

MARLBORO SELECT BOARD

Meeting Minutes

Thursday, June 25, 2026

Date	Thursday, June 25, 2026
Call to Order	6:00 PM
Adjournment	7:33 PM
Location	Marlboro Town Office / Zoom
Members Present	Molly Welch, Chair; Jeff Skramstad, Vice Chair; Kate Kirkwood, Member (via Zoom)
Also Present	Nick Morgan, Town Administrator; Diana Todd, HPC Member; Sarah Fisher, HPC Member; Nancy Anderson, HMCA Member; Michael Miller, Resident (via Zoom)

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 25, 2026. The Code of Conduct signing had been completed previously. One change to the agenda was noted: a briefing on new Wildfire Warden rules under Act 162 was added to the end of the meeting. No members of the public came forward for unscheduled public comment.

Chair Welch noted that an unidentified Zoom participant, later identified as Michael Miller, had attended several recent meetings without identifying himself. Mr. Miller was asked to identify himself going forward.

2. Consent Items

2a. Approval of Minutes

MOTION: Approve the minutes of the June 11, 2026, Select Board meeting. **(Welch/Kirkwood – Passed unanimously)**

2b. Pay Orders

Pay orders are being processed; Member Kirkwood will sign those requiring her signature, with Town Treasurer Rebecca confirming which signatures are necessary.

2c. Liquor Licenses — Pizza Palooza, LLC

- **DLL Application No. 78790** — First Class Restaurant Bar License
- **DLL Application No. 78795** — Outside Consumption Permit

MOTION: Approve DLL Application No. 78790 (First Class Restaurant Bar License) and DLL Application No. 78795 (Outside Consumption Permit) for Pizza Palooza, LLC. **(Welch/Skramstad – Passed unanimously)**

2. Consent Items (continued)

2d. Conservation Commission — New Members

The Board considered the appointment of two new members to the Conservation Commission, Patrice Melvin and Pam Aldersmith, both of whom met with current Conservation Commission members and were well received. The Commission's first meeting with the new members is tentatively scheduled for the end of July.

MOTION: Appoint Patrice Melvin and Pam Aldersmith as new members of the Conservation Commission. *(Welch/Skramstad – Passed unanimously)*

3. Casella Waste Systems — Contract Renewal

The Town Treasurer presented updated rates from Casella for solid waste and recycling collection for 2026, noting that in past years the Town did not have a current signed contract on file. Under the new rates, the recycling haul rate remains \$285 per pickup, with monthly tonnage charges of \$202 per ton on an average of approximately 3.5 tons per month. The 4-yard garbage dumpster rate decreased from \$147 to \$89 per pickup, plus smaller ancillary fees totaling approximately \$59.70. The pickup schedule (5 pickups per month) will remain unchanged. The new contract is projected to save the Town approximately \$1,296 per year, a roughly 15% reduction from the prior year, and is for a 2-year term.

MOTION: Authorize the Town Treasurer to execute the new Casella Waste Systems contract for recycling and garbage dumpster collection services. *(Welch/Skramstad – Passed unanimously)*

4. Windham County Sheriff's Office — FY27 Contract

The Town Administrator presented the proposed FY27 (July 2026–June 2027) contract with the Windham County Sheriff's Office for traffic patrol and related services, at a cost of \$15,500 for the year, equating to approximately 17 hours of coverage per month. The Board noted this reflects a return to the Town's standard patrol hours after a temporary increase in prior years focused on speed enforcement, which is no longer needed following installation of speed bumps. The FY26 actual cost was \$29,376. The contract also designates points of contact authorized to request information from the Sheriff's Office, including the Town Administrator, the Treasurer's Department, Road Department staff, and the Select Board.

MOTION: Approve the Windham County Sheriff's Office contract for FY27 (July 2026–June 2027) as submitted. *(Welch/Skramstad – Passed unanimously)*

The Board briefly discussed a separate proposal from the Sheriff's Department to provide an expanded range of services, including possible response to domestic and animal control matters, in exchange for additional compensation. The Board took no action and agreed to review the proposal further, noting the Sheriff's Department representative is available to discuss the idea in person at the July 9th meeting if needed.

