

## Minutes

### Town of Marlboro Select Board Meeting

Thursday, July 25, 2024 @ 6:00pm – Town Office & Via Zoom

**Attendees:** Molly Welch – Chair; Jeff Skramstad – Vice-Chair; Kate Kirkwood – Member; Nick Morgan – Town Admin/SB Assist; Andrew Richardson – Highway Dept. Supervisor, Bob Fisher – Town Attorney; Forrest Holzapfel – Town Clerk; Rebecca Sevigny – Treasurer; Mary Sargent – Zoning Administrator; Kate Morgan, Philip Johansson, Joan Carey – Residents.

### **BEGIN ZOOM RECORDING:**

**Call to Order @ 6:04pm**

**Sign Guidelines of Conduct - Done**

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

Identify Any Changes to Agenda: None

#### **Scheduled Business**

Unscheduled Open Public Comment: None

Approval of Minutes from July 11, 2024 & July 15 & July 18, 2024, Special Meetings (**Welch/Kirkwood – Passed unanimously**)

Signature of Pay Orders - Done

#### **New Business**

Nick advised that State Senator Nader Hashim’s visit has been rescheduled to the 8/22/24 meeting.

Approval of 2024 Tax Rates: Town Clerk, Forrest Holzapfel & Treasurer Rebecca Sevigny presented the Board with the proposed 2024 tax rates which the Board reviewed and approved. Forrest noted that a letter will accompany the tax bills explaining how the tax rates were generated and asked the Board to review and advise of any changes. **Motion: Accept the Marlboro Vermont property tax calculation for 2024. (Welch/Skramstad – Passed unanimously)**

#### Highway Department:

*Underground Electrical and Communication lines on Cowpath 40* – During this section, Nick noted that as a landowner potentially involved in this issue, while he would continue to take minutes in his capacity as SB Assistant, any verbal contributions to the discussion would be as a “landowner” and not in his Town Officer capacity as Town Administrator. The issue at hand is the burying underground an electrical line from the electrical pole at 400 Cowpath 40 (#181-10) to 532 Cowpath 40. Both landowners (Philip & Joan, and Kate M.) were present along with Town Attorney Bob Fisher to lend any legal information. In order to proceed with the project, a “Notice of Underground Wire Location” is to be filed once signed off on by the Select Board, after which it is sent on to Green Mountain Power for their recognition of the project. Of importance is the location within the Town Right of Way where the trench will be dug, and the line buried per all town and GMP standards. Andrew has been involved and has given his conditional approval and noted that he was in contact with the parties (including the proposed excavator). The discussion also centered around agreeing that it is good for work to be done for the Johansson’s to get electrical power and what would happen should the excavator run into “ledge”. Especially how to deal with the situation and protect Kate M’s land and the stone wall that runs along her property line next to Cowpath 40. In order to deal with this situation, the Board added a condition to the “Notice” stipulating that the work burying the line would be completed between the edge of the road and the existing stone wall. The general consensus of the Board (and those others present) was that getting electric to the Johansson’s is a positive thing and that should a problem be encountered; a solution can be found, and the project would be able to move forward.

*Please note: These minutes are not meant to be a “transcript” of the meeting. This discussion had a good deal of detail & back and forth discussion, should a more detailed examination of this topic be desired, the complete discussion is available through an audio recording available on the town’s SOUNDCLOUD page:*

< <https://soundcloud.com/marlboro-select-board> >

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### New Business (continued)

#### Highway Department: (continued)

*Highway Job Descriptions: Supervisor & Foreman* - Tabled

*Discussion on Speed Calming Plans* – The Board noted that it is very important to start implementing the plans for speed calming along South Road, especially through the town center. The key items being developed are:

1. Increased Signage
2. Painting on Road surface
3. Speed Tables

Regarding signage, the Board directed Andrew to review the VTrans signage plans and proceed with procuring the necessary signs at the recommended size and begin their installation according to the plan. As for Painting on the Road surface, Andrew advised that he would contact Brattleboro Highway Dept. to see if they would loan Marlboro stencils and possibly the painting equipment, which would greatly reduce costs. Finally, Andrew and Nick committed to the Board to have full pricing information on the speed tables by the 8/8/24 meeting at which time the Board would evaluate costs and determine the number of tables the town wants, and then consulting with VTrans determining the best locations for them.

#### **Motions:**

1. **Proceed with the purchase and installation of the VTrans recommended “speed calming” signage on South Road through the Town Center and have all signage in place by early Fall 2024. (Skramstad/Welch – Passed unanimously)**
2. **Proceed with “installation” of painted “signage” on South Road pending assistance from the Brattleboro Highway Department and the determination whether the paint would hold up given the curing time prior to Winter, to be completed in the Fall, 2024. (Skramstad/Welch – Passed unanimously)**
3. **To task Nick and Andrew with developing complete pricing for “Speed Tables (& signage)” by the 8/8/2024 Select Board meeting at which time the Board would determine how to proceed. (Skramstad/Welch – Passed unanimously)**

*Abandoned RV on State Turnout on Route 9* – Nick advised that the VSP had advised that they had written and sent a ticket to the owner of this RV, but that was the extent to what they could do. He also noted that he had contacted the WCSO and as the RV was on State property they could not do anything (i.e. towing). Andrew advised that he would reach out to the State Highway Department to see what they could do as this turnout is where their equipment does turn arounds, etc. and having this RV there can cause issues. Nick will also reach out to local state reps (Emily Long & Nader Hashim) to advise them and see if they could help.

#### Treasurer’s Department:

Before moving into her report, Rebecca reported (as earlier reviewed) that the tax rates have been established and that the tax bills would be going out “next week” in advance of or on August 2, 2024.

