

MARLBORO SELECT BOARD

Meeting Minutes

Thursday, June 11, 2026

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| Date | Thursday, June 11, 2026 |
| Call to Order | 6:00 PM |
| Adjournment | 8:20 PM |
| Location | Marlboro Town Office / Zoom |
| Members Present | Molly Welch, Chair; Jeff Skramstad, Vice Chair; Kate Kirkwood, Member |
| Also Present | Nick Morgan, Town Administrator; Andrew Richardson, Road Supervisor; Vermont State Senator Nader Hashim]; Stephen John, Chair & Patrick Moreland, Executive Director, Deerfield Valley Communications District; Josh Bohar, Design Engineer, GWI |

BEGIN ZOOM RECORDING:

(Please note: As these minutes are not intended to be a "transcript" of the meeting, a complete audio recording of the meeting can be found on the Town's Soundcloud page here: <https://soundcloud.com/marlboro-select-board>).

1. Call to Order

Chair Molly Welch called the meeting to order at 6:00 PM on Thursday, June 11, 2026. The Code of Conduct signing had been completed prior to the meeting being called to order. One change to the agenda was noted: approval of a change to the Town's newspaper of record was added.

No members of the public were present for open public comment.

2. Consent Items

2a. Approval of Minutes

The Board considered approval of the minutes of the May 28, 2026, Select Board meeting.

MOTION: Approve the minutes of May 28, 2026, Select Board meeting.
(Welch/Skramstad – Passed unanimously)

2b. Pay Orders

Pay orders had been signed by Board members prior to the meeting. No further action was required.

2c. Windham County Humane Society — Animal Control Contract

NOTE: These minutes were prepared with the assistance of AI (Claude by Anthropic) as authorized by Select Board vote on May 28, 2026. The Zoom transcript was uploaded to Claude, which generated a draft that was reviewed and edited by the Town Administrator for accuracy.

The Town Administrator presented the revised animal control services contract with the Windham County Humane Society (WCHS) at an annual cost of \$630. The revised contract includes updated language re-emphasizing that WCHS will not respond to calls involving vicious, biting, or rabid dogs.

The Town Administrator reported on the ongoing effort to identify placement facilities for vicious dogs in the event one is encountered. The Town Administrator noted that in recent memory, the only biting dog incidents in Marlboro involved dogs biting members of their own household, which does not trigger the statutory threshold for classification as a vicious dog. The Windham County Sheriff's Office will respond to vicious dog calls, take custody of the animal, and transport it to a facility designated by the town.

MOTION: Approve and authorize the signing of the Windham County Humane Society animal control contract for the current contract year. *(Welch/Skramstad – Passed unanimously)*

2d. Newspaper of Record — Change from Brattleboro Reformer to The Commons

The Town Administrator presented a proposal to change the Town's official newspaper of record from the Brattleboro Reformer to The Commons. The Commons is listed as an approved newspaper by the Vermont Secretary of State and meets all distribution and publication frequency requirements. Display advertising in The Commons is significantly less expensive than line-format notices in the Reformer; a comparable recent notice would have cost approximately \$100 less in The Commons, and smaller legal notices (e.g., public hearing notices) may cost as little as \$150 in display format.

MOTION: Change the Town of Marlboro's official newspaper of record from the Brattleboro Reformer to The Commons, effective immediately, for all future legal and public notices. *(Welch/Skramstad – Passed unanimously)*

3. State Senator Presentation — 2026 Legislative Session Update

The Board welcomed Vermont State Senator for Windham County, Nader Hashim, who serves as Chair of the Senate Judiciary Committee and as a member of the Senate Education Committee. The Senator provided an overview of key legislation from the recently concluded 2026 session.

3a. Act 181 — Tier 3 and Road Rule

The Senator reported that both the Tier 3 designation provisions and the Road Rule — the two most controversial elements of Act 181 — have been removed from statute by the 2026 Legislature.

3b. Accountability Docket — Criminal Justice Reform

The Senator reported that Chittenden County's successful accountability docket program — a fast-track court process for defendants with multiple open cases — will be piloting in Brattleboro/Windham County in mid-July 2026. The program is designed to reduce the case backlog in the Courts. The Senator expressed strong support for the program, noting it benefits both defendants (avoiding extended pre-trial limbo) and victims (providing timelier accountability).

