

## **Minutes**

### **Town of Marlboro Select Board Meeting**

**Thursday, June 13, 2024 @ 6pm – Town Office & Via Zoom**

#### **BEGIN ZOOM RECORDING:**

**Attendees:** Molly Welch – Chair; Jeff Skramstad – Vice-Chair; Kate Kirkwood – Member; Nick Morgan – Town Admin/SB Assist; Rebecca Sevigny – Acting Treasurer; Andrew Richardson – Road Supervisor; Evan Wyse – Asst. Town Clerk/Del. Tax Coll.; Marcia Hamilton, Haley Elisha, Brandin Burdick, Lisa Vorel, Mathew Conlon, Mark Schmitter, Jesse Anderson, Christine White, Ron Nelson, Brenda Kelly – Residents; Dan Cotter – Potash.

**Call to Order @ 6:00pm**

**Sign Guidelines of Conduct - Done**

#### **BEGIN ZOOM RECORDING:**

**Call to Order @ 6:01pm**

**Sign Guidelines of Conduct - Done**

#### **Regular Select Board Meeting Agenda**

Identify Any Changes to Agenda:

**Scheduled Business** (*Note: Times are approximate*):

6:00-6:10p **Unscheduled Open Public Comment:** Haley & Brandin asked to make comment on speeding issues in the town center, the Board advised them, that this topic was on the agenda already and if they were willing to wait for those items to be discussed, they both agreed and halted their public comment until later in the meeting.

6:11p **Approval of Minutes from May 23, 2024 – (Welch/Skramstad – Passed unanimously)**

6:11p **Signature of Pay Orders - Done**

#### **New Business**

##### **Highway Dept:**

*Lake Road Residents Requested Time: (Please note that the following is not a transcript of this session, should a complete record of the following be desired, an audio recording is available using on the Marlboro Soundcloud page link which can be found on the Select Board page of the Marlboro Website- <https://marlborovt.us/>.)*

The residents (see names below) of Lake Road (running along Sunset Lake) came before the Board to advocate that Lake Road not be “privatized”. Prior to having the residents speak, Jeff Skramstad advised the attendees that the Board very much is looking forward to hearing from the residents, but noted strongly, that the Board is just beginning to look at Marlboro Road standards and that there is no current decision (or even discussion) of “privatizing” Lake Road. Notwithstanding, Jeff was glad to have the Lake Road residents express their thoughts and concerns.

Lisas Vorel who was acting as the lead spokesperson for the group noted that the residents would speak in their order of where their land is on the road. Both Jesse Anderson and then Lisa Vorel (speaking for her father) read statements into the record (these statements have been included with these minutes as addendum). The main thrust of both of these statements noted that the residents of Lake Road are fully tax paying landowners in Marlboro and as such, feel and believe that Lake Road should be treated just like every other Marlboro roadway. It was further noted that the Lake Road residents do much to maintain the general area and are open to the use of the road for tourists and others to access Sunset Lake (boating, etc. but no swimming). It was further noted that services (fire, police, etc.) are minimal and that any “negative” change to Lake Road’s status (i.e., privatization) would be untenable.

Mark Schmitter spoke next, seconding what both Lisa and Jesse had stated in their statements and added that while the road is used by many visitors to Sunset Lake, the residents have found that these people are very conscientious about cleaning up after themselves and posed the situation that if the road was “privatized” who would police this, putting the residents in the position of acting as the authorities.

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Highway Dept: - Lake Road – (continued):

Next Matthew Conlon, who noted his family has owned their land since 1939, also back the previous statements and additionally noted that everyone on Lake Road are good neighbors and strongly look to preserve the status quo. Brenda Kelly was next to speak noting also noting that those “non-residents” using Sunset Lake are “good” users and treat the area with respect and do their best to be aware of the ecosystem and the environs of the Lake. She noted that should the road be “privatized”, a burden of maintaining a gate and policing use of the road would be an undue burden on the current landowners and potentially cause other problems associated with use of Sunset Lake. Christine White added that it is very important for the Town and the Select Board to consider what the landowners on Lake Road have contributed to Marlboro versus what costs may be associated with maintaining the current status of Lake Road (Class 4).

