TOWN OF MARLBORO, VERMONT
SELECT BOARD MEETING MINUTES
Thursday, August 13, 2026

Date:	Thursday, August 13, 2026
Time Called to Order:	3:50 PM
Location:	Marlboro Town Office / Zoom
Select Board Present:	Molly Welch (Chair); Kate Kirkwood (Member, via Zoom)
Select Board Excused:	Jeff Skramstad (Vice-Chair)
Town Officials Present:	Nick Morgan (Town Administrator); Rebecca Sevigny (Treasurer); Lynn Scheuermann (Assistant Treasurer)
Other Attendees:	Kelly Knotek (VLCT/PACIF); Diana Todd (Hogback Preservation Committee); Laurel Copeland and Nancy Anderson (Hogback Mountain Conservation Association); Carol Ann Lobo Johnson and Fred Muschler (Marlboro Volunteer Fire Company)
Time Adjourned:	5:55 PM

BEGIN ZOOM RECORDING

These minutes were prepared with the assistance of a Zoom-generated transcript. A recording of this meeting, where available, may be accessed via the Town's SoundCloud page.

1. Call to Order and Agenda

Chair Molly Welch called the meeting to order at 3:50 PM. There were no changes to the agenda. There was no one present for unscheduled public comment.

2. Approval of Minutes

MOTION: Molly Welch moved to approve the regular Select Board minutes of July 16, 2026.

Seconded by Kate Kirkwood. Motion carried unanimously (2-0).

MOTION: Molly Welch moved to approve the special meeting minutes of August 4, 2026.

Seconded by Kate Kirkwood. Motion carried unanimously (2-0).

3. Scheduling and Document Signatures

The Board noted that bill payments/pay orders had already been signed earlier in the week and deferred any further action on that item.

3.1 Letter of Support – Village Trust Initiative

The Board reviewed and agreed to sign a letter of support for a community group's grant application related to the redevelopment of the Marlboro North property (proposed to include apartments and a coffee shop). The letter does not commit the Town to any financial or other obligation. Molly Welch will sign, and Nick Morgan will sign in lieu of Kate Kirkwood, who gave her consent.

3.2 WRC Zoning Assistance Contract

Nick Morgan presented a contract engaging Mike McConnell of the Windham Regional Commission (WRC) for as-needed zoning assistance, at a rate of $104/hour, not to exceed 20 hours per month (estimated actual use of 1-2 hours per month).

MOTION: Molly Welch moved to sign and enter into a zoning assistance contract with WRC on the terms described above.

Seconded by Kate Kirkwood.

3.2 WRC Zoning Assistance Contract (continued)

Following discussion, the Board determined that the contract requires signatures from both remaining Select Board members and should not be voted on in Jeff Skramstad's absence. The Board agreed to take up the contract at the following meeting, or sooner if Jeff Skramstad is available to sign in the interim.

4. Hogback Mountain Conservation Area – Insurance and Liability Discussion

Kelly Knotek of VLCT/PACIF joined the meeting at the Board's invitation to discuss insurance and liability questions related to activities at the Hogback Mountain Conservation Area, together with representatives of the Hogback Preservation Committee (HPC) and the Hogback Mountain Conservation Association (HMCA). Chair Welch noted this was a fact-finding discussion and not a decision-making session.

4.1 PACIF Coverage Overview

- PACIF liability coverage automatically extends to Town-owned land and Town-sponsored events; the Town's liability limit is $10 million.
- PACIF does not insure nonprofit organizations directly; HMCA, as a separate nonprofit, is not an eligible entity for coverage under the Town's policy and cannot be added as a named member.
- A nonprofit or third party operating on Town land can be added to the Town's policy on a limited basis as an "additional insured," typically only for a specific event and where the Town's own actions create exposure for that party.
- Where the Town has no involvement in an event, requiring the hosting party's coverage to be "primary and non-contributory" ensures their coverage is exhausted first, before any claim could reach the Town's policy.
- Ms. Knotek's standard recommendation for third-party events is $1 million per occurrence / $2 million aggregate, with higher limits considered for higher-risk or larger events.

