



Town of Underhill
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SELECTBOARD MEETING MINUTES
Thursday, February 8, 2024, 6:00 P.M.
Underhill Town Hall

Present:

Selectboard Members: Dan Steinbauer, Bob Stone, Patricia Richards

Town Staff: Brad Holden, Russ Clark, Jennifer Silpe-Katz, Sherri Morin, Amanda Bosley

Note: All votes taken are unanimous unless otherwise noted.

1. *Call Meeting to Order / Adjustments to Agenda*

Dan called the meeting to order at 6:00. Bob added discussion on posting roads. Brad added an item related to a grant for Harvest Crossing and an invoice from Beaver Deceiver that he wants to discuss under warrants. Bob asked to move warrants and minutes to come after the executive session and Dan agreed.

2. *Opening Public Comment (6:01)*

No members of the public were present.

3. *Consider and Approve 2023 Dump Truck Lease Finance Option (6:02)*

Russ said hopefully in the next week we should be able to take possession of the 2021 dump truck we want to lease. We have proposals from KS State Bank and Municipal Leasing Consultants. They are very close, with only a \$375 difference in cost over 3 years. The Municipal Leasing Consultants proposal is the lower one. There will be 3 annual payments and then a balloon payment at the end of the lease period. Prior to that time we can decide whether to purchase the truck or stick with the original plan not to purchase it. Jennifer said the balloon payment is about \$40K. If we intended to purchase it we would have to plan a year ahead and ask the voters.

Dan asked, if we don't want to purchase it, can we apply the equity to something else? Jennifer said no.

Dan asked what the advantage of the lease purchase arrangement is. Russ said it is a way to move from the "old school" truck we have to a newer truck without having to order it and then wait. Dan asked how much more it costs us than buying a truck outright. Jen said if we purchase a truck it usually costs a couple hundred thousand dollars. Payments would be about \$40K a year as opposed to \$13K. Bob said, this is replacing a truck that is beginning to cost a lot for repairs, right? Russ said yes. Bob said his understanding is that the intention is to try out this truck and see how it works. Then we can decide if we want to try to buy it. It probably takes more than a year to get a new truck after ordering it because of supply chain issues. Jennifer said this purchase is not one of the ones already included in the 10-year outlook. There is one planned for next year.

Bob moved and Dan seconded to enter into an agreement with Municipal Leasing Consultants for lease of a 2021 dump truck as presented. Patty said if we want to buy it the voters will have a say in that, so we are not sidestepping the voters. Jennifer agreed. Patty asked if Municipal Leasing Consultants is a Vermont company. Sherri said yes. **The motion was passed.**

4. *Consider Two New Accessory Attachments for the 2024 Case Excavator (6:11)*

Russ said we have possession of the new excavator and everyone is very happy with it. The original plan was to purchase 2 buckets, a stump tooth puller and a mulcher head. We cannot get one of the buckets we

wanted to get because it is too large for our machine. We have one bucket and are ready to order the ripper tooth for pulling stumps. He wants to get a 41-inch mulching head that can handle trees 4 inches and smaller. We have a new cleanup bucket the town purchased 3 or 4 years ago and never used. We need to get a piece of steel to put on the bottom of the bucket. He has two prices for that: \$821 from Capitol Steel and \$1000 from Queen City Steel. He would like to buy it from Capitol Steel. He would like to get cleats that can clamp onto the tracks to give extra traction on a slippery road. Twelve per track are needed, for a total cost of \$2640. Patty asked if they will damage the road. Russ said no. We would only use them on dirt roads, not blacktop. They can be taken off when not needed. The radio removed from the old machine is even older than they thought and not in good shape. He would like to purchase a new radio for \$1210. That price includes installation and an antenna. We planned to spend \$331K for the excavator, trailer and attachments. With everything he has bought or plans to buy we are \$39,697.30 under our budgeted amount. He doesn't foresee needing anything else for the excavator.

Bob said if we are going to be getting UHF radios he would get a UHF radio for this excavator now while we are setting it up. Russ said there is a risk that the budget that includes money for UHF radios may not pass. If we get a UHF radio we will have to get two radios because the UHF is going to be just for highway department communication. To speak to the fire department or rescue, a VHF radio is also needed. Bob said if a UHF radio is put in the excavator now there will be no one to talk to on it because the other UHF radios will come after July. Brad said when we budgeted for UHF radios, that included one for the excavators. Bob said as long as we have money allocated for the excavator and accessories for it, why not use some of it for the radio? Patty said she thinks that makes sense.

Jennifer said she thinks in the future when we are asking the voters for something we need to be clearer. All the article said was that we would borrow for an excavator and trailer. It didn't mention implements and attachments. Next time we want to be more careful so we can be totally transparent.

