

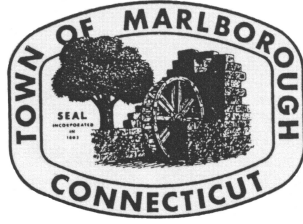
Town of Marlborough

Board of Selectmen

Ms. Bourbeau Bourbeau,
Chairman
Joseph Asklar
Mr. Rizza Rizza
Ms. O'Brien O'Brien
Ms. Concodello Concodello

Town Manager

David R. Porter



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BOARD OF SELECTMEN MEETING

Agenda

Tuesday, January 16, 2024

Town Hall

7:00 p.m.

1) Call to Order

Deb Bourbeau called the meeting to order at 7:00PM.

Present were Deb Bourbeau, Joe Asklar, Betty O'Brien, John Rizza and Louise Concodello and David Porter-Town Manager.

2) Acceptance of Minutes

a) January 2, 2024, Regular Meeting

Ms. Concodello motioned to accept the minutes from January 2, 2024. Ms. O'Brien seconded. Mr. Asklar abstained. All in favor of accepting the minutes, motion carried.

b) Amend December 19th, 2023, Minutes

Ms. Bourbeau motioned to amend the December 19, 2023 minutes. Ms. O'Brien seconded.

Chairman Bourbeau shared information about the CCM convention on November 28th. The topic of hybrid meetings was discussed by many Town officials from around the state, and the leaders of the discussion answered this question: are Boards required to hold hybrid meetings? The answer was "no." It is the discretion of the Board as to whether or not they will hold hybrid meetings. Most officials who spoke indicated that they have ceased hybrid meetings. Ms. Bourbeau asked the Board how they felt. After much discussion including the difficulties experienced with the equipment in the past and the many meetings where no participants attended, the consensus was to stop hybrid meetings for now and it will be revisited in the future.

MARLBOROUGH BOARD OF SELECTMEN

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Ms. Bourbeau motioned to approve the minutes as amended. All in favor, motion carried.

The board members discussed the hybrid option for the BOS meetings. The board agreed the online option for the public allows for more transparency of discussions and decisions made. The reason the online option was done away with for the time being was due to technical difficulties and upcoming renovations at Town Hall.

3) Additions to the Agenda

None.

4) Public Comments

Mark Paul, Lake Road – Regarding the hybrid meetings, in support of relooking at the hybrid option to be as transparent as possible to the public. Encouraged not waiting until renovations are done, as it could be needed before then.

Ms. Bourbeau made a motion to move 6a) Boy Scout Fund Request before 5) New Business. Mr. Asklar seconded. All in favor, motion carried.

5) New Business

a) Bid Award Detention Basin Clearing

Peter Houghes – Maintenance work began 3 years ago as part of the Town MS4 Stormwater Management plan. Two bid solicitations for mowing and tree clearing. Nine bids received for mowing and eleven bids received for tree clearing. There are five basins in the tree clearing project. Projecting the end of June 2024 for work completion. Due to wet weather, may extend the work.

The low mow clearing bidder is Lambert Lawn Care & Tree Service for \$8,500. The low tree clearing bidder is Running Brook Farms, LLC for \$11,500.

Mr. Asklar motioned to approve the awarding of the mow clearing to Lambert Lawn Care & Tree Service for \$8,500. Ms. Concodello seconded. All in favor, motion passed.

b) Bid Award Detention Basin Tree Clearing

Mr. Rizza made a motion to approve the awarding of the tree clearing to Running Brook Farms, LLC for \$11,500. Ms. Concodello seconded. All in favor, motion carried.

Included in the MS4 projects is to bid for invasive species removal. Three year program. The project will include having to retrofit some drainage.

MARLBOROUGH BOARD OF SELECTMEN

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c) Budget Transfer Request - General Government Reserves to South Buckboard Culvert Replacement Design

The two projects of the Quinn Road Culvert Replacement Project and the South Buckboard Culvert Replacement projects are part of the State/Local Bridge Program, a 50/50 funding program. The Town is trying to fund these two projects separately from each other in two separate fiscal years.

The South Buckboard Culvert Replacement design is seeking authorization for \$30,000. The total design cost is \$114,130 and \$85,000 was allocated in the 2023-2024 Capital Budget for this project's preliminary design stage and permitting. \$75,000 was allocated in the 2023-2024 Capital Budget to the General Reserve Account. The request is to transfer \$30,000 from the General Government Reserve Account to the South Buckboard Culvert project to finish the design.