3c. S.193 — Forensic Facility / Competency Restoration

The Senator described the passage of S.193, which creates a competency restoration program in Vermont. Vermont had been one of only two states without such a program. Under the prior system, individuals found not competent to stand trial — many of whom have serious mental health diagnoses — were held in jail indefinitely, receiving periodic competency evaluations but no treatment or services. S.193 establishes a facility and program to provide treatment that can help restore competency, allowing cases to move toward resolution. The Senator noted that this legislation had the rare support of both the Defender General and the State's Attorney and described it as a significant bipartisan achievement.

3d. Education Funding and Property Taxes

A discussion of Vermont's education funding system and its relationship to rising property taxes followed. Key points raised:

- **Excess Spending Threshold:** The Legislature adjusted the threshold that triggers the double-tax penalty on school districts from 118% to 115.5% of the statewide average spending level, as a compromise between the Senate's initial proposal of 112% and the House position. Windham County districts are not currently at risk of triggering the threshold at 115.5%. The threshold is set to decrease by 1% annually through 2029, giving districts time to adjust budgets gradually.
- **Foundation Formula:** Vermont is transitioning to a foundation formula for education funding in which money follows the student, with each student generating a base allocation of approximately \$15,000, plus additional weights for special education, English language learners, rural school factors, and other considerations.
- **Healthcare and Special Education Costs:** Discussion touched on the significant role of rising healthcare costs and the growing population of students with special needs in driving school budgets — and therefore property tax rates — upward. Participants noted that Vermont bears among the highest healthcare costs per capita in the country, due in part to an aging, rural population and a shortage of healthcare providers.
- **1% Local Option Sales Tax:** The Town Treasurer noted that the 1% local option sales tax program has generated a significant surplus and raised the question of whether municipalities could receive a greater share of the proceeds. The Senator indicated that recent legislation adjusted the percentage going to towns while the surplus reserve is maintained and offered to follow up with specifics.

3e. Overdose Prevention Centers (OPCs)

The Senator briefly discussed the Legislature's approval of overdose prevention centers (OPCs) — supervised facilities where individuals can use substances under medical supervision. Funding comes from legal settlements rather than taxpayer appropriations. The Senator noted initial skepticism but said research and experience from other countries, where OPCs have reduced disease transmission, needle litter, and overdose deaths since the 1980s, changed the perspective. The pilot focus is Burlington, as OPCs are significantly less effective in rural settings and require broad community, law enforcement, and emergency services buy-in to succeed.

4. GWI / DVFiber — North Pond Road Underground Conduit Proposal

The Board received a formal presentation from Stephen John (Chair, Deerfield Valley Communications District / DVCD) and Patrick Moreland (Executive Director, DVCD), with design engineering support from Josh Bohar (GWI), regarding a proposal to extend broadband infrastructure along North Pond Road.

4a. Background

A gap of approximately 3,500 feet on North Pond Road currently has no utility poles or overhead infrastructure. Electric service in this section is provided via underground lines running through adjacent fields. This gap prevents DVFiber/DVCD from extending its broadband network further along North Pond Road and into Newfane and Dummerston. Residents beyond this gap currently have no access to high-speed internet service.

4b. Proposals Presented

Two options were presented:

- **Option 1 — Underground Conduit:** Bury fiber conduit approximately 1 foot wide and 3 feet deep using traditional backhoe trenching. Road restoration to include 4 inches of crushed gravel over the full width of the work area. Estimated construction duration: 5 days, with one-lane traffic maintained via flaggers. Culvert replacement included as needed. Contractor: Joe Saladino.
- **Option 2 — Aerial Poles:** Plant utility poles approximately every 250 feet along the right-of-way. Faster to install and less disruptive to road traffic. Requires tree trimming for clearance. GWI would be the sole line on any new poles, potentially making the line more vulnerable to damage from falling trees in the absence of a power line above.

4c. Discussion

Road Supervisor Andrew Richardson expressed satisfaction with the technical details of the underground proposal and noted that the road section in question was recently rebuilt at significant expense. He expressed concern about disturbing that work but acknowledged that underground installation is less disruptive to road infrastructure in the long term than aerial poles, which would need to be placed either in road ditches or on steep banks given the terrain. He requested that if ditch lines containing riprap (12-inch minus stone) are disturbed, they must be restored in kind.