4.2 Roles and Trail Maintenance

Diana Todd (HPC) and Nancy Anderson (HMCA) clarified the relationship among the three bodies involved at Hogback: The Select Board (ultimate decision-maker), the town-appointed HPC, and the independent nonprofit HMCA. HMCA is responsible for trail maintenance under the Hogback Mountain Conservation Area management plan (adopted by the Select Board on February 12, 2025), which assigns HMCA that role but does not address insurance. Ms. Knotek confirmed that HMCA volunteers performing trail work are not Town volunteers and that, based on the scenario described, the Town does not appear to bear direct liability for injuries to HMCA volunteers acting on their own organization's behalf. Ms. Knotek recommended HMCA look into obtaining its own liability coverage, given its exposure from organizing events and trail work (including chainsaw use).

4.3 Facility Use Agreements and Event Risk Tiers

The Board and HPC/HMCA representatives discussed developing a tiered framework for facility use agreements (FUAs) and insurance requirements based on group size and activity risk (e.g., no permit needed under a certain group size; permit required but no insurance for low-risk activities; permit and insurance required for higher-risk or larger events). Diana Todd reported that HPC and HMCA had previously begun forming a joint working group to develop such a proposal and had paused pending this meeting with Ms. Knotek.

4.4 Public Road Events (Bike Races)

Nick Morgan raised a separate question about organized bicycle races that use Marlboro's public roads. Ms. Knotek advised that the organizing entity should carry its own insurance and name the Town as an additional insured on a primary, non-contributory basis, since the Town has no operational involvement in such events.

4. Hogback Mountain Conservation Area – Insurance and Liability Discussion (continued)

4.5 Next Steps

- HPC and HMCA will continue developing a proposed tiered risk/insurance framework and submit it to Ms. Knotek for review.
- Ms. Knotek will review the Hogback Mountain Conservation Area management plan for gaps related to insurance and provide model language, and will send contact information for broker(s) specializing in nonprofit insurance to Nick Morgan, who will forward it to HMCA.
- HMCA will research the cost and feasibility of obtaining its own liability coverage for volunteer work on trails and events.
- All communications with VLCT/PACIF will continue to be routed through Nick Morgan as the Town's primary contact.

The Board thanked Ms. Knotek, Ms. Todd, Ms. Copeland, and Ms. Anderson for their participation.

5. Broadband/Utility Projects Update

In Road Supervisor Andrew Richardson's absence, Nick Morgan reported that DVFiber's underground communications work on North Plum Road is continuing but has experienced delays after crews encountered ledge; the project was originally anticipated to take five days. Mr. Morgan noted communication difficulties with the contractor, including road closures without advance notice, attributed to lack of cell service on site, and stated he had sent firm correspondence to DVFiber requesting improved coordination with the Town and the Road Department going forward.

Mr. Morgan also reported that another company (referred to in correspondence as ITG) has inquired about a future underground communications project. Per Mr. Richardson, the Town's response is not until spring. Mr. Morgan noted the Town does not currently have a formal permitting process for this type of project and will require the company to submit a proposal, to which the Town will respond with its stipulations and requirements before further discussion, in coordination with the Road Department.

6. Planning Commission Update

Nick Morgan relayed an update from the Planning Commission (submitted by email, as Tim was unable to attend) regarding the draft subdivision regulations. The Select Board's public hearing on the subdivision regulations is scheduled for September 24, 2026, from 2:00-4:00 PM, in conjunction with the Board's first informational meeting of the season; the hearing must be warned by September 11, 2026. Mr. Morgan noted he will confirm with the Town's legal counsel the process that applies if the Board wishes to make changes following the public hearing, including whether the matter would need to be returned to the Planning Commission for a further public hearing.

Mr. Morgan further reported that, per the Planning Commission's email, the Commission member who has led the subdivision regulations project intends to step down from the Commission once that work is complete, and that the Commission is actively seeking new members. The Commission is also in the process of setting up interviews related to establishing a permanent zoning administrator position.

7. Meeting Schedule

The Board noted that the regular Select Board meeting previously scheduled for August 27, 2026, needs to be rescheduled. Discussion centered on moving the meeting to either August 25 (with a 6:30 PM start, to accommodate a Conservation Commission meeting being held earlier that evening) or August 26, in light of scheduling conflicts for both Mr. Morgan and Ms. Kirkwood. The Board agreed to finalize the date by text message outside the meeting, after which Mr. Morgan will re-notice the meeting. The rescheduled meeting is expected to include a Road Department capital equipment replacement plan, to be presented by Rebecca Sevigny and Andrew Richardson.