After the presentations by the Lake Road landowners, Jeff endeavored to make reassure them and any who review the meeting minutes or recording that the Select Board is just at the very beginning of a process to in determining road standards for all town roads. Also, the Board is also just starting to gather information from town residents, the State Agency of Transportation, and the Windham Regional Council on how best to proceed with maintaining the town’s roads to best serve all town residents.

Jeff and the rest of the Board thanked the Lake Road landowners for coming and providing their information and opinions and advised that they are always welcome to attend any Select Board meeting (or request time at a meeting) if they have more to contribute, again, assuring them that there are currently no plans to privatize Lake Road.

*General Discussion on the Necessity of Speed Calming in the Town Center: (Again, please note that the following is not a transcript of this session, should a complete record of the following be desired, an audio recording is available using on the Marlboro Soundcloud page link which can be found on the Select Board page of the Marlboro Website- <https://marlborovt.us/> .)*

The Board was scheduled to discuss the report created by Vtrans with suggestions for speed calming in the Town Center and to discuss the possible installation of speed bumps in the town center. As residents, Haley and Brandin had requested an opportunity to discuss this issue, the Board provided this time for them to express their thoughts, concerns, and opinions.

Haley began with an appeal to the Board that the speeding through town issue has become even more important recently, reporting that dogs & cats have been hit and killed on South Road (including her own pet). She stressed that it was crucial that South Road be safe, and that the importance was not just concerning pets, but with the nature of the South Road, children (and adults) are at risk as well, and something must be done to prevent a possible tragedy. Brandin also added his support to Haley’s comments and added that the situation has, in his opinion, gotten to the point where the children on South Road are being forced to avoid the road and even have to stay indoors. He further spoke about how this has been an ongoing problem and is only getting worse. Nick advised that he will be asking for the Sheriff’s Office for more Deputy Time on South Road and Brandin noted (and Haley concurred) that often they are not in the Town Center (more frequently out at the intersection with Route 9) and even when they are in town, they are not actively stopping speeders and writing tickets. Andrew noted that writing tickets to speeders could be the best deterrence. Nick took the action item to speak with Sheriff Mark Anderson, to not only get the mobile radar feedback signs for the month of July into August, but to also request additional Deputy time (above contracted hours) and to advise him and insist that the Deputies issue tickets and not warnings to speeders. In addition to the increased signage and more vigilant Sheriff coverage, the Board directed Nick to price out “movable” rubber “speed bumps or tables” & appropriate “warning speed bump ahead” signs, seek Vtrans approval of their installation and discuss with the town’s attorney if there are any issues.

Andrew took the opportunity of this discussion to assure both Haley & Brandin and all residents of Marlboro that he is equally concerned about this issue and is open to discussing anything that may be of help in solving this issue. He also noted that the Town should just budget for the radar feedback signs and just get them installed rather than continue to reply for small grants that have so far been rejected.

Highway Dept: Speed Calming (continued):

Haley brought up the possibility of changing the width of the road to influence drivers to slow down, the Board agreed to look into this with the Highway Department and Vtrans to see what this would entail and make sure reducing the road width does not cause other problem. Haley also asked about a plan that has worked in other towns where the road is narrowed to the extent that it becomes “one lane”, where drivers need to wait if a car is driving in the other direction. (similar to a covered or narrow bridge). The Board noted that this had been presented to previous Boards but at the time was deemed “not the right” solution for a winding road such as South Road. Nonetheless, the Board agreed to reach out to the WRC to revisit this plan and begin discussions on feasibility. The Board tasked Nick to contact the WRC on this plan and to see if they or other State agencies have other solutions. The Board also noted that the “Town Center Plan” that has been initially developed will address many of the issues (crosswalks, more stop signs, etc.) is still in progress. Kate suggested a small committee to specifically address the speed calming issue, Jeff noted that the Town Center Plan Committee is still active, and he will make the speeding issue a major component of their discussions and to develop ideas that can be implemented as soon as possible.