5. *Revisit Innovative Solutions Chloride Agreement (6:11)*

Russ said the way he and the rest of the crew understood it, the Innovative Solutions contract amount included the tank and spray unit and we would own this equipment after 3 years. But he didn't see in the contract where that was stated and when he asked about it he was told that we will not own the equipment after 3 years. They will supply it as part of the contract. While we have a contract with them, if the equipment fails it is their responsibility to replace it. Their representative told Russ that the chances of them wanting the equipment back are slim but it is not in the contract that we own it in the end. He still thinks it is a good deal. The town doesn't have to purchase the equipment.

Patty said under the contract we have to commit to buy 20,000 gallons per year at fair market value. Is this what most towns do – lease equipment and sole source the liquid purchase? Russ said he knows this company supplies most towns around us. He believes Cambridge does the same thing. Dan said we are not leasing equipment. They provide it if we buy material from them. Patty said the agreement refers to a lease. Patty asked if Russ is worried about sole sourcing purchase of liquid from this company for 3 years. Russ said no. Patty asked who we usually buy from. Jennifer said from this company. Brad said the price for what we were buying from them was about the same as what we are paying now. Russ said their representative felt bad for the misunderstanding and will give us an extra spray bar for the unit for pre-treating blacktop in winter at no charge.

Patty asked if the address on the contract should be the town hall rather than the garage. Sherri said yes.

Patty moved to enter into a 3-year contract with Innovative Solutions with the address changed on the contract as discussed, Bob seconded and the motion was passed.

6. Storm Cleanup Update (6:37)

Russ said Gordon was unavailable this week but the town crew went out with a chipper and did what cleanup they could. Scott has really stepped up with running the grader. He is doing a superb job.

7. FY24 6-Month Budget Review (6:38)

Jennifer reviewed the budget status report for the first 6 months of the current fiscal year. Insurance costs (property, liability, workers' comp) continue to skyrocket for reasons that are out of our control. We have a 12.5% increase.

Regarding selectboard contingency, she thinks when we add items that are not in the budget we need to be more cognizant of where the money is coming from.

Technical expenses are at 91% of budget already. That includes the fee for the NEMRC software, our new website, and The Tech Group. For next year we built in the cost of Microsoft 365.

We have about \$800 left for the post office. We have talked about working on the floor of the post office.

The ARPA expense for the generators is under capital expenses. They have been ordered and once they are purchased and installed we will transfer money from the ARPA accounts to the capital accounts.

She thinks we need to keep an eye on highway spending. Her biggest concerns are capital items and large expenses. The Highways, Infrastructure and Equipment Committee was established to look at the big picture and our 10-year plan. Before equipment is purchased we need to consider how it will affect the 10-year outlook.

Small equipment went over budget because of the channel post driver, but that was paid for with extra income we took in from sale of the trailer.

Bridges, culverts and guardrails is way over budget. But we have a lot of culverts in stock that can be used for projects.

Traffic control materials is right at the edge of the budgeted amount now. We bought some new signs.

The other budget areas are on target.

8. Review Draft RFP for Financial Audit Services (6:50)

Jennifer said we have been using the same auditing firm for over 7 years. It is fairly typical for towns to put out an RFP at some point to see if other firms are out there. She put together an RFP and she will send it out to 4 or 5 governmental audit firms.

Patty asked about the reference in the RFP to financial statement audit vs. single audit. Jennifer said if we get grant funds over a certain amount it triggers a requirement for a single audit. It is very expensive. We don't have to do a single audit every year. Sherri said we have never had to have one. Jennifer said we need to know what they would charge for that if we did have to have one. In talking to other people in her position she has learned that there are only 2 firms that are generally doing business for cities and towns in Vermont other than the one we are using. The other main company is in Maine and everything they do is through a portal. The work involved in having to scan and upload documents for the audit might possibly require us to hire someone to scan things. She doesn't know how efficient it would be to work with the Maine firm. She emphasized that we are not putting out the RFP because we are in any way dissatisfied with the current company. We just need to make sure we are doing due diligence.

Patty noticed a typo in a date on the RFP.

Bob moved to authorize Jennifer to move forward with issuing the RFP for financial audit services as presented with the changes mentioned, Patty seconded and the motion was passed.

9. *Review/Discuss Draft Amendment to Ordinance Regarding Street Naming, Numbering and Addressing (6:56)*

Amanda said town staff found an old ordinance regarding road naming, numbering and signage from 1996. They felt it needed an update. A proposed updated version was included in the board packet.

