

**TOWN OF UNDERHILL  
SELECTBOARD MEETING MINUTES  
Underhill Town Hall  
Tuesday, July 31, 2018 6:00 p.m.**

**Selectboard:** Kurt Johnson, Pat Sabalis (electronically via Skype®) and Cat Kearns

**Town Staff:** Brian Bigelow

**Public:** Ruth Miller (MMCTV)

**6:00 p.m. Call to order, adjustments to agenda.** Meeting called to order by Chair. No adjustments to agenda.

**6:01 p.m. Public Comment Period.** None

**6:02 p.m. 6:51 p.m. Access Permits**

**Chittenden East Supervisory Union (CESU), Underhill Central School (IS006X).** Staff and Selectboard discussed the application, prepared by consultant Stone Underground Construction and signed by CESU Superintendent John Alberghini. Application includes placing underground utility (Consolidated Communications fiber optics cable) in the Pleasant Valley Road right-of-way. Applicant has already received clearance from Dig Safe.

Kurt Johnson moved the Selectboard approve the application subject to the following conditions:

1. Project to be completed in conformance with the Consolidated Communications work order # 322046 dated 5/15/18.
2. Fiber optic cable to be installed in conduit at a depth of three feet (36”) within Pleasant Valley Road right-of-way (33 feet (33’) from center line). Marking tape to be placed one foot (12”) above conduit.
3. Applicant/Consultant to give Road Foreman 48 hours notice prior to trenching.

Cat Kearns seconded and the motion passed 3-0 on a roll call vote.

**Victor Veve (DW032).** Yesterday the Applicant advised Staff that he would not be able to attend and requested that the application be considered at the August 14, 2018 Selectboard meeting.

**6:05 p.m. Old Business**

**Loader Tires.** Selectboard and staff discussed premature failure of tire on loader. Loader drive tires need to be replaced in pairs so the question is try to purchase a new matching tire (Titan) or a new matching pair of a different make (Michelin). Loader provider (Caterpillar) does not warranty tires. Chair has reached out to the local Titan dealer (Rouse). Additional conversation sought.

Kurt Johnson moved to authorize the Chair to continue discussion and to approve the purchase of a replacement Titan tire at the quoted price of \$1,700.50. Cat Kearns seconded and the motion passed 3-0 on a roll call vote.

**Bridge #8.** Chair advised that he authorized the compaction test suggested by Engineers Construction Inc. (ECI) for the corings obtained last week. Staff and Selectboard reviewed ECI and Lafayette

(Guardrail) emails. Staff to revise the earlier Bridge #8 RFP for review with a fall 2018 publication and spring 2019 construction timeline.

**River Road Lane Width.** Selectboard and Staff relayed CCRPC and VTrans recommendations to not go below 10 feet in lane width on rural high speed connectors. Chair performed a sampling of pavement widths with a range of 23' 4" to 24'.

Kurt Johnson moved to stripe River Road at the previous lane width of 10' barring new information being received prior to or at August 14 Selectboard meeting. Cat Kearns seconded and the motion passed 3-0 on a roll call vote.

**Cracksealing.** NICOM is intending to be in town the first week of August to work five days (at \$3,950 per day) for a five day total of \$19,750. Depending on progress it might be appropriate to contract for additional days while they are in town.

Kurt Johnson moved to authorize Town Administrator to contract with NICOM for additional days not to exceed budget amount of \$30,000. Cat Kearns seconded and the motion passed 3-0 on a roll call vote.

**Irish Settlement Road Culvert.** East Engineering Project #041-01, Revised date 2018-07-27 reviewed by Selectboard and staff. Design has been approved by US Army Corps of Engineers (USACE). Plan will be reviewed at Highway Infrastructure and Equipment Committee (HIEC) and Krickert McCusker, P.E. Recommendations to be considered by Selectboard at their meeting of August 14, 2018.

**Town Hall Front Steps.** Staff and Selectboard reviewed Town Hall front steps situation. Local contractor Craig Armstrong confirmed they were unsafe and recommended a rebuild rather than repairs. Strong interest expressed in having the project completed by Primary Voting Day on August 14. Chair authorized Armstrong to start project demolition. Board interested in affirming that Armstrong will be the contractor for the full project.

Kurt Johnson moved to have the Town retain Craig Armstrong to rebuild stairs to the Town Hall front door at a cost not to exceed \$4,000. Cat Kearns seconded and the motion passed 3-0 on a roll call vote.

### **6:35 p.m. New Business**

**Vermont State Infrastructure Bank.** Finance Director's memorandum of July 19, 2018 reviewed. 1% interest rate is attractive, perhaps joint with bond if Bank could not support the full amount? Chair, Underhill Planning Commission Capital Budget Subcommittee and HIEC to continue work on determining the appropriate amount to propose to bond and/or borrow. Results to be available August 28, 2018.

