

Minutes

Town of Marlboro Select Board Meeting

Thursday, June 27, 2024 @ 6pm – Town Office & Via Zoom

BEGIN ZOOM RECORDING:

Attendees: Molly Welch – Chair; Jeff Skramstad – Vice-Chair; Kate Kirkwood – Member (via ZOOM); Nick Morgan – Town Admin/SB Assist; Rebecca Sevigny – Acting Treasurer; Andrew Richardson – Road Supervisor; Forrest Holzapfel – Town Clerk; Hallis Burbank-Hammerlund, Hollie Bowen – King Cemetery Committee; Marcia Hamilton (via ZOOM) – Resident.

Call to Order @ 6:00pm

Sign Guidelines of Conduct - Done

Regular Select Board Meeting Agenda

Identify Any Changes to Agenda:

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

Unscheduled Open Public Comment: None

Approval of Minutes from June 13, 2024 (including amended text) – Welch/Skramstad – Passed Unanimously

Signature of Pay Orders - Done

New Business

DVFiber Status – Steven John – Tabled (S. John unable to attend)

Treasury Dept:

VT Child Care Contribution: Rebecca came to the Board to discuss a new VT Child Care Contribution Payroll Tax instituted by the State effective 7/1/24. She explained that the tax (0.44% of Gross Wages earned by all employees) is required to be paid. Employers can either cover the entire amount or pass along 25% (0.11%) to the employee as a deduction. Rebecca reviewed the cost to the town (approx. \$1,852.40/year) and the impact should the Town elect to share this tax burden with Town employees (0.33% for Town & 0.11% for the employee). Jeff noted that as the Town does pay the entire cost of Health Care coverage, perhaps, this tax should be shared, but at the end of the day, the dollar amounts are low enough, and the difference between the two options is so small, that it would be better, in terms of employee/employer relationship, for the Town to cover the entire amount. Along with the employee/employer contribution question, Rebecca brought up that the Town would like to move all temporary/contracted employees to a 1099 payment method, which would alleviate having to consider how this tax would apply to those employees. **Motion: To approve the Town to cover all 0.44% of the VT Child Care Contribution (tax) for regular employees (FT & PT) and move to a 1099 payment method for all temporary/contracted employees. (Skramstad/Welch – Passed unanimously)** Rebecca noted after this Motion that she would be sending out emails to employees to advise them of the tax and this decision by the Board and also notify those who qualify of the move to 1099 status.

Include JuneTeenth (Federal Holiday) as Town Paid Holiday: The question of including the new Federal Holiday, JuneTeenth, in the Town's list of paid holidays was brought up. After a brief discussion the sense of the Board was to include the Holiday for the time being and during the review and update of the Town's Personnel Policy planned for this summer, the complete list of paid holidays could be reviewed, and decisions made on all dates. **Motion: To approve the inclusion of the Federal Holiday JuneTeenth as a paid holiday for Town employees who qualify for paid holidays. (Welch/Skramstad – Passed unanimously)**

General Updates: Rebecca also reported that the Town has received notice that the required insurance policy for the Marlboro Fair has been put in place.

Marlboro Select Board Minutes – June 27, 2024 – Page Two

General Town Issues (note that there was a change in the order items were discussed):

Garage Mold Remediation Quotes: Nick advised and asked the Board for their input on the existing bids, noting that the Quality Restoration bid was the best in terms of cost as this time and that he has submitted a number of questions to Quality, including the Board's request for references from previous customers. Nick asked the Board how they wanted him to proceed, given that all of the bids covered remediation only. After some discussion, the Board asked Nick to go back to our existing "bidders" to see if they have contractors, they work with who can bid on the job, and to begin the process of sourcing area contractors to bid on the reconstruction. Nick noted that he has found one (GPI) and would research others who may be able to take and quickly finish such a straightforward job. He and the rest of the Board agreed that this would be a go next step and Nick advised that he would start this search.