*Quarterly Review* – Treasurer Rebecca Sevigny came to the Board to provide her quarterly update on the Town’s finances and budget. She reviewed monthly “income” and “expenses”, which at this time of year prior to “tax season”, and since the town only has a single “tax season” per year, expenses do drastically outpace income, which is why the town has for years, sought approval for and has used a “line of credit” in anticipation of tax revenue. Rebecca also reviewed other charts and records from the past that showed that this sequence of events has been the norm for many, many years, and that she is confident that as tax revenue comes in, the disparity between expense and income will even out. Rebecca and the Board discussed the Road Equipment account which is being built up and is able to cover the equipment costs & payments. She further noted that it is her intention that when the funds in the equipment account reach a level where they can be earmarked for a particular future expenditure, those funds will remain in the equipment account, but she will look to place those funds in an interest generating form (CD’s) so that town can actually generate some additional income for the town. Both Rebecca and the Board agreed that the format of the equipment account should be looked at to improve its functionality.

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### Treasurer's Department: (continued)

#### *Bringing the town into compliance with Vermont Municipal Employee Retirement Service (VMERS):*

The Board and Rebecca discussed the situation where for many, many years since VMERS came into existence in 1976, the Town has not been in compliance with the law. Luckily, the Service allows towns (Marlboro is not alone in this situation) to rectify the situation through a process where the town pays into the Service (at a discount) for the amounts that would have been deposited over time. The total amount to bring the town into compliance for several employees who should have been in the program is a total payment of \$261,000. Rebecca noted that the Service does not allow for a payment plan, the full amount needs to be paid in August and noted that this will happen. As this falls under the Treasurer's normal course of duties, no motion was needed or put forward, but the "sense of the Board" was that Rebecca is handling this properly and that she should continue.

*Further Discussion of Town Financing & Loans* – During the VMERS discussion delineated above there was a general discussion of how the town has had to borrow this year and in the past. The goal should be as Tax Revenue comes in and current loans are paid off over the next few years, the Board and Treasurer work towards "banking" funds (in CDs or the like) so that by the beginning of the year or soon after, the Town has all of its budgetary needs "in the bank". By doing so, the town can save the significant interest cost of loans, even the common "tax anticipation loans", that the town has used for many, many years. All agreed that getting to this point is crucial and as well, moving forward, should begin immediately to start building up a "capital fund" to handle large expenditures, such as equipment or major projects. The Board all agreed that this was a solid goal and moving forward with this was a top priority.

*Adding 30+ hours/week Employees to the Town's Life Insurance and Short-Term Disability Policy* - Nick presented the costs for including three (3) additional town employees in the town's insurance policy. The additional costs would be as follows: Life Insurance coverage - +\$16.66/month; Short Term Disability - +\$79.29/month. Madison National Life also quoted coverage increase for dropping the hours per week covered to 27 hours, but the Board agreed that this was not a consideration at this time. Rather than taking a vote at this meeting, the Board instructed Nick to put a final determination on the agenda for the 8/8/24 meeting.

There was no need for an executive session that was tentatively included on the agenda.

### **Old Business**

#### Town Administrator Report:

*General Information Update* – The Board briefly discussed the current vacancy on the Road Crew staff and inquired whether any action was needed on their part to initiate a search for a new Road Crew member. Nick advised that since the Highway Department had been previously authorized for four (4) members in addition to Andrew, the job search was just the town moving forward to bring its Crew up to full staffing.

*Lead Abatement Program/Grants* – Kate Kirkwood – During this discussion, Kate noted that she was speaking here as a Marlboro resident who does this for a business and is/will recuse herself from any decision making/vote.

Kate introduced that she has for many years been working with several towns and counties in New Hampshire administrating HUD grants for lead abatement and renovation of both homes and apartments. These programs directly benefit the homeowner and in the case of apartments benefits the tenant/occupant as they get to live in a newly renovated and safe environment and the qualification for apartments center on the tenant, not the landlord. The purpose of these programs is to abate a lead situation, promoting a healthier living environment and most importantly helping to eliminate Lead exposure to children. Kate sees that there is a need for this in the Southeastern Vermont area and is looking to start such a HUD program in this area. Kate noted that the first step is to find a town/municipality/county to run the program and provide administrator and Treasurer. Kate noted that initially, in order to gauge the level of interest in the area, there is a smaller grant program that provides for an investigation into the feasibility of the area applying for a full-blown lead abatement HUD program. What Kate is doing right now is going to several area towns to explain the program and noted that while one town is the "sponsor", several towns could combine to help administrate the program, if the sponsor town is stretched a bit thin.

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Town Administrator Report: (continued)

*Lead Abatement Program/Grants – Kate Kirkwood* (continued) – The Board noted that while Marlboro really does not have the “bandwidth” to be the “sponsor” town, such an initial investigation into the feasibility of gathering a consortium of area towns is very interesting and advised Kate to keep the Board apprised. Kate advised that she would do so and thanked the Board for their interest.

*Garage Mold Update* – Nick reported that he has sent out emails to the three (3) current bidders requesting more information and reported to the Board that one bid does include an option (within the budget parameters) that fits nicely with the Town’s wish list. There could be an issue with scheduling the mediation, but should there be a time delay, the Highway Department and Board could do short-term remediation with over-the-counter mold cleaning products and paint, while waiting for the quoted job to begin. Nick advised that he would provide info on any input from the bidders and revisit the issue at the 8/8/24 meeting.

**Motion to Adjourn @ 8:10p (Welch/Kirkwood – Passed unanimously)**