Bob said it says we don't want roads with similar names in Underhill and Jericho. He thinks we should add other communities like West Bolton and Cambridge. It was suggested that it could refer to towns that are serviced by the Underhill Jericho Fire Department. Amanda said she will modify that section.

Amanda said we number properties on new roads according to the new system based on thousandths of a mile. She is not sure if we should keep a reference to how we number on existing roads. Bob said he would prefer to have all numbering done the same way after a certain date. Brad said 911 grandfathered us. Our system is not based on the mile. It is based on 1000 ft. and we only go to hundredths. When trying to infill a new number we can't just ditch the old system and use the new one. With new roads we use the new standard. At some point we will inevitably have to change all the addresses that use the old numbering system.

Bob said the proposed ordinance says vanity road signs are not permitted. Maybe instead we should allow them but say they have to be a different color from official road signs. Dan and Patty said that makes sense. *(Bob left at 7:05.)* Amanda said she is thinking of talking to a couple of property owners about changing vanity signs to official road signs. Russ said even if the signs are a different color, if they are the same size as official signs they can still cause confusion. Amanda suggested saying it has to be a different color and a different size. Jennifer suggested maybe we should not allow them to be reflective. Brad said maybe they should have to say that they are not official road signs. Amanda says the proposed ordinance says the town has the authority to take down vanity road signs.

Brad suggested making changes to the draft and putting it on the agenda again. To adopt it we will have to have a public hearing. Patty suggested inviting the fire department to the hearing to testify about their experiences.

10. *April 8, 2024 Solar Eclipse Discussion (7:12)*

Brad said Bob asked him to reach out to the sheriff's department to see if they would be available the day of the eclipse. They said the City of Burlington tried to hire the entire sheriff's department for that day and they refused. They are going to close Route 127 and the airport. There will be bands and \$100 tickets. The sheriff has the impression that a lot of people will be in that area. Vermont State Police have agreed they will not ticket people who pull off the interstate. The sheriff can ask the deputy who usually patrols in Underhill if he can be around on that day.

Dan asked what the purpose is. Jennifer said she thinks the concern is that April can be icy or muddy and if people want to go see the eclipse from the highest place, that is our state park and our roads can't handle that kind of traffic even when they are in good shape. The concern is that there could be an influx of people heading up those roads.

Dan asked what the Green Mountain Club is doing. Brad said he called GMC yesterday and today and didn't get a response. He also sent an email. Dan said he wonders what Stowe is doing. There is easier access to the mountain there. He suggested the Rec Committee might want to plan something. Jennifer said

we don't have parking or infrastructure. Brad said Forests, Parks and Recreation has no plans to promote Mount Mansfield at all. Dan said VLCT is having planning check-in meetings. Maybe Bob could attend the next one as emergency management director. Brad said he will check with Stowe about their plans.

11. Review and Sign 2024 VTrans Mileage Certificate (7:21)

Brad said every year we have to certify our mileage. That is how we get paid our state aid to highways. This time there are no changes. However, Brad noticed that Town Highway 20 is shown as a Class 3 road but it is not. It is 0.14 miles long. If a road does not meet Class 3 standards we can reclassify it as a provisional Class 3 highway if we expect it to meet the standards within 5 years. He does not suggest doing that. Another thing we can do is make a note on the mileage certificate that the road is not up to standard. Then we will not get state aid for that 0.14 mile. We will get about \$250 less.

In the long run he suggests going through the hearing process to reclassify the road as a Class 4 highway. There is a short section on Stevensville Road that we improved using a Better Back Roads grant. That still shows as Class 4, but we could have another reclassification hearing at the same time to upgrade that to Class 3. The length involved is about the same as T.H. 20.

Patty moved to approve the Certificate of Highway Mileage for the year ending February 10, 2024 with no changes except to note that Town Highway 20 has a new name and is not up to standard, Dan seconded and the motion was passed.

12. Review and Sign Municipal Energy Resilience Program (MERP) MOU (7:27)

Brad said the Energy Committee wanted to apply for a grant for an energy audit through the Municipal Energy Resilience Program and we received the grant. It will provide assessments for the town hall and the town garage. **Patty moved to authorize Dan to sign the Memorandum of Agreement between The Vermont Department of Buildings and General Services and the Town of Underhill for the Provision of Municipal Energy Assessment Services Under the Municipal Energy Resilience Program, Dan seconded and the motion was passed.**

13. Energy Committee Appointment (7:29)

Brad said the Energy Committee voted to accept Lori Demaine as a member. Amanda said she has signed the conflict of interest document. **Dan moved to appoint Lori Demaine to a 3-year term on the Energy Committee, Patty seconded and the motion was passed.**

14. Confirm/Announce February 26, 2024 Town Meeting Informational Hearing (7:30)

Brad said he wanted to confirm that Monday, February 26 will be the informational hearing for Australian ballot questions. There had been discussion about having the reorganizational meeting on March 7 and having the sidewalk grant public hearing the same night but the consultant couldn't make it that night. He and Sherri thought the board could reorganize on March 14 and have the sidewalk hearing that night. Dan and Patty agreed to that.