Windham County Sheriff FY 2025 Contract: At the instruction of the Board to help calm speeding on South Road approaching and going through the Marlboro Town Center, Nick approached the WCSO to see if the FY 2025 contract (July 24 – June 25) could have an expanded number of monthly Deputy coverage in Town, to specifically station themselves in the Town Center to inhibit speeding and if necessary, write tickets. Nick reported that requesting additional hours (8.5 hours in addition to the contracted 11.5 hours) within the existing contract would be the same cost as simply entering into a new FY 25 contract with 20 hours of Deputy time per month. The old contract with 11.5 hours was \$750/month, while the new \$20 hour contract would be \$1,279/month. The Board agreed that in order to address the speeding issue, the Town should agree to and sign the 20-hour contract. **Motion: Approve and sign the 20-hour contract with the WCSO. (Welch/Skramstad – Passed unanimously)**

King Cemetery (Forrest et al.): The group working on the King Cemetery expansion consisting of Forrest Holzapfel, Hollis Burbank-Hammarlund, Hollie Bowen, & Catharine Rhodes (not in attendance) came before the Board to review the status and plan for the King Cemetery expansion along Fox Road. The Committee presented a video detailing the plan for the expansion – the video can be found here -> <https://youtu.be/XRwpOQmRxRw?si=KNzCflo9CYkA0bWT>. This link will also appear on the Town's website next to the link to these minutes. Also, the rules and regulations for King Cemetery are attached as an addendum. Briefly, the plan calls for 150 total plots for cremated remains (capable of 4 internments to facilitate "family" plots) and 92 "green" burial plots (capable of 1 green internment and 4 cremation internments to also facilitate "family plots). The plan calls for "green" burial in line with Vermont State standards to preserve land quality. The expansion will be fenced using several granite pillars connected by stout black coated chain (coating inhibits chain being cut easily and maintains color and appearance of the chain). The group brought a sample of the chain for the Board to examine. The group noted that the initial final setup of the cemetery expansion would cost approximately \$20,000, which would be easily covered by the first 30-40 plots sold which the group also noted, based on expressed interest, would go quickly and cover the startup expenses.

Other aspects brought up were:

- Forrest noted that expenses for King Cemetery and maintenance of Center & Clark Warren cemeteries are a Town (and hence taxpayer) responsibility and must be done.
- Hollis announced that the King Cemetery website is ready to be launched and will be shortly.
- Hollis also noted that the group will be presenting the plans at a meeting at the MCC on 7/20/24.
- Rebecca is determining the best way to schedule and pay for maintenance at the Town's Cemeteries.
- The group noted that they are finalizing the rules for monuments and plaques at/on grave sites. Initial thoughts are to allow a single monument per plot (Family name?) and ground level individual plaques on the separate grave sites.
- In order to most effectively (and conform with statute) manage the Town's cemeteries, Forrest advised that the Board (Town) should create an official Town Cemetery Commission, which would be tasked with administrating the Cemeteries, while following all Open Meeting Law mandates and procedures. The process for creating this Commission is still being determined and the Board noted that it would work with Forrest and other concerned parties to develop this commission.
- In order to most efficiently continue with the King Cemetery expansion, the Board named the current group to form the King Cemetery Committee. **Motion: Approve the creation of the King Cemetery Committee to administer the King Cemetery Expansion (including maintenance) whose members will be as follows: Forrest Holzapfel, Hollis Banker-Hammerlund, Hollie Bowen, & Catharine Rhodes. (Welch/Skramstad – Passed unanimously)**

Marlboro Select Board Minutes – June 27, 2024 – Page Three

King Cemetery (Forrest et al.): (continued) – Marcia Hamilton joined the meeting and Molly asked if she had anything to add to the discussion. Marcia noted that she is the President of the Clark Warren Cemetery Improvement Corporation that works to maintain the Clark Warren Cemetery and added that she has recently seen many stones falling in Center Cemetery and has previously worked with Linda to get funds in the budget to fix and rehabilitate these stones. She is in the process of doing this work and would continue to do so as more funds become available in the budget. While thanking Marcia for her work, Hollie noted that there is an organization (VT Old Cemetery Association) that works to train people in the methods to maintain and fix stones. Marcia noted that she was a member of this association.