5. 2026–2027 Information & Public Hearing Meeting Schedule

The Town Administrator and Board reviewed and confirmed a proposed schedule of informational meetings and public hearings for the coming year:

- **September 26, 2026:** Combined informational meeting (approximately 45 minutes) and public hearing on the proposed Subdivision Regulations (approximately 1 hour 15 minutes), pending the Planning Commission's own public hearing, which has been postponed from July 16th to mid-August.
- **October:** No meeting; held in reserve in case of need.
- **November 14, 2026:** Informational meeting at the Community Center (afternoon), covering road standards/ordinance topics, contingent on availability of the Community Center and BCTV.
- **December 12, 2026:** Informational meeting, timed to follow the Town Treasurer's completion of the draft town budget, allowing time for review and final approval before the statutory publication deadline of January 21, 2027.
- **December 12, 2026:** Informational meeting, timed to follow the Town Treasurer's completion of the draft town budget, allowing time for review and final approval before the statutory publication deadline of January 21, 2027.

5. 2026–2027 Information & Public Hearing Meeting Schedule (continued)

- **January:** Left open; to be scheduled if needed.
- **February 13, 2027:** Statutory annual meeting / town warrant review, two days after the regular February Select Board meeting. The Town Administrator will confirm the timing complies with statute, as the Town uses Australian ballot voting, allowing the statutory meeting to be held up to 30 days prior to Town Meeting Day.

6. Green Mountain Power (GMP) — Infrastructure Update

The Town Administrator reported that GMP's resiliency work is progressing well and is expected to be completed by the end of June 2026. A small number of residents have raised concerns about road restoration following the work; Road Supervisor Andrew Richardson and GMP have been responsive in addressing those concerns directly with residents. The Board noted its intention to hold DVFiber to the same standard of resident communication and responsiveness during its upcoming work.

7. DVFiber — North Pond Road Stipulation Letter

The Board reviewed and finalized edits to a stipulation letter to be sent to DVFiber representatives (Patrick and Steven) regarding the proposed cable installation on North Pond Road. Key revisions discussed and agreed upon:

- A provision will be added stating that if work is not completed to Road Supervisor Andrew Richardson's satisfaction, any remediation work performed by the Highway Department will be billed back to DV Fiber.
- Reference to GMP should be removed from the stipulation sheet and replaced with "DVFiber" as the stipulations are the same and the GMP sheet was originally forwarded to DVFiber.
- The Board clarified that the intent of this provision is to address situations such as undisclosed damage to culverts or similar infrastructure during construction — not routine post-project maintenance, which Road Supervisor Richardson considers normal and expected.

The Town Administrator will send the revised letter to DVFiber for their review and response. If concerns remain, DV Fiber may be invited to discuss the matter further at the July 9th Select Board meeting.

8. Road Standards Document — Review Update

The Board discussed the draft Road Standards update prepared by Road Supervisor Andrew Richardson. Chair Welch noted that the document looked good overall but suggested it would benefit from clearer section headers. The Town Administrator will review the document and propose revised headers and organization before recirculating it to the Board.

9. Windham County Humane Society Contract — Vicious Dog Placement Update

The Town Administrator provided an update on efforts to identify a placement facility for vicious dogs under the Town's animal control contract. To date, no veterinary facility in the immediate area has agreed to accept a vicious dog for euthanasia or holding; both the VCA in Brattleboro and a Route 9 veterinary practice have declined, despite initial indications otherwise. South Deerfield Animal Hospital has not yet been reached by phone; a prior email inquiry went unanswered. The Brattleboro Police Department indicated they have, on at least one occasion, used a Brattleboro-area VCA location for this purpose, though it is unclear whether that arrangement would extend to Marlboro. The Town Administrator will continue researching options and follow up with Brattleboro's Animal Control Officer upon her return from vacation in late July.

The Board reiterated that, based on available information, there has not been a documented vicious dog incident in Marlboro in at least the past 10 years, and that incidents involving a dog biting a member of its own household do not meet the statutory threshold for a vicious dog determination. Vermont law requires three documented biting incidents before a dog may be classified as a biting dog; a vicious dog determination is a separate and distinct classification.

10. Subdivision Regulations — Planning Commission Timeline Update

The Town Administrator reported that Planning Commission Chair Tim Segar has postponed the Commission's public hearing on the proposed Subdivision Regulations from July 16th to mid-August, in order to incorporate changes identified during the Commission's recent Q&A session. The Select Board's own public hearing will follow the Planning Commission's process and is planned to be combined with the Board's first informational meeting in September. The Town Administrator will confirm with the Windham Regional Commission whether the proposed regulations will be adopted by Select Board vote or require a ballot item.

