

Minutes**Town of Marlboro Select Board Meeting****Thursday, May 22, 2025**

Attendees: Molly Welch – SB Chair; Jeff Skramstad – SB Vice-Chair; Kate Kirkwood – SB Member; Nick Morgan – SB Assistant/Town Admin; Bob Fisher – Town Attorney; Andrew Richardson – Road Supervisor; David Manning, Marcia Hamilton, Jennifer Mazur, Nancy Anderson, Jacob Smith, and Jean Boardman – Residents.

MOVE TO REGULAR MEETING ORDER – 6:00

Call to Order @ 5:55pm (note: as all people necessary to start the meeting were present, the Board started the meeting five (5) minutes early. **(Welch/Skramstad – Passed unanimously)**)

Sign Guidelines of Conduct - Done**Regular Select Board Meeting Agenda**

Identify Any Changes to Agenda: **First order of business:** Adding agenda item per 1 V.S.A. § 312(d)(3)(A) (from Vermont.gov “Vermont Statutes online” - Any addition to or deletion from the agenda shall be made as the first act of business at the meeting.)

Motion: Add discussion to Highway Department section regarding road work at Turnpike Road/MacArthur Road intersection with Jacob Smith. (Welch/Kirkwood – Passed unanimously)

Scheduled Business**Unscheduled Open Public Comment:**

David Manning requested time to address the Select Board regarding the several issues he has concerning his property and the town roads. Specifically, the following: The ruts caused on his property by town road vehicles, he brought to the Board’s attention two weeks ago have still not been fixed; Reiterating his strong request that there be no roadside mowing along his property lines, which in the past has damaged foliage he has planted and is cultivating; That the town may not be following State statutes concerning the cutting of trees; And the town has marked many trees on and about his property for potential cutting and several trees have already been cut.

After about 25 minutes of discussion the Board put forth the following to address David’s concerns and requests:

- Within the next week the ruts on David’s property would be rectified (weather permitting), and David would be advised when the work would be done so it can be coordinated with David.
- Further, the Board would consult with the Highway Department to ensure such a situation would not recur.
- In regard to mowing: the “mower” would be notified not to mow along David’s property; to facilitate this, on or around the time of the scheduled mowing in that part of town, the thin, orange sticks would be placed in the town ROW to designate the “no mowing” section of the road as a reminder to the “mower”, and removed after. In this way, David would not need to hang any “flags” or “tape” to protect his foliage.
- Regarding the State Statutes, Town Attorney, Bob Fisher, who was in attendance for the earlier Public Hearing, noted that in consultation with him, the Board/Town could review the pertinent statutes and develop any plans that may be necessary.
- On the “marking” and cutting of trees, pending some further research on how to proceed, the Board and Andrew along with David would determine which trees (via actually walking the road) need (dangerous, rotten, infested, and potential need for preventing road deterioration) to be cut and those that can and will be left intact. Once this has been determined, it will be put in writing so that there is complete clarity.

Acknowledging David’s frustration with the way he is being treated, and not being “heard” by the Board, the Board apologized for the rut situation and pledged to improve and respond to David’s overall concerns over the full scope of the situation and hope that David feels he has been heard at this meeting.

There was also a side issue concerning the draft minutes from the 5/8/25 Select Board meeting that he felt incorrectly conveyed his comments. Nick apologized for the misrepresentation and advised that he had revised the draft minutes to reflect David’s & the Board’s discussion more correctly, further noting that those revised minutes would be approved at today’s meeting. David and Nick both agreed that the issue was behind them.