Update on Speed Bumps – Nick noted that he is researching costs of the mobile speed bumps and would have more information for the 7/11/24 meeting when Colin Bratton will be attending to review Vtrans requirements for installing these.

MERP Next Steps – The Town was advised via email (sent to all Vermont Towns involved in the MERP program), that due to the rules and regulation of the MERP program, most of the implementation funds that at the start of the program was advertised as upwards of \$500,000 would be available for all towns to apply for. The recent communication from the WRC has indicated that funds will not be available to all towns, but that the available funds will be distributed to only about 25% of towns who are recognized as being energy deficient. When this notice was received, Forrest felt it was necessary to react to this new information, that dramatically changed the program, despite all the work the Town had already done to qualify. Forrest sent an email to the WRC representatives expressing his disappointment and frustration with this apparent change. Forrest noted that the WRC has responded and that they are currently working to find out exactly what the status of the implementation grants is. Forrest also noted that the response from the WRC was very supportive and that there is hope that the situation will change. It is basically “wait and see” for the time being.

Highway Dept:

Notice that Colin Bratton will be attending 7/11/24 meeting to discuss speed calming actions – Nick advised and reminded the Board that WRC’s Colin Bratton would be attending the 7/11/24 meeting with notes and information on how the Town can proceed with speed calming actions (speed bumps, signage, etc.).

Road Foreman & Road Chief Job Description – Andrew came to the Board to discuss two new job descriptions Andrew had written for the Highway Department. His goal is to create a new structure where there will be a top position (Road Commissioner, Road Chief, etc.) which would basically be the same position as he is in now, but would enable the creation of a “second” in command, should Andrew be unavailable and would work to carry out the jobs and tasks as set forth by him. Andrew and the Board discussed what to title these positions. The “second” in command would be called the “Foreman”. There was discussion of whether using the term “Road Commissioner” carried some statutory requirements, or whether the Select Board could define the position however it wanted to. It was put forth that this would be a good topic to bring up with Colin at the next meeting, and asked Nick to convey this to Colin so he might have some time for research. Discussion also centered on how position needs to be handled in terms of handling it as a promotion or a new job with a whole hiring process. Andrew also noted that should this “Foreman” position be adopted, he would like the employee to receive a \$1.00 boost in salary in addition to the yearly COLA increase due to the increased responsibility of the position. As this was just the initial discussion, this question was put aside for the night and Nick noted that he would investigate what needs to happen, both with filling the Foreman position and what to call the Department’s top position.

Town By-Law on New Construction that puts electrical under town right of way: Andrew noted that there have been a couple of situations where residents are looking to bury electrical lines under the roads (and within the Town “right of way”) and would like the Board to create a “by-law” and form that needs to be filled out and approved by both the Highway Department and the Select Board. Nick commented that he had spoken with Town Lawyer, Bob Fisher, who noted that such a “by-law” did not need to be added to the Highway Ordinance but could be adopted under established VT State regulations. Nick also noted that Bob Fisher will be at the 7/11/24 meeting to review this issue with the Select Board and provide advice on how to proceed.

Marlboro Select Board Minutes – June 27, 2024 – Page Four

Board moved to Executive Session to discuss personnel issues @ 7:28p. (Welch/Skramstad – Passed unanimously)
Board returned from Executive Session to resume regular order @ 7:38p (Welch/Skramstad – Passed unanimously)

Marlboro WRC Board Representative and Town Officer Appointments:

The Board considered and voted on the following appointments: Ellen Dudley for WRC Board Nominate and reappoint Susanne Shapiro as Marlboro Health Officer.

Motion: Nominate and approve the appointment of Ellen Dudley as the second Marlboro representative to the WRC Board and reappoint Susanne Shapiro as Marlboro’s Health Officer. (Welch/Skramstad – Passed unanimously)

Old Business

Town Administrator Report: Nothing to report.