11. New Wildfire Warden Requirements — Act 162

The Town Administrator briefed the Board on new requirements under Act 162, recently passed by the Vermont Legislature, which restructures the appointment of local fire wardens to improve communication and oversight. Key points:

- Under the prior system, the Select Board appointed a fire warden (Alan McLane), who in turn appointed a deputy warden (Pieter Van Loon).
- Under Act 162, the Select Board no longer appoints the fire warden directly. Instead, the local fire chief (Dan) is designated as the fire warden, even though the Marlboro Fire Department is technically a private nonprofit rather than a town department, because the statute treats fire chiefs of such organizations as fire wardens for this purpose.
- The fire chief, as fire warden, will then be able to appoint deputies (such as Alan McLane and Pieter Van Loon) to continue handling day-to-day burn permit administration on a volunteer basis.
- The fire warden position is now mandatory under the new law, whereas deputy positions remain voluntary.
- The Town Administrator has sent the required notification and registration materials to the fire chief and the fire department's president and offered to assist with completing the State's required online registration form.

The Town Administrator noted that existing local burn permit standards (e.g., fire pits 36 inches or less in diameter, with stone or metal surrounds, located more than 200 feet from forest land) remain in effect, and that further detail on practical implications of Act 162 may follow once additional guidance is reviewed.

12. Hogback Mountain Conservation Association (HMCA) — Insurance Requirement Discussion

Representatives Nancy Anderson (HMCA) and Diana Todd and Sarah Fisher (HPC) met with the Board to discuss the Board's previously adopted requirement that organized groups using Hogback obtain liability insurance for permitted activities. Discussion included the following points:

- HPC representatives expressed the view that the insurance requirement may not be necessary, noting that no surrounding town requires a permit, let alone insurance, for use of public conservation land, and that a \$100 single-day liability policy — while inexpensive in absolute terms — can be a meaningful burden for small volunteer organizations.
- Representatives clarified that the existing permit requirement (separate from insurance) serves to ensure HMCA/HPC awareness of land use, avoid conflicts between groups, and confirm consistency with the property's conservation easement.
- Specific examples were raised — including an educational forest-management walk hosted by the Windham Regional Woodlands Association — as cases where a \$100 insurance requirement could discourage low-risk educational programming.
- The Board acknowledged the concern and indicated a willingness to develop a tiered approach, under which insurance would be required only for certain categories of higher-risk or larger-scale users, with the possibility of a fee waiver or town/HMCA-funded policy in cases of financial hardship for smaller nonprofit groups.

12. HMCA — Insurance Requirement Discussion (continued)

- The Board distinguished between higher-risk activities (e.g., recreational groups operating motorized equipment such as snowmobiles, which typically already carry their own insurance) and lower-risk activities (e.g., small educational walks or research visits), noting that risk level would likely factor into any tiered policy.

The Board indicated it would need to hold a formal meeting to develop specific category definitions and asked HMCA/HPC representatives whether a proposal could be brought back in the fall. Representatives agreed that a proposal by the end of the year would be workable, given no major Hogback events are planned before then.

No formal action was taken; the matter will be revisited once the Board, HPC, & HMCA have developed a tiered proposal.

13. Executive Session

The Board found that premature general public knowledge of the matter to be discussed would clearly place the Town at a substantial disadvantage, and that the Board's interest in holding discussions in an executive session outweighed the public's interest in having the discussion conducted in open session.

MOTION: Enter executive session to discuss a personnel matter pursuant to 1 V.S.A. § 313(a)(1)(A). **(Welch/Skramstad – Passed unanimously) @ 7:16pm**

Resident Michael Miller was asked to leave the Zoom meeting prior to the start of executive session.

MOTION: Exit executive session at 7:32 PM. **(Welch/Kirkwood – Passed unanimously)**

No action was taken as a result of the executive session.

14. Adjournment

MOTION: Adjourn the meeting at 7:33 PM. **(Welch/Kirkwood – Passed unanimously)**

Minutes recorded by: Nicholas Morgan - Town Administrator Date: 06/30/2026

Approved by Select Board at 7/9/2026 meeting

These minutes are in draft form until formally approved by the Marlboro Select Board.