8. Marlboro Volunteer Fire Company Update and Discussion

Carol Ann Lobo Johnson, President of the Marlboro Volunteer Fire Company (MVFC), and Fred Muschler joined the meeting to update the Board and discuss a potential restructuring of the Fire Company.

8.1 Membership, Training, and Equipment

- The Fire Company roster has grown to 19 members, with several new members joining recent recruitment efforts; four to five members will begin Firefighter 1 training in Bennington starting in September.
- The Fire Company has begun compensating two part-time administrative roles: Ashley Mylott, who assists Fire Chief Danny Elliott with scheduling and administrative tasks, and Julie Sweethill, who assists the Fire Company's board.
- A new rescue truck was purchased for $65,000, with additional outfitting (lights, cap, paint, lettering) bringing the total to approximately $80,000; the prior vehicle was sold for $16,000. Comparable new or used replacement vehicles were quoted in the $150,000-$250,000 range.
- After a multi-year process, the Fire Company has accepted a gift of adjacent land from the Whitehouse family. Site work includes paving (completed by DMI Paving, found to be cost-comparable to a gravel alternative once drainage and maintenance costs were considered) to address parking, along with grading, loam, seeding, and mulch to control erosion.
- A speed bump near the firehouse was damaged and removed; rather than incur the cost and disruption for the short time until it will be removed for the Winter, the plan is to put it back next spring.
- Ms. Lobo Johnson confirmed the Fire Company is permitted to purchase used equipment and is not required to buy new equipment.

8.2 Proposal: Fire Company as a Town Department

Ms. Lobo Johnson presented the Fire Company's interest in transitioning from an independent 501(c)(3) nonprofit to a Town-run department. She cited increasing regulatory and administrative burden on volunteer leadership, difficulty recruiting board members willing to take on the required work, a desire for long-term organizational stability, and access to municipal grant and cost-savings programs (e.g., through VLCT and FEMA) that are unavailable to the Fire Company as a standalone nonprofit.

- The Fire Company met with the Berlin, VT fire company, which completed a similar transition; that process took approximately seven years, in part due to internal resistance that Marlboro's Fire Company does not anticipate facing.
- Fire Chief Danny Elliott and the full Fire Company membership have been consulted and support moving forward, provided clear policies and guidelines are established.
- Firefighting would remain volunteer-based; the Fire Chief and assistant position(s) would become paid Town positions.
- The Fire Company's current 501(c)(3) would be replaced by a new affiliated nonprofit (working name "Friends of the Marlboro Fire Company") to continue fundraising and to maintain a member wellness fund.
- Ms. Lobo Johnson and Fire Company Treasurer Michael Schneider are drafting a step-by-step transition plan, including a review of potential obstacles and associated costs, and intend to consult legal counsel — potentially through a contact who has previously assisted the Fire Company at reduced or no cost — before engaging the Town's attorney, Bob Fisher.
- The Fire Company's goal is to hold public informational sessions as part of the Town’s already scheduled Town Election Informational Meetings run by the Select Board, with the goal of placing an article on the March 2027 Town Meeting ballot warning.

Kate Kirkwood expressed support for the proposal as a reasonable next step in the Fire Company's evolution.

8.3 EMS/Rescue Response Discussion

Ms. Lobo Johnson reported that the Fire Company handled 175 emergency calls in fiscal year 2025-2026 (July 1, 2025 - June 30, 2026), compared to a typical annual volume of approximately 120 calls, driven in part by an aging population and related well-being checks. Board members and Mr. Muschler discussed concerns about response times for medical calls related to paid regional rescue services (Rescue Inc. and Deerfield Valley Ambulance), and discussed options raised in other communities, such as equipping more volunteers with jump kits and considering whether a paid part-time responder could help bridge daytime coverage gaps. No action was taken; the topic will continue to be examined by the Fire Company.

8.4 Other Items

Nick Morgan suggested the Fire Company look into FirstNet, a public-safety-priority cellular service that may offer more reliable coverage in areas of town with limited signal, as a lower-cost alternative to current phone plans. He advised that he would send information to the Fire Company Board so they could research the feasibility.

9. Adjournment

MOTION: Molly Welch moved to adjourn the meeting at 5:55 PM.

Seconded by Kate Kirkwood. Motion carried unanimously (2-0).

Minutes recorded by: Nicholas Morgan - Town Administrator Date: 08/18/2026.

Approved by Select Board at __8/25/26__ meeting