Ms. O'Brien motioned to approve the transfer of \$30,000 from the General Government Reserve fund to the South Buckboard Culvert Replacement project. Mr. Asklar seconded. All in favor, motion carried.

d) Hodge Road Culvert Final Design

The Hodge Road Culvert Replacement are complete except for the temporary utility location plan that Eversource is preparing. The plan is to replace to the failed 48" culvert that failed in 2022 with a 9' x 6' box culvert. New guardrail to be put in as well.

Due to recent storms, planned utility poles have changed to avoid water interference.

The cost estimate has a \$15,000-line item at this time for Eversource's temporary utility relocation.

A road closure will include a detour with proper signs, crash barrels on each end of construction sight. This project will not occur for two to three years.

e) Jones Hollow Cemetery

Authorized surveyor work was completed and the proposed the expansion of the cemetery by approximately 1/3 of an acre. The Town Charter allows the Board to designate Town owned land to be used for a specific purpose after going through a town meeting process. Kristine Hudock, Chairman of Cemetery Committee, endorsed the proposal of the expansion.

Peter Hughes will come up with a new map with the new acreage.

f) STEAP Resolution

Requires a resolution to authorize David to execute contracts, bills, invoices. Projects assigned to DEEP. David Porter passed out a resolution to Board of Selectmen.

Ms. Bourbeau motioned to resolve that the Town of Marlborough may enter into with, and deliver to, the State of Connecticut of Department of Energy and Environmental Protection. Any and all documents which it deems to be

MARLBOROUGH BOARD OF SELECTMEN

necessary or appropriate for a STEAP grant of \$262,000 for the Blish Park program. Further resolve that David R. Porter, Town Manager of the Town of Marlborough is authorized and directed to execute and deliver any and all documents on behalf of the Town of the Town of Marlborough and to perform all acts and things which he deems to be necessary or appropriate to carry out the terms of such documents. Ms. Concodello seconded. All in favor, motion carried.

David provided an update on a special request on the communications pole. Plans and material to construct the access road and are intending to have the Town Public Works crew install the conduit. Waiting for Eversource's estimated costs to bring electricity to the site and structure. Next will be to bid out the pole, procurement, delivery and installation of the tower. Town expenditure is \$50-75,000 over what was budgeted for. Timeline remains Spring/Summer.

g) Update on Sidewalk Snow Removal

David Porter, Town Manager provided updates on questions from previous BOS meeting.

Does state law allow local government to transfer responsibility for clearing sidewalks to the owners of to abutting property?

Yes. It is the state standard for owners clearing sidewalks, rather than town public works clearing snow.

Do owners of property abutting the public property containing a sidewalk have liability for injuries sustained on the sidewalk proximate to their property?

If town transfers responsibility for clearing, they transfer liability as well. Liability is just for injury resulting from failure to clear a sidewalk of snow/ice.

Which towns in our region require abutting property owners to clear sidewalks?

Colchester, East Hampton, East Haddam, Portland, Glastonbury. Daily citations range from \$25 to \$100 depending on the town.

How many sidewalks are in Marlborough? Which ones does the Department of Public Works clear? How much additional time would be required for the DPW to clear the sidewalk on No. Main St?

Approximately two miles of sidewalks throughout the town. Approximately ¼ mile is cleared by Marlborough Public Works. Currently takes about 4 to 8 person-hours to clear snow. Transferring responsibility for the remaining sidewalks to the DPW would require an additional 12 to 24 person-hours to clear.

Board members discussed whether having the DPW personnel or hiring out to a company for snow removal of the additional sidewalks would be reasonable expense. The sidewalks are usable to everyone in the town, so the discussion of making it the town's responsibility was discussed. If homeowners remain responsible, a suggestion of a tax rebate for those homeowners – a financial credit for inheriting the snow removal of the sidewalk. Opposing opinions brought up putting the burden on the DPW employees and tax payers would be

MARLBOROUGH BOARD OF SELECTMEN

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consequential for extending additional sidewalks in the future. The topic was tabled.

h) Approval to Appoint a Sub-Registrars to Issue Burial Permits

Four individuals were named for who could possibly issue burial permits when the Town Clerk is unavailable. Thomas J. Portelance Jr., Thomas J. Portelance, III, Patricia McCarthy and Robert Hanson were recommended as suitable individuals and needed approval from BOS members.

Ms. O'Brien Motioned to approve members listed for 2024-2028 for Sub-Registrars. Ms. Concodello seconded. All in favor, motion carried.

i) Employee Resignations / New Hires

None.

j) Boards/Commissions Resignations, Appointments, Reappointments

Tabling topic.