Motion to Adjourn @ 7:40p.

A6/27/24 SB Meeting ADDENDUM – KING CEMETERY RULES AND REGULATIONS:

HBH / DRAFT 3.29.24

**KING CEMETERY
(New Area)
Fox Road, Marlboro VT**



RULES & REGULATIONS

For the mutual protection and benefit of King Cemetery plot owners, the municipality, and the community as a whole, the following Rules and Regulations are established. All plot owners within the cemeteries and all plots sold shall be subject to these Rules and Regulations, and subject, further, to such other rules and regulations as required by Vermont law.

Before purchasing a plot, you are encouraged to review the Sample Deed in addition to this document. Together, these describe specific requirements that must be met during the pre- and post-burial processes.

You are also encouraged to share this information (along with your *actual* deed once your plot has been purchased) with funeral professionals and family members responsible for burial services.



Introduction: The King Cemetery is comprised of two sections: The historic King Cemetery, first established in the 1800s and now full, and the new King Cemetery, created in 2024. These rules and regulations apply only to the new King Cemetery.

The presence of shallow soils and ledge throughout the new King Cemetery prohibit conventional burials that typically involve embalming and a casket placed inside a concrete vault buried five or more feet deep. While this traditional method is not possible, the natural characteristics of the new King Cemetery site offer opportunities for three different types of alternative burials. These include:

1. Full-body green (natural) burial in plots located in designated portions of the cemetery.
2. Composted-body green (natural) burial in plots located in designated portions of the cemetery.
3. Burial of cremated remains in plots located throughout the cemetery.

The new King Cemetery may not be right for everyone (should a more conventional burial be preferred), but it offers options in keeping with both the physical opportunities and limitations presented by the site *and* with the community's desire to be forward thinking in terms of emerging greener burial trends.

Green Burial at King Cemetery

"Green burial is a way of caring for the dead with minimal environmental impact that aids in the conservation of natural resources, reduction of carbon emissions, protection of worker health, and the restoration and or preservation of habitat." (Green Burial Council)

Plots for full-body green burial and composted-body green burial have been identified within the deeper soils (3.5 feet or more) of the new King Cemetery. These areas may also be used to bury cremated remains.

Plots may be sold by the Town in a strategic manner to facilitate the maintenance of the grounds or to reserve tracks of land to allow for changes or advancements in burial techniques. A vacant, unowned lot is not automatically considered available for purchase.

Purchase of plots does not guarantee usability. If a plot is not viable for burial a substitution will be made if available.

Green Burial Requirements & Restrictions

- Full bodies and composted remains¹ shall be buried at depths of *no more than* 3.5 feet (this is within the biologically active soil zone).
- Embalming prior to burial is not permitted.
- Burial containers are limited to those made from materials that are nontoxic/ nonhazardous and biodegradable. Examples include: untreated woods (note: softwoods are highly recommended in keeping with natural, green burial biological processes), wool, fiber, natural material cloth, cardboard, seagrass, bamboo, wicker, hemp, papier-mâché, or nothing (no container).
- All burial shrouds must be made of natural plant or animal fibers.
- No vault, grave liner, partition, slab or other outer burial container is allowed.
- Plywood and particle board supports are prohibited.

Green Burial Plot Details & Cost

- Each plot is 5' x 10' (50 square feet) in size.
- Each plot can accommodate one full-body plus four (4) cremation burials, *or* the composted remains of one body plus four (4) cremation burials.
- Contiguous plots can be purchased to create a larger family burial site.
- Family members may not dig graves. (Contact the Town Clerk or other authorized King Cemetery representative to arrange for a grave digger.)

¹ *The composting process creates approximately one cubic yard of soil per body which is roughly 3 x 3 x 3 feet.*

- Plots are \$1,000 each; this includes a one-time grounds maintenance fee for basic perpetual care by the Town of Marlboro.

Cremation Burial at King Cemetery

While cremation is not technically considered a type of green burial, it is an option throughout King Cemetery and measures have been put in place to minimize adverse impacts on the environment.