The entire Board and Andrew thanked Haley and Brandin for their contributions, urged them to continue to present their thoughts and ideas to the Board, strongly advised them that this is a major issue to them and would work diligently to solve this issue, and urged both to feel free to express their issues any time.

*Crosswalk on South Road at the Music Festival Campus:*

Dan Cotter came to the Board to request permission to put a crosswalk on South Road between the parking lot and Persons Auditorium on the campus. While the Board had no objection, Nick advised that technically, approval from Vtrans needed to be obtained before any “traffic” infrastructure (which a crosswalk classifies as) can be installed on a town road. Dan completely understood and wanted to make sure all the regulations were followed, and he and Nick agreed to proceed with contacting Vtrans to find out and start the process. Nick advised the Board that he would advise the process and that they would ultimately have a final say once the process was completed.

*General Updates:*

Andrew reported that new Crew member Matt is very close to getting his CDL. Also, the work project (trenching, drainage, etc.) near Houghton Road has been completed and the North Pond Road project (culverts & ditching) is about half completed and the work is going well.

Motion to enter Executive Session at 7:13p (Welch/Skramstad – Passed unanimously)

**Executive Session**

Motion to return to regular order out of Executive Session at 7:39p (Skramstad/Welch – Passed unanimously)

Treasury Department:

*Quarterly Report:*

Rebecca provided the Board with Quarterly Reports of the Town Budget and Finances for them to review and bring her questions at a subsequent meeting. She also discussed the handling of Delinquent Taxes going forward. All Delinquent Tax funds have been moved from a previously separate bank account at M&T bank to an account at the town’s main bank (Community Bank) to streamline the process of transferring the funds. The Board suggested and Rebecca concurred that all current Delinquent Tax funds be noted as including all fund (premium, interest paid, payments, etc.) and that going forward all these differing categories be separated in the accounts to improve tracking moving forward.

Rebecca noted that the Tax Anticipation Line of Credit (\$850K) has been drawn down by approximately 85% (mostly to cover payments for the school). She anticipates that everything should be paid off as required by December as Tax Revenue starts arriving. She did advise the Board that the Town had received a \$63k refund from the school district as an adjustment to the calculation method resulted in an overpayment by the town.

*Vermont Child Care Contribution – Tabled*

*Cemetery Funding:*

All funds for the Center & King Cemeteries have been combined into a single bank account, which will allow for greater potential investment income when funds are not required. While the actual funds will be merged into this single account all funds will be accounted for and monitored separately.

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### Treasury Department: Cemetery Funding (continued):

Marcia Hamilton reported that she hired a gravestone company to repair stones in Center Cemetery. It is the same company (Shea Monument Company) used at Clark Warren Cemetery. Marcia further noted she would soon meet with them at Center to assess which stones would be repaired first with the \$2,000 that was budgeted for that purpose. Also, Marcia noted that Rebecca knew about the meeting with the crew and that the \$2,000 would be paid out soon. Marcia noted her intention here was to keep the Board apprised of the ongoing activities so they would be able to review the incoming pay orders with the appropriate knowledge.

### *General Department Updates:*

Rebecca reported that she is continuing with her streamlining of the Town's banking, reducing the number of banks where the town holds its account which will result in greater ease of monitoring and, when necessary, transferring funds between the appropriate account.

She has also revamped the "pay order" process so that the Board will have an easier time approving and monitoring payments (will be a monthly process now, with the exception of Payroll). The Board was greatly please to hear this.

Finally, Rebecca reported that she is instituting a new system where checks received by the town can be scanned at the office and batch submitted to the bank. During tax season, this system will save a great deal of time, not only in the deposit process but also in terms of her or someone else having to drive from Marlboro to Brattleboro to make the actual deposits. The Board also thought this was a great move.