February 6, 2024 meeting will address reappointments.

6) Unfinished Business

a) Boy Scout Fund Request

Kenjii Langlois of Boy Scout Troop 39, Eagle Scout Project– Trail Kiosk project provided information to the Board that there is no requirement to fundraise for the project. He can receive donated funds from the Town or obtain funds through other means as well.

The estimated cost of \$500.00 is to include the signs on the trail and the kiosk.

Mr. Langlois will email Peter Houghes regarding the proper means to handle transferring of funds.

Ms. Concodello motioned to approve the funding request. Mr. Rizza seconded. All in favor, motion carried.

b) Execution of Executive Session Decision Made on January 2nd, 2024.

Executive Session took place on January 2, 2024 and a Resolution was made.

Ms. Bourbeau motioned to authorize Town Manager David Porter to execute the decision made during the January 2, 2024 Executive Session concerning compensation for the Finance Assistant. Ms. Concodello seconded. All in favor, motion carried.

7) Town Manager Updates

- Town Manager David Porter will present the proposed budget in early February to BOS.

MARLBOROUGH BOARD OF SELECTMEN

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- 2022 Audit has made significant progress. Reconciling the revenues from the Tax Office. Auditors will be on site in following week.
- Group of residents Rhonda Way inquired about a street light. Eversource has been contacted for quote.
- HVAC in Town Hall project is starting soon. Mr. Porter is getting bids to update network to CAT6 wiring in the building while the ceiling tiles are removed. Purpose for upgrading is to allow for VOIP phone calls if that is updated in the future. Could potentially save money for telephone services in Town Hall if updated as well as other abilities.
- Mr. Porter is getting bids from companies that do text messaging services. Mr. Porter posts updates to the Town Facebook page during storms and shares it with the Marlborough Happenings page. Would like to be able to send residents a short text message when the power goes out during a storm and Eversource update. Companies also offer two-way messaging.

8) Selectmen Updates

Ms. Bourbeau provided the following updates:

- Budget presentation by Mr. Porter to BOS – Thursday, February 8th, 2024 at 4:00PM at Town Hall.
- Art center is doing an indoor tag sale and are looking for donations. Drop-off information is in the River East.
- New News Report – February 6th meeting.

9) Department Reports

a) Budget / Financial

b) Building Permit Refunds / Activity Report

10) Correspondence

- Kristy Moraga – Flyers that were put out on people's driveways. Statement that BOS made had been disappearing from the website. Issue resolved – the website now has an area where those items will remain.
- Chatham Health, New website information provided.
- Lauren Griffin provided a letter from a happy resident for sofa removal from the street. Recognizing Jim Grossman and his crew.
- State Police Report in packet.
- Judy Benson Clark – several emails about zoom capability for BOS meeting.
- David submitted to Mr. Asklar the HVAC documents of the system going in. Contractor provided answers to questions asked.

11) Public Comments

Alan Miller, 205 N. Main St.

To David, good job trying to get the word out to the public. Not everyone goes on social media or texts. This leaves a lot of individuals that are not being contacted with news. Webpage is checked and discouraged with it not being updated.

Snow removal on sidewalks – Thanked the members of the BOS who spoke positively on distributing the responsibility of Marlborough residents. Just because other towns do it, doesn't make it right. Placing a lot on a small percent on the few residents.

Residential property owners versus business owners - East Hampton, on Rt. 66, one business after another which people walk from one to another. Let the business owners take that responsibility on. Placing responsibility upon a few property owners and additionally holding them responsible for liability is unfair. The sidewalk is not doing the homeowners any good. Being on the sidewalk next to the property, when it is 7 feet away. The ordinance does not specify the sidewalk and property abutting the property. This technicality is therefore making assumptions. Used by all towns people, so burden should be on all, not the few.

Anthony Bratz, 162 S. Main

Zoom being hybrid, poor attendance is not a good enough excuse not to do it. Being transparent is something to be strived for. Inclement weather. Technical issues should be worked out beforehand.

Facebook feed could be put on website to reach more individuals, constant feed.

Dogs allowed in parks: Town ordinance that states no dogs are allowed in the schools or in the parks. Simple as stating when there is no lifeguard on duty at Blish Park – out of season to enjoy the parks with the animals could be enjoyed by everyone.

12) Adjournment

Ms. Bourbeau adjourned meeting at 8:47PM.

Respectfully Submitted,

Kathryn Overturf Nohelty
Board Clerk

MARLBOROUGH BOARD OF SELECTMEN

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