All areas of the new King Cemetery with shallow soils less than approximately 3.5 feet (as identified by radar-penetrating analysis) shall only be used for the burial of cremated remains.

It is important to note that neither full-body burials nor composted-body burials are permitted in plots designated for cremation burial due to the presence of ledge.

Cremation Burial Plots have been identified within the shallower soils (less than 3.5 feet deep) of the new King Cemetery. Cremation Burials are also allowed in all Green Burial plots.

Plots may be sold by the Town in a strategic manner to facilitate the maintenance of the grounds or to reserve tracks of land to allow for changes or advancements in burial techniques. A vacant, unowned lot is not automatically considered available for purchase.

Cremation Burial Requirements & Restrictions

- Embalming prior to cremation is not permitted.
- Burial containers/urns are limited to those made from materials that are nontoxic/nonhazardous and biodegradable. Examples include: untreated softwoods, wool, fiber, natural material cloth, cardboard, seagrass, bamboo, wicker, hemp, papier-mâché or nothing (no container, with ashes simply placed in the ground). At least 6-12 inches of soil must cover the top of the buried urn, container or ash pile.
- No vault, grave liner, partition, slab or other outer burial container is allowed.
- Plywood and particle board supports are prohibited.

Cremation Burial Plot Details & Cost

- Each plot is 5' x 5' (25 square feet) in size.
- Each plot can accommodate four (4) cremation burials. (Note: Full-body and composted-body burials are not allowed.)
- Contiguous plots can be purchased to create a larger family burial site.
- Family members may dig and fill graves, but shall first coordinate with the Town Clerk or other authorized King Cemetery representative.

- Plots are \$500 each; this includes a one-time grounds maintenance fee for basic perpetual care by the Town of Marlboro.

General Matters Pertaining to All Plots

Burial Rights: Burial rights conveyed by the Town of Marlboro shall be the sole and separate rights of the person or persons named in the deed. The burial rights may be conveyed, assigned or deeded to anyone that the deed holder names. Upon the death of the deed holder(s), the descendants and/or heirs will have burial rights.

Recording and Resale of Plots: All plot sales must be recorded in a Burial Plot Sale Deed; plots are available for purchase from the Town Clerk. Lots that will not be used may be sold or donated back to the Town of Marlboro.

Remains: King Cemetery was created for the burial of human remains only. It is not a pet cemetery.

Above-Ground Structures: No vaults, mausoleums, tombs or crypts are allowed.

Memorialization: Permanent memorialization is allowed only in the form of natural rocks, granite markers, or upright headstones or gravestones (or nothing). Only one upright central or family memorial/monument not exceeding 36 inches tall by 32 inches wide shall be allowed on a plot; it must be located along the east boundary of the plot and face west. All monuments shall be set with a proper foundation to ensure structural integrity.

Plot Corner Markers: Granite corner markers are mandatory and shall not exceed 6 inches square. The corner markers shall be set flush with the grade and placed at the time of purchase. Corner markers must be purchased by plot owner(s) at their own expense. Contact the Town Clerk or visit the King Cemetery website for support.

Surround: No fencing, hedging, stone or gravel aprons around memorials or around plots shall be allowed.

Displays: Floral displays on graves are permitted, but limited to fresh cut flowers. No artificial flowers or plants, potted plants, boxes, toys, shells, artwork, ornaments, chairs, benches or similar articles are permitted.

Plantings: To facilitate perpetual care of King Cemetery by the Town, planting of annuals, perennials, trees, or ornamental shrubs at the gravesite are not allowed.

Town Notification Required Prior to Any Cemetery Work: No site work or burial may take place prior to notification of the Marlboro Town Clerk who will prepare required documentation, notify King Cemetery representatives, and authorize burial work. A valid death certificate is required to be submitted. Adequate notice of any interment shall be given, usually a minimum of two (2) days. All Funeral Directors are required to present the burial permit as required by law to the Town Clerk or designee prior to any interment.