney on these issues beyond the PC approved amendments already submitted. Nick took the action item to reach out to Bob Fisher and invite him to the next meeting on 11/9/23 to discuss the Zoning Regulations moving forward and the particular issues of :state requirements for an organization can be denoted as an educational institution (state certification) and therefore qualify for an EDU designation; the process of redesignating the current EDU as a PDU; can a waiver be granted to Potash for the "Winter" project they have requested. In discussion, Mr. Segar noted that revamping the regulations on these issues would take many months and as such would not be done in time for the March, 2024 ballot, nonetheless, all parties felt that the process should be started (which led to the request to have Bob Fisher attend the next meeting).

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The next item discussed was the amendments presented to SB by the PC. Nick laid out a timeline for the SB to review, discuss, and hold their public hearing (at 12/7 or 12/21 regular SB meeting, providing adequate time to publicly notify the hearing and potentially submit the amendments on the ballot) on the existing amendments. Jim Herrick asked for time to address the amendment(s) referencing “Offroad Vehicular Way” and how the regulations set up some inherent conflicts between property boundaries and required setbacks, that incidentally impact smaller property owners who have limited road frontage for driveways, etc. The Board noted Mr. Herrick’s notes and agreed to review the amendments with his thoughts in mind. Ms. Sargent also had some issues with amendments 1-3 in terms of confusion, enforceability, and conflicts with other regulations. As well, she also noted issues with the “Wildlife Overlay” (as did Mr. Herrick, who mentioned this as well). As the person charged with monitoring and enforcing the Zoning Regulations, the Board noted Ms. Sargent’s points and felt strongly that a deeper dive into the issues needs to be made and the discussions with the Attorney would also aid in this area as well. Nick asked Ms. Sargent to provide him (email) with more specifics on her thoughts on the amendments so he could provide them to the SB for their review. Ms. Sargent agreed to do so.

Motion: Table further discussion until consultation with Town Attorney Bob Fisher. (Skramstad/Welch – Passed unanimously)

Treasurer Department - General Update: Assistant Treasurer Rebecca Sevigny came to the Board to present general updates on the financial reports available and reviewed expenses and income, the status of tax collections (paid, due, etc.), and with Andrew reviewed Highway maintenance expenses and the type of data available for future review. No action was needed, and the Board thanked the Assistant Treasurer for these updates and looks forward to continuing these reviews once a month.

Highway Department:

- **Salt Bids:** Andrew advised that he sent out four requests for bids on this winter’s salt needs, noting that two were “no bid” (Eastern & Ameridon) and received bids from Cargil and Apalachee Salt. While Cargil was slightly cheaper per ton (@ \$97.50/ton), they have issues with mid-season deliveries (which the town needs to count on due to limited salt storage space) that could leave the town without enough salt at a crucial time. This being the case, the Board and Andrew agreed that it was better to go with Apalachee at \$106/ton as the cost difference is minimal and they are much more dependable with mid-season deliveries. **Motion: Approve the acceptance of the Apalachee Salt Bid at \$106/ton and authorize Highway Supervisor to proceed. (Skramstad/Welch – Passed unanimously)**
- **Article for Equipment Fund:** Andrew presented the Board with a proposed article for the 2024 ballot concerning the funding of an Equipment Fund for the Highway Department. The Board briefly discussed the article and noted that it would be included in the draft ballot for discussion with town residents at the next Town Warning/Ballot information meeting on 11/18/23.
- **Camera at Recycle:** Nick reported that he was meeting with the Town’s security contactor on Tuesday to review the Highway Garage and Recycling Center to see about the feasibility and cost of installing a camera to monitor the Recycling Center and Fuel tank at the garage. Once a quote is available, Nick advised he would report back, and the Board could decide on which way to go.
- **New Potential Grant for Garage improvements beyond MERP:** While working through the MERP program, Nick advised that another Federal Grant might be available for improving and updating the solar panels at the garage. Nick will be working with Energy Committee Chair Kate Kirkwood on exploring this option to see if the town would qualify.
- **Approval to Submit RFP for Contractor for Garage:** In order to move the Mold Remediation at the town garage forward, Nick asked the Select Board for approval to put out an RFP (on the VT Business Registry) for a contractor to handle the full process and quote the town a price for the work (including the remediation, any construction needed, and work to prevent future Mold growth). **So Moved – (Skramstad/Welch – Passed unanimously)**

2024 COLA Percentage: Nick advised the Board that the Federal Government announced the 2024 COLA will be 3.2% and reminded the Board that this is the percentage used to provide salary increases for Town employees. No

action was taken at this time pending input from the Treasurer.

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Update on Village Center Project: Jeff reported that there was no new news on the project at this time.

Conservation Commission Membership changes & approval of new member: The Conservation Commission advised that two members have left the Commission (Kosta & Fant) and asked the Board to approve a new member (Christina Schneider). **Motion: Approved Christina Scheider as a new member of the Conservation Commission. (Skramstad/Welch – Passed unanimously)**

Halifax Local Hazard Mitigation Plan: halifaxvt.com/wp-content/uploads/2023/10/Halifax_LHMP-10-23-DRAFT-plan.pdf : Nick noted that the Town had received Halifax's hazard mitigation plan and it was available for review at the indicated link.

Old Business:

Town Administrator Report:

- Joshua Perl Driveway permit: Nick presented the driveway permit (already approved and signed by Highway Supervisor) for Select Board signatures (noting that as Jim was not present would get his signature on Friday).
- Election to Participate in MTAP: The Federal Government has provided funds to Vermont's Regional Commission (Marlboro's is the Windham Regional Commission) to assist smaller municipalities (Marlboro qualifies) in navigating Federal grants and programs. The WRC has not established their protocols yet as this is a new program, but in preparation, a town can elect to participate and notify the WRC of its intention. **Motion: Advise the WRC of Marlboro's desire to participate in the MTAP. (Skramstad/Welch – Passed unanimously)**
- In Person EM Training (winter): Nick requested that the Board provide some good dates to request this in-person training on Winter Emergency Management. The Board agreed to do so.
- FEMA Update: The paperwork and processing of the Town's request for FEMA funds to reimburse the town for its expenses for road repair due to the July flooding are progressing well and should be completed by the end of November 2023, well within deadlines.
- MERP Update: The Building Assessment portion of the MERP program has been approved for both the Town Office and the Highway Garage and the appropriate MOA signed. Marlboro is in "phase 2" and the assessments will most likely happen right around the New Year or a little later. Once the assessments are completed the Town will have a good idea of what projects can then be submitted for the implementation phase of the MERP.

Motion to Adjourn @ 7:33p (Welch/Skramstad – Passed unanimously)