### *Tax Collector Compensation:*

The Board discussed the compensation for the current Delinquent Tax Collector (Evan Wyse), rather than the previous plan where the Collector received percentage of Delinquent Taxes received, the Board felt it was more appropriate for the remainder of this term (through the 2025 elections) that the Collector receive an hourly rate of \$23.52/hour.

**Motion: Approve the rate of pay for the Delinquent Tax Collector for the remainder of his term (through the 2025 elections) to be at \$23.52 per hour. (Welch/Skramstad – Passed unanimously)**

### Windham County Sheriff's Office:

#### *WCSO FY 2025 Contract:*

After a review of both the General Contract and the ACO "One-off" contract, the Board took up the following motion:

**Motion to approve and sign both the WCSO FY 2025 General & ACO "One-off" contracts as submitted by the WCSO. (Welch/Skramstad – Passed unanimously)**

#### *Request Additions WCSO Deputy Time:*

In an effort to assist in speed calming through town, Nick requested that the Board approve an additional 8.5 hours of Deputy time per month (bringing total Deputy time to 20 hours/month). Based on the town's contract this additional time would be at a rate of \$65/hr. Prior to making a decision, Jeff suggested that using this time two hours per week on different days in and around "rush" hour, to have the greatest impact on speeders. As previously discussed earlier, Nick advised that he would insist with Sheriff Anderson, that the deputies be located in and directly around town, not out on Route 9, and that they actually write tickets (as a deterrence) rather than issue warnings.

**Motion to authorize Nick to request additional hours of WCSO deputy coverage in town up to 20 hours/month including hours allocated by the current contract. (Skramstad/Welch – Passed unanimously)**

#### *Regional Policing Meeting at WCSO 6/21/24 -130-230p:*

Nick advised the Select Board that there will be a meeting on 6/21/24 at the WCSO in Brattleboro to continue to discuss a regional policing plan that the Sheriff is developing. Nick noted he will be attending and let the Board know that they are welcome to attend as well, they just have to let him know so he can advise the Sheriff's office.

## **Old Business**

### Town Administrator Report

*Revising Dog Ordinance Review & Amendment:* Nick asked the Board if they wanted to begin the process to revise the Dog Ordinance to correct the impoundment cost section. The Board requested that Nick start the process.

**Old Business (continued)**

*Open Meeting Law Changes:* Nick noted that as of 7/1/24, there have been changes to the “Open Meeting Law”. The major points are that as of 7/1/24, while “hybrid” meetings are allowed, someone from the group holding the meeting must be at a physical location so that any attendee can attend the meeting in person. Additionally, effective 1/1/25 all groups under the “Open Meeting Law” must attend a mandatory training session. Information on when and where this training will be conducted will be forthcoming.

Town Administrator Report (continued):

*Guests for future meetings:* Nick advised that Marlboro’s State Senator Nader Hashim will be attending the 7/25/24 meeting. The Board also requested Nick invite State Representative Emily Long and to look into possibly getting either the actual person or their representative (Bernie Sanders, Peter Welch – Senators, & Becca Balint – Congressional Rep).

*FEMA Update:*

The Town has been approved for their funds from FEMA for the July 2023 Rain/Flood event and should have the funds in 3 weeks or so. Nick advised that he would keep the Board updated if there are any glitches in the process.

*Garage Mold RFP update:*

The Board has received and reviewed three bids for the Mold Remediation project at the Town Highway Garage. None of the three quotes included the “rebuilding” of the interior after the remediation. There was one clearly superior bid for the project and at the request of the Board, Nick is requesting past customer references and any potential thoughts, bids, etc. on the reconstructive portion of the project. Nick took the action item and is hopeful to have more complete information by the next SB meeting.

**Motion to Adjourn @ 8:28p (Welch/Skramstad – Passed unanimously)**