Please note that as the minutes are not intended to be a transcript of the meeting, for those wanting to hear the full discussion it is available on the Town’s Soundcloud page, here: →

<https://soundcloud.com/marlboro-select-board/marlboro-select-board-meeting-may-22-2025>

Scheduled Business (continued)

Approval of Minutes from May 8, 2025 (Welch/Skramstad – Passed unanimously)

Signature of Pay Orders – Done

New Business

Discuss & Approve Marlboro LEMP for 2025 (to include the MCC Warming Center as Marlboro's Daytime Emergency Shelter – year-round) – *Members of the "MCC Warming Center" group in attendance were Jennifer Mazur and Marcia Hamilton; Keats Dieffenbach was in attendance representing the Town's Emergency Management team.*

The discussion focused on designating the Marlboro Community Center as the Town's official shelter (**daytime-only**) under the town's Local Emergency Management Plan (LEMP). The Warming Center group wanted to make sure that the Center would continue to operate as it has. Keats & the Board assured them that the Center would continue to be daytime-only, would not be an overnight facility with all those attendant requirements. The Center would continue to be able to be opened at its own discretion as it has been doing. The only difference being in the case of an absolute declared emergency when the EOC would also open at the Town Office, then Warming Center Group would be requested to be opened. If there was a shortage of Warming Center volunteers necessary to open the Center, the Board and the Emergency Management Team would either help facilitate their arrival (in the case of travel issues) and/or open the Center themselves. It was noted that training for the EM Team and the Board would be arranged so they would know how to proceed should the Center need to be opened and staffed in a declared emergency.

The WC Group asked the Board and Keats to generate an MOU between the Town and the Warming Center which would serve several functions: Making sure the relationship between the Town and the Warming Center (as a non-municipal organization) was clearly laid out; additionally, such an MOU would also be helpful in obtaining any grant possibilities to make the Center 100% accessible. The Group noted that this project was being currently investigated on their end, and Nick added that any funding for this might be able to be included in the 2026 budget for resident approval. Keats and Nick said that they would get moving on this immediately putting together MOUs between the Town and the three (3) entities: the MCC, the Warming Center Group, and the Church (which owns the building), and get a draft out to all parties, targeting finalization in time for the 6/26/25 SB Meeting.

need for the Center to open (in a declared emergency) and the Board and the Emergency Management Team would provide help to open should it be needed due to a shortage of volunteers that might occur due to travel or other issues. It was reiterated that the Warming Center would not be "requested" to be Molly Welch and Keats discussed the operational details, including the center's independence from the town's emergency operations center and its ability to open during emergencies without additional authorization. They agreed to draft a memorandum of understanding to clarify roles and responsibilities, and the select board approved the warming center's inclusion in the LEMP. The group also considered training volunteers and ensuring the building's accessibility for future grant applications.

There was general agreement to move forward with designating the MCC Warming Center as Marlboro's official (daytime-only) Emergency Shelter to be so included in Marlboro's Local Emergency Management Plan (LEMP), with the subsequent MOUs to codify the arrangement.

Motion: The Town of Marlboro to adopt the current Marlboro Local Emergency Management to be used during a declared emergency and that the current Warming Center at the Marlboro Community Center as designated in the Marlboro LEMP become the primary daytime refuge for Town residents. (Welch/Kirkwood – Passed unanimously)

Provisional Approval of installation of wildlife camera's "off-trail" for High School Wildlife Project on Hogback – Nancy Anderson from the HMCA asked for a moment of another section of Open Public Comment to request the Select Board's provisional approval for the installation of wildlife cameras on Hogback. The Select Board allowed this. Nancy laid out the wildlife project, and apologized for the need of a fast turn around time on the FUA (needed by 5/30/25), noting that while wildlife cameras are usually not allowed, as there would only be two cameras located well off of existing trails (so the public's privacy would be preserved), and the project was for a High School Student's research project, the HMCA and HPC was supportive and requested this provisional approval to be followed up by a full motion at the next SB meeting on 6/12/25. **Motion: Relying on Nancy's, the HPC's, and the HMCA's judgement, the Select Board gives a provisional okay to Nancy Anderson and Hogback for a one (1) week research project involving two (2) trail cams. (Welch/Kirkwood – Passed unanimously)**

New Business (continued)

Due to the timing, rather than splitting the scheduled executive sessions into two sessions, it was decided to move the discussion with Jacob Smith to this time rather than splitting up the executive session into two (2) sections.

