

**TOWN OF UNDERHILL  
SELECTBOARD MEETING MINUTES  
Underhill Town Hall  
Tuesday, August 28, 2018 6:00 p.m.**

**Selectboard:** Kurt Johnson and Pat Sabalis

**Town Staff:** Brian Bigelow, Kermit Blaisdell, Amanda Bosley

**Public:** Ruth Miller (MMCTV), Lee Whelan, Nicole Jaskiewicz, Karen McKnight, Daphne Tanis, Nancy McRae, Martha Erickson, Pam Parshall, Amy Golodetz, Peter Bennett, Chris Gluck, David Demarest, April & Russell Desclos, Marilyn Dupre, Barb Mulhern, Dan Bigelow, Elizabeth Beck, Anne Mehlich, Sandy Murphy, Karen Neese, Steve Webster, Seth Friedman, Dayna Katz, Jen Silpe, Carla Hochschild, Brian Smith, Ellen Duval, Stephen Kastner, Eliza Kramer, Nancy & Flynn Peckham, Peter Duval, Katie Clark & Charlotte Ruby, Guy Kennedy, Sandra Costes

**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.** David Demarest expressed concerns to include the change from 'no use of herbicides' to 'use herbicides'. Chair interjected and Karen McKnight, UCC Chair, given the opportunity to address the change and the discussion transitioned into the next agenda item.

**6:06 p.m. Crane Brook Conservation District Invasive Plant Control Discussion**

Karen McKnight, UCC Chair discussed the evolution of plan, to include how the Commission learned more about the effectiveness of the herbicide from Chittenden County Forester Ethan Tapper and Elizabeth Spinney, the Vermont Department of Forests, Parks and Recreation's Invasive Pests Coordinator. Characteristics of Knotweed and recent UCC efforts discussed.

Questions and comments from the audience included concerns about the difficulty of eradication, previous UCC efforts, expertise of Commission, offers to volunteer work and vehicle.

Chair notes that given the turnout there is not adequate time to continue tonight. Consensus is that the UCC would include the subject on a future agenda, publicize on Front Porch Forum and that there would be no spraying prior to that meeting and later if the recommended season for application has passed for this year. Pat Sabalis suggests that Ethan Tapper and Elizabeth Spinney be invited to attend the meeting and acknowledged the efforts of the UCC.

**6:23 p.m. Underhill Assessor. Town Tax Stabilization Contract Program.** Town Assessor Kermit Blaisdell and Assessing Clerk Amanda Bosley met with Selectboard to discuss the former's August 20, 2018 memorandum. In response to earlier discussions about the continued viability of the program it would make sense to have the program on the town meeting ballot in 2019 due to the high number of the remaining 83 contracts up for renewal this year (25) and 11 more the following year.

Of the 83 contracts, 41 would qualify for the State of Vermont's Current Use program. Staff and Selectboard discussed the distinctions between the State and Local contracts. In summary the State program requires a more active management of resources rather than just not subdividing and with the State contracts the cost is spread out over the state versus just the Town. Currently the cost of the program is \$107,479 per year.

Assessing Clerk to contact Vermont League of Cities & Towns to attempt to confirm the number of municipalities that still offer a local tax stabilization option. Selectboard requests a detailed

accounting to be discussed at an upcoming meeting and may include a proposal for properties that do not qualify for Current Use.

**6:37 p.m. Underhill Energy Committee (UEC). Beartown Road Gravel Pit Solar Array.** UEC members Peter Bennett (Chair) and Steve Webster reviewed memorandum entitled: Gravel Pit Solar Project Update Proposals (dated 8-22-2018) with Selectboard. Proposals sought from 12 developers. Due to only Single Phase Power lines availability the project is limited to 150kW. That limitation reduced the interest to two – Green Lantern Group (GLG) and Norwich Solar Technology (NST). Proposal from each developer presented in table format within the 8-22-2018 Update. UEC recommendation to have the Town Attorney review draft legal documents and if available the finalized document between GLG and the Town of Cambridge.

Consensus of Selectboard to follow that recommendation and to have the 8-22-18 Update included in the minutes.

