**Minutes**

**Town Of Marlboro Select Board Meeting**

**Thursday, September 14, 2023 @ 6:00pm**

Call to order @ 6:01pm

**Attendee**s: Jim Agate – Chair; Molly Welch – Vice Chair; Jeff Skramstad – Member; Nick Morgan – SB Assistant/Town Administrator; Andrew Richardson - Road Supervisor; Kate Kirkwood – Energy Committee (Zoom); Tim Segar – Planning Commission; Mary Sargent – Zoning Admin; Jean Boardman (Zoom), Jason Gardner – Residents.

**Regular Select Board Meeting Agenda**

Identify Any Changes to Agenda: As J. Gardner was not present to start the meeting, the Highway Department discussion was moved up to the first item.

**Scheduled Business**

Unscheduled Open Public Comment: None

Approval of Minutes from August 24, 2023 – (Skramstad/Welch – Passed unanimously)

Signature of Pay Orders - Done

**New Business**

Highway Department:

*Taxpayer Sand Pile:* Andrew advised that the Highway Department has created a “sand pile” for taxpayer use in the second bay of the “barn” next to the recycling center. This was created to provide sand for residents in a safer mode and prevent any problems by residents using the general sand pile. Signs will be posted advising that this sand pile exists.

*ANR Evaluations:*  While still on the Highway Department’s agenda, organizing site visits with the VT ANR are still in process.

*Update on Equipment Fund Article:*  Tabled

*Route 9 Final Report from State:* The work on Route 9 impacting the Marlboro area has been completed and the state sent out a notice and request for any input from the town. After a review of the roads and the work, the Highway Department felt the work was acceptable with the single exception that some of the “aprons” leading to side-roads while acceptable, were not perfect. Nick and Andrew advised that they would consult with the Windham Regional Commission to advise them of these concerns and to see what actions (notice to AOT?) should be taken.

DRB/Zoning Issues:

*Jason Gardner – Building Permit & Fee:* Resident Jason Garder came before the board to request relief on his building fee penalties. Jason explained the issue that occurred which led to his building what was initially a “camp” and later a single-family residence in the wrong location due to surveying errors impacting another town resident and the VT Land Trust. Once the issue was discovered, Jason worked with impacted parties to rectify the situation, worked with the DRB and Zoning to secure the proper permitting, and to procure a proper survey of the plot. With the outstanding issues resolved and after discussion with the Town Zoning Admin, Jason came to the Board to request a waiver of the building permit fee penalties that were assessed. As all the questions regarding this issue had been addressed the Board made the following motion: **Motion to waive Jason Gardner’s building fee penalties (Agate/Skramstad – Passed unanimously).**

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*Update on Zoning Dept Organization Project:* Mary reported that her work with Andrea so far in organizing and streamlining the process for the Zoning Administration has been going very well and has yielded benefits in efficiency and workflow. As most of the initial time approved by the Board for this project has been expended, Mary requested that the Board approve more time to continue the work. As the project has yielded results the Board moved to approve a continuation of the project. **Motion to approve another 25 hours for the Zoning improvement project with Mary and Andrea (Agate/Skramstad – Passed unanimously).**

Planning Commission Update (Tim Segar – PC Chair):

*Review of new Homes Act of 2023, Act 47:* Tim reviewed the newly passed *Home Act of 2023*, explaining that the Act, which asks and requires towns and municipalities to review their zoning regulations to ensure that they do not present an inhibition to the establishment of low-income housing. Tim noted that the Planning Commission has reviewed the Act and Marlboro’s Zoning regulations and that the regulations do not present an inhibition to low-income housing. Furthermore, the regulations as currently in place do not seem to present any situations which might “red flag” them in the future per the Act. This being the case, Tim advised that the Planning Commission does not see any need for revisions to the Town’s current plans & regulations.

*Amendments to the Town Plan Zoning Rules:* On review of the Town Plan, five (5) amendments to the Zoning rules have been put forward by the Planning Commission (contained in the Planning Commission minutes). Tim advised the schedule for review, public comment, and implementation which includes the official notice of a public hearing by the Planning Commission where the amendments will be reviewed and open for comment by residents as well as neighboring towns and communities. Once the hearing is completed and the amendments are officially put forward, they will be presented to the Select Board, which will also hold an official warranted Public Hearing (most likely as part of the Thursday, October 26, 2023, Select Board meeting. The Select Board will then act on the amendments and advise the Planning Commission of their decision.

Preparation for 9/16/23 Town Warning Meeting:

As the Board felt comfortable moving to the meeting, the sense of the Board was no discussion was needed and this item was tabled.

DVFiber 2022 Audit Documents:

Nick advised that he had previously sent the audit to the Board via email for their review and that a review of the audit would be put on the agenda for the 9/28/23 meeting.

Town Administrator Report:

*ACLU Letter:*

Nick presented the Board with a fund-raising letter from the ACLU for their review. No further action was taken, pending their review of the letter and will be placed on a later agenda for consideration.

*Hazard Mitigation Planning Grant:*

The grant (~$8,300) from the State is for hiring a consultant to create a plan for “Hazard Mitigation” for the town. Bid requests (need three) will be put out to the WRC and on the State’s website. Once bids are received the Board will be able to consider them and make a decision. Having a plan will be very helpful when actual “implementation” grants are available to access funding to make the town more resilient. No action needed at this time.

*FEMA Update:*

Nick, Andrew, Rebecca, & Linda are in process with FEMA personnel providing the necessary documentation and information towards receiving FEMA reimbursement for the funds expended during the July 2023 rain/flooding event. The process is ongoing, and updates will continue to be provided to the Board. No action needed.

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Town Administrator Report (continued):

*Receiving Help from Windham County Sheriff’s Office regarding littering at Recycling Center:* Recently, someone illegally placed non-recyclables in the Town’s “bins”. The person was seen, and their license plate noted. After consulting with the Sheriff, Nick was advised that while the WCSO could not provide the town with information based on the plate number, they would be willing to send the person a letter on the town’s behalf. Before requesting this from the WCSO, Nick wanted to make sure the Board was in agreement on this. The Board requested Nick to follow up with the WCSO to see what the letter would say, at which time the Board would make a decision to proceed.

**Old Business**

Recycling Center:

*Cost info on “Ring Type” cameras & how to place them:* Nick was unable to cost out the cameras and as such this topic was tabled to a subsequent meeting.

*Signs Update:* The new “A-frame” signs delineating the new “Zero-Sort” processing and clearly stating that the Center is for the use of Marlboro Residents Only, have been received and are in place at the Center.

*Hauling Schedule:* Nick, Rebecca, and Andrew have established a good working relationship with the Casella coordinator and have set up a regular schedule for pick-up at the Center (Wednesdays). Extra pickups are available if requested. The Highway Department will monitor how full the bins are and if this schedule needs to be modified, that is possible.

*General review:* After two weeks, the Zero-Sort appears to be operating smoothly and Ty Gibbons’ group continues to do a fabulous job at “policing” the Recycling Center area. There is still some potential confusion over the Zero-Sort methodology, but as time goes by, it appears the residents are acclimating to it.

**Executive Session:** A session was deemed unnecessary, so the meeting moved to adjournment.

**Adjourn @ 7:10pm (Agate/Skramstad – Passed unanimously)**