Highway Department:

Discussion and review of Jacob Smith proposal on placing a culvert at the intersection of Stark, MacArthur, and Jacob's Turnpike roads – At the request of the Select Board at the 5/8/25 meeting, the Board asked Jacob and Andrew to review the overall situation at this intersection and work out a feasible plan for placing a culvert. After a thorough discussion of the costs involved and to best handle the installation and share costs between the Town and Jacob Smith whose property is right at this intersection, a plan was developed and laid out for the Board at this meeting. As Jacob is looking for a fast turnaround (2-3 weeks) while he is finishing up his work on the property and his crew is onsite and the town's road crew schedule would not allow them to do the install for some time, Jacob is willing to assume some of the cost of the actual install of the culvert using the crew he currently has working on his property.

As town attorney, Bob Fisher, was present he advised Andrew and the Board that this sort of arrangement can be made but urged the Town to submit a MOU between the Town and Jacob Smith that he has permission to have his crew work within the Town ROW. Such a MOU would prevent someone seeing this and thinking that they could do whatever they wanted within the Town ROW. Bob also mentioned that he was working on a similar situation and MOU for another town and would use that to create one for Marlboro as well.

The Board asked Jacob if he was accepting of the Town providing the 60 foot culvert (more than the original 40 feet, incase more ended up being needed) within the next week (even by Monday) at a cost to the town of approximately \$3-\$4,000, for which Andrew felt he could fit in his current budget and that Jacob would cover his excavator (Kevin) costs for placing and covering the culvert to Adnrew's specifications (roughly the same amount as the culvert). As everyone was in agreement with this plan the Board considered the following motion – **Motion: The Select Board accepts Jacob Smith's plan to replace the culvert at the intersection of Stark Road and MacArthur Road at his own expense, except that the Town will provide the culvert material, and the Town will handle regular maintenance afterwards, and the Town will generate an MOU between the Town and Jacob Smiths to provide appropriate documentation showing that he has permission to use private equipment on public roads. (Welch/Skramstad – Passed unanimously)**

Discuss Mobile Communications for Highway Department - Tabled

Executive Session

Motion: Fining that premature knowledge of the topic that we need to discuss now would be deleterious to the public & town the Select Board deems it necessary to hold an Executive Session. & Motion: That we move into executive session to discuss personnel issues according to Vermont Statute 1 V.S.A. § 313(a)(1)(a) @ 7:04p. (Welch/Skramstad – Passed unanimously)

Return to regular session @ 7:25p (Welch/Skramstad – Passed unanimously)

Any items arising out of Executive Session – None

Bob Fisher departed, and the Board returned to Executive Session

Executive Session

Motion: Fining that premature knowledge of the topic that we need to discuss now would be deleterious to the public & town the Select Board deems it necessary to hold an Executive Session. & Motion: That we move into executive session to discuss personnel issues according to Vermont Statute 1 V.S.A. § 313(a)(1)(a) @ 7:27p. (Welch/Skramstad – Passed unanimously)

Return to regular session @ 8:22p (Welch/Skramstad – Passed unanimously)

Any items arising out of Executive Session – None

Document Signatures & Approvals:

Liquor License Renewal – Hogback Mountain Gift Shop - Application # : DLL - Application - 60456 for Second Class License

Motion: Approve Second Class License – App # 60456 – For Hogback Mountain Gift Shop. (Welch/Skramstad – Passed unanimously)

The G3 Bike Race has requested approval to have the race go through the Town on 7/6/25. This Race has gone through the Town in previous years and has been a good “citizen” cleaning up after themselves. **Motion: Provide approval for the G3 Bike Race to go through the Town on 7/6/25. (Welch/Skramstad – Passed unanimously)**

Hearing on Street Naming Ordinance as part of regular SB Meeting on 6/26/25 *Just notification for SB - Done*

Motion to Adjourn @ 8:24p (Welch/Skramstad – Passed unanimously)