**7:07 p.m. New Business**

**Sandy Wilmot, Interview for vacancy on the Underhill Planning Commission (UPC).** Selectboard and Sandy Wilmot discuss her interest in the UPC, her long residency in town and her professional experience (30 years) with the Vermont Department of Forests, Parks and Recreation. The UPC has recommended her appointment. Currently two vacancies exist, one expiring in March 2022 and one expiring in March 2019.

Kurt Johnson moved to appoint Sandy Wilmot to the Underhill Planning Commission for the remainder of a four year term to expire in March of 2022. Pat Sabalis seconded and the motion passed on a vote of 2-0.

**Lease Land Quitclaim Deed (Bellin & Wise/RV258).** Pat Sabalis relayed results of conversations with the local surveyor Brad Holden and Attorney Eric Knutsen of Langrock, Sperry & Wool , LLP. Previous deeds transfers also included reference to a non-adjointing wood lot. That woodlot was in lease lands but had been transferred separately at some point in the past. Consensus is that the property at 258 River Road (RV258) is not ‘Lease’ land and as such it would not be best practice to execute a Quit Claim Deed for land that the Town does not have an interest. Future requests will need to include detailed title research documenting a municipal interest necessitating a Quit Claim Deed.

**Use of Town Property (VT539) for Temporary Road for Route 15 culvert replacement.** GW Tatro (GWT) has been awarded the project by VTrans. Selectboard and Staff review submittal signed by Jay Lafontaine of GWT. Proposal is to build a single lane temporary stream crossing above the location of the replacement culvert. Construction schedule is currently anticipated from September 10, 2018 to mid November. Temporary traffic lights to be installed to provide 24/7 traffic control.

Kurt Johnson moved to authorize the Chair to sign the Agreement for Usage of Land for Temporary Road prepared by G.W. Tatro Construction. Pat Sabalis seconded and the motion passed on a vote of 2-0.

**7:19 p.m. Warrants and Minutes.** By consensus the Board reviewed and signed current warrants.

Kurt Johnson moved to approve the minutes of the August 14, 2018 Regular Meeting of the Selectboard. Pat Sabalis seconded. Discussion ensued and it was determined to add the sentence: “John Drew spoke and recommended that the Underhill Conservation Commission adopt a written plan for invasive species control.” The modified motion passed on vote of 2-0.

**7:22 p.m. Member Items, Correspondence, Announcements, Schedule.**

**Correspondence.** Selectboard acknowledged receipt of:

- Capital Asset Listing for the year ending June 30, 2018 provided by Finance Director.
- Email from Finance Director regarding status of Capital Improvement Program (CIP). The July 1<sup>st</sup> date to receive draft recommendations has passed and the next mark on the time line is September 1<sup>st</sup> for proposed revisions.
- Budget Status Report, dated August 24, 2018.
- Notice of Vermont League of Cities & Towns' (VLCT) Annual Conference on October 3<sup>rd</sup> and 4<sup>th</sup>, to include the Annual meetings for VLCT Property and Casualty Intermunicipal Fund (VLCT PACIF) and VLCT Employees Resource and Benefits Trust (VLCT VERB).

**Member items.** Chair and Town Administrator to attend September 11, 2018 VLCT seminar on Budgeting.

**Schedule.** Notice made that the next Regular Selectboard date is September 11, 2018 and with a quorum unavailable a Special Meeting will be held September 6, 2018.

**7:26 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. Pat Sabalis seconded and the motion passed on a vote of 2-0.

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. Pat Sabalis seconded and the motion passed on a vote of 2-0.

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. Pat Sabalis seconded and the motion passed on a vote of 2-0.

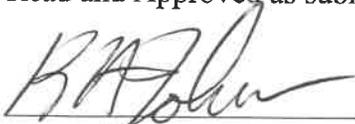
At 8:40 p.m. the Chair moved to exit the Executive Session. Pat Sabalis seconded and the motion passed on a vote of 2-0.

No actions taken as a result of the Executive Sessions.

**8:41 p.m. Adjournment.** On a motion made by Kurt Johnson and seconded by Pat Sabalis the Selectboard voted to adjourn on a vote of 2-0.

Submitted by Brian Bigelow, Town Administrator

Read and Approved as submitted/amended

  
Kurt Johnson, Chair

  
Date