Board members discussed the aesthetic preference for the underground option given the scenic, wooded character of the North Pond Road corridor, and noted that the trend in utility infrastructure is toward undergrounding. The Board also noted that underground conduit, unlike leased pole space, is exclusive to DVFiber and does not create shared infrastructure; aerial poles, by contrast, can be leased to other telecoms and power companies and may generate modest tax revenue.

GWI engineer Josh Bohar confirmed that construction would aim to begin in early/mid July 2026, subject to Board approval, with at least two weeks' notice to residents. The Town Administrator will publish advance notice on the town website, Facebook, and Front Porch Forum, and DVFiber agreed to send a letter to all North Pond Road residents directly. DVFiber also offered to schedule a brief informational appearance at

4. GWI / DVFiber—North Pond Road Underground Conduit (continued)

4c. Discussion (continued)

the June 25th Select Board meeting for any residents who wish to ask questions prior to construction.

It was agreed that DVFiber would correct typographical errors in the proposal document, submit a signed copy of Road Supervisor Richardson's stipulations, and provide a final scope-of-work document for the Town's records. The Board Chair will sign the approval document on behalf of the Board.

MOTION: Approve the DVFiber / DVCD proposal to install underground conduit on the 3,500-foot pole gap section of North Pond Road, subject to compliance with Road Supervisor Richardson's stipulations and the terms discussed at this meeting. *(Welch/Skramstad – Passed unanimously)*

5. Road Department — Ford F-550 Motor Failure / Temporary Rake Tow Vehicle

Road Supervisor Andrew Richardson reported that the motor in the Town's Ford F-550 pickup truck has blown — the second motor failure on this vehicle since the town purchased it in 2019 with approximately 11,000 miles on it. The first motor failure occurred in 2021 and was repaired under warranty; the Town Administrator is in contact with Ford to determine whether any warranty coverage may apply to the current failure, given the relatively recent repair.

In the interim, Richardson proposed using his personal pickup truck to tow the road grader rake, enabling road grading work to continue. The FEMA equipment rate of \$34.59 per hour would apply, consistent with the rate used for the F-550. The Town Administrator estimated the maximum cost at approximately \$6,000 (based on 40-hour weeks through October), though actual usage is likely to be less, as the rake typically operates approximately half as many hours as the grader.

The Board discussed equipment rental as an alternative. United Rentals was contacted; a pickup truck would cost approximately \$7,500–\$8,000 through October, and the nearest available vehicle is currently 100 miles away with an uncertain availability date.

MOTION: Authorize Road Supervisor Andrew Richardson to use his personal pickup truck to tow the road grader rake at the FEMA rate of \$34.59 per hour until a replacement or repaired town vehicle is available. *(Welch/Skramstad – Passed unanimously)*

The Board noted that Richardson will bring repair cost estimates and new/used truck pricing to a future meeting once that information is available.

6. Other Business

6a. Green Mountain Power — Infrastructure Update

The Town Administrator reported that GMP's underground electrical work in Marlboro is expected to be completed by the end of June 2026. Hamilton Road was not included in this year's GMP work due to budget constraints.

6b. Next Meeting — Hogback Mountain Club Association

The Board was reminded that the Hogback Mountain Club Association (HMCA) insurance requirement discussion is scheduled for the June 25, 2026, meeting.

6c. Marlboro Music Festival — Community Liaison Proposal

Vice Chair Skramstad reported that Chris Serkin, President of the Marlboro Music Festival, has proposed resuming a practice (previously observed when the Marlboro School was operating) of having the Festival send a representative to brief the Select Board two or more times per year on Festival activities and plans. The Board responded positively to the proposal. Vice Chair, Skramstad, will coordinate with Mr. Sorkin to identify a mutually convenient meeting date.

The Board also noted that the Festival's 75th anniversary celebration is scheduled for the weekend prior to this year's festival season.

7. Adjournment

MOTION: Adjourn the meeting at 8:20 PM. *(Welch/Skramstad – Passed unanimously)*