15. Harvest Crossing Implementation Grant (7:33)

Brad said the town supported the United Church of Underhill with a planning grant. Now they would like to start the steps for an implementation grant for construction. The selectboard would need to give Brad authority to open up a folder in the portal for compiling information in anticipation of preparing an application which the selectboard would review before it was submitted. The board would not be committing to anything, just authorizing Brad to open up a folder to compile information. **Patty moved to authorize Brad to open an application folder in the state GEARS portal in preparation for an implementation grant for the Harvest Crossing affordable housing project, Dan seconded and the motion was passed.**

16. Road Posting for Mud Season (7:38)

Brad said one year we posted Pleasant Valley, which is simpler because we don't have to post all the side roads. In 2022 we didn't post Pleasant Valley and had to post all the side roads. Last year the board had to have an emergency meeting to post roads early. Russ thought it might be good to put this on the agenda to

get approval to do it when he feels it is needed. Russ said his plan is not to post Pleasant Valley but to post all the side roads. We have all the signs for the side roads already. He doesn't think it will hurt Pleasant Valley to have heavy vehicles on it. The majority of trucks that travel these roads are exempt anyway. The board agreed to have road posting on the agenda for the next meeting.

17. Closing Public Comment Period (7:44)

No members of the public were present.

18. Member Items, Correspondence, Announcement, Schedule, Dates for Special Meeting (7:45)

Brad said the correspondence in the packet about the sidewalk hearing can be disregarded as it will not happen on that date.

The next regular meeting is February 22. Dan will not be there. Bob may be remote for the February 26 meeting.

19. Executive Session (7:47)

Dan moved to go into executive session under 1 V.S.A. Section 313(a)(1)(A) to discuss a potential contract agreement that may affect the town and that premature public knowledge of said contract may put the public body at a disadvantage, inviting Brad to participate, and then to go into a second executive session under 1 V.S.A. Section 313(a)(3) for the appointment or employment or evaluation of a public officer or employee, inviting Russ to participate, Patty seconded and the motion was passed at 7:48.

Bob returned during the executive session.

Dan moved to come out of executive session at 9:56, Bob seconded and the motion was passed.

Dan said the board has no action to take regarding the contract. The board talked about relating personnel matters.

20. Warrants and Minutes (9:56)

Dan moved to approve AP warrants for February 8, 2024, Bob seconded and the motion was passed.

Dan moved to approve regular monthly AP warrants for December 22, 2023 to February 5, 2024, Patty seconded and the motion was passed.

Dan moved to approve payroll warrants for February 1, 2024, Bob seconded and the motion was passed.

Brad said a decision was not made on the Beaver Deceiver invoice that was included in the packet last time. Kurt Johnson reached out to state wetland ecologist Tina Heath, state river scientist Staci Pomeroy and Chris Brunelle of the state River Management Program. The consensus was to leave it alone until spring. Skip did what we asked him to do. It is not his fault the beavers are gone. We have the outstanding invoice. He reduced it by 10% and he will come back in the spring to make sure the pipe is functioning properly.

Dan said we authorized it and we need to pay our bills. Patty said she will vote to approve it, though she is disappointed in the process. She doesn't feel we got a good performance on Skip's part. She understands we contributed to his challenges by removing the beaver dam but we had to remove it because of flood issues.

Patty moved and Bob seconded to approve paying the Beaver Deceiver invoice. Bob asked where the money will come from. Brad said we would have to look back at what the board decided when the estimate was approved. **The motion was passed.**

Dan moved and Patty seconded to approve the vacation time payout and rollover for two employees as detailed in the document received by the board. Patty said she wants to recognize Brad, who is doing two jobs. She is worried about him being burned out and hoping we can get resolution soon on filling the zoning position. Brad said it is getting tough and he feels he is neglecting some things he should be doing as town administrator. Patty said it is important for him to be able to take time off. The fact that he is unable to take time off amplifies how much of his own time he is using for the town. **The motion was passed.**

21. Adjourn (10:05)

Bob moved to adjourn, Patty seconded and the motion was passed at 10:05.

Minutes submitted by Donna Griffiths

Read and approved as submitted/amended:

Dan Steinbauer, Chair

Date Signed

Date Approved