**Emergency Relief and Assistance Funds (ERAF).** Finance Director's memorandum of July 24, 2018 reviewed. Four levels of mitigation measures are in place which raised the municipal ERAF rate to 12.5%. The fifth measure involves an enhanced level of river corridor and flood hazard area protections and would increase the percentage to 17.5%. Staff relayed his understanding that this wasn't a priority with the Planning Commission. Town Administrator to discuss with Town Planning Director.

**Pavement Marking Quotes.** Quotes from Frank's Line Striping) and L&D Safety Marking Corporation (\$5,775.00) reviewed by Selectboard.

Kurt Johnson moved to have the Town accept Frank's Line Striping's Estimate #62 for 2018 Pavement Marking in the amount of \$3,415.00. Cat Kearns seconded and the motion passed 3-0 on a roll call vote.

**Special Town Meeting and General Election.** Planning Director Memorandum of July 26, 2018 reviewed. Selectboard approval is required to have a Special Town Meeting in conjunction with the General Election on November 6, 2018. The ballot question would be for the proposed changes to the Underhill Unified Land Use & Development Regulations.

Kurt Johnson moved to approve a Special Town Meeting on November 6, 2018. Cat Kearns seconded and the motion passed 3-0 on a roll call vote.

**6:48 p.m. Warrants and Minutes.** By consensus the Board reviewed and signed current warrants.

Kurt Johnson moved to approve the minutes of the July 17, 2018 Regular Meeting of the Selectboard. Cat Kearns seconded and the motion passed on a roll call vote of 3-0.

Kurt Johnson moved to approve the minutes of the July 18, 2018 Special Meeting of the Selectboard. Cat Kearns seconded and the motion passed on a roll call vote of 3-0.

**8:36 p.m. Member Items, Correspondence, Announcements, Schedule.** Notice made that the next Regular Selectboard date is August 14, 2018.

**Correspondence.** Selectboard acknowledged receipt of:

- Finance Director memorandum re: Website capacity. Staff is purging dated documents.
- David Glidden letter of resignation from the Planning Commission.
- Pine Ridge Homeowners' Association permit recording document regarding 'Orphan' Stormwater system. Chair signs for Town.
- Pike Industries letter regarding increases in paving product pricing.
- Harvest Market Steering Committee letter. They will be in attendance August 14, 2018.
- VLCT Human Resources update, Email from VLCT Human Resource Consultant Jill Muhr.
- Budget Status Report, dated July 26, 2018.
- Vermont Council on Rural Development email seeking nominations to attend their Vermont Community Leadership Summit. Staff to seek input from municipal committee chairs.
- Draft letter to two abutters of the Beartown Road Gravel regarding potential tree cutting associate with proposed solar array. One stylistic change proposed. Staff to contact Underhill Energy Committee Chair Peter Bennett. Kurt Johnson authorized to sign letter.

Selectboard discussed upcoming quorum issues: September 11th Regular Meeting will be cancelled with a Special Meeting to be held on September 6, 2018.

**7:13 p.m. Executive Sessions.**

Chair moved that the Selectboard find that premature general public knowledge of pending or probable civil litigation involving the Town would clearly place the Town at a substantial disadvantage. Cat Kearns seconded and the motion passed on a roll call vote of 3-0.

Chair moved that the Selectboard enter Executive Session with staff to discuss pending or probable civil litigation that the Town is a party to under the provisions of Title 1, Section 313(a)(1) of the Vermont Statutes. Cat Kearns seconded and the motion passed on a roll call vote of 3-0.

At 7:35 p.m. the Chair moved to exit the Executive Session. Cat Kearns seconded and the motion passed on a roll call vote of vote of 3-0.

Action taken as a result of the Executive Sessions:

- Pat Sabalis to draft advisory letter to Douglas Edwards regarding usage of Repa Road.

**7:36 p.m.** Chair moved that the Selectboard enter Executive Session to discuss the appointment or employment or evaluation of a public officer or employee under the provisions of Title 1, Section 313(a)(3) of the Vermont Statutes. Cat Kearns seconded and the motion passed on a roll call vote of 3-0.

At 8:05 p.m. the Chair moved to exit the Executive Session. Cat Kearns seconded and the motion passed on a roll call vote of #-0.

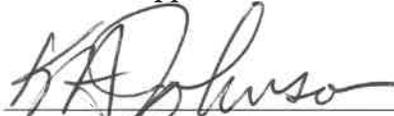
Actions taken as a result of the Executive Session.

- Pat Sabalis and Town Administrator to schedule a meeting with the Road Crew the first week of September.
- Salary Adjustments for the Town Administrator and Planning Director to be an agenda item at the August 14, 2018 meeting.

**8:06 p.m. Adjournment.** On a motion made by Kurt Johnson and seconded by Cat Kearns the Selectboard voted to adjourn on a roll call vote of 3-0.

Submitted by Brian Bigelow, Town Administrator

Read and Approved as submitted/amended

  
Kurt Johnson, Chair

8-14-18  
Date