

**TOWN OF UNDERHILL  
SELECTBOARD MEETING MINUTES  
Underhill Town Hall  
Tuesday, September 25, 2018 6:00 p.m.**

**Selectboard:** Kurt Johnson and Cat Kearns

**Town Staff:** Nate Sullivan and Brian Bigelow

**Public:** Marie Thomas (MMCTV), Aaron Brillhart, Chris Gluck, Seth Friedman, Peter Bennett, Steve Webster, Kyle Hibbard, Susannah Slabinski

**6:00 p.m. Call to order, adjustments to agenda.** Meeting called to order by Chair. Additions to agenda: Discussion of Preliminary budget meetings with Staff.

**6:01 p.m. Public Comment Period.** Seth Friedman and Chris Gluck discussed proposed Underhill Conservation Commission (UCC) herbicide use in Crane Brook Conservation District. Chair advised that there would be no use of Glyphosphate without an invasive species control plan and encourage people to work with UCC on options.

**6:03 p.m. Access Permits. Aaron Brillhart (Graffeo/SU041).** Applicant, Selectboard and Staff discussed application and Zoning Administrator memorandum.

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

1. The driveway shall be built as shown on drawing(s) entitled Site Plan Wastewater & Water Supply, dated August 22, 2018, prepared by Willis Design Assoc., Inc. (Project #18-025) and attached to this permit.
2. Any change in alignment, grade, drainage, use or other features will require either administrative amendment or application to the Selectboard pursuant to the Underhill Road, Driveway and Trail Ordinance adopted February 3, 2015 (the "Road Ordinance").
3. The erosion prevention and sedimentation control practices set out on the drawing referenced above shall be followed.
4. Culverts and required advisory signs in the town right-of-way shall be placed and paid for as provided in the Underhill Road, Driveway and Trail Ordinance adopted February 3, 2015.
5. Driveway shall be built according to State Agency of Transportation standard B-71 and all other applicable requirements of the Road Ordinance.
6. Installation of two (2) Hidden Driveway Signs IAW B-71.
7. Installation of minimum 18" x 30' Culvert.

Cat Kearns seconded and the motion passed 2-0.

**6:47 p.m. Road Foreman, General Highway Issues.** Road Foreman presented handout and discussed upcoming purchases and issues with Selectboard.

**Blades.** Chair moved to authorize \$6,564 for the purchase of carbide (27) and cover (13) blades from either Clark's or H-P Fairfield depending on availability and delivery options as quoted price was the same per unit. Cat Kearns seconded and the motion passed 2-0.

**Cross Chains.** Chair moved to authorize \$796.25 for the purchase of 175 cross chains from Labonville at \$4.55 each. Cat Kearns seconded and the motion passed 2-0.

**Recap Tires.** Chair moved to authorize \$3,528.53 to have 18 tires recapped by Rouse Tire. Cat Kearns seconded and the motion passed 2-0.

**Metal Culverts.** Chair moved to authorize \$13,384.26 to purchase 29 culverts and 14 collars from F.W. Webb. Cat Kearns seconded and the motion passed 2-0.

**2018 Truck.** Road Foreman advised Selectboard that the truck would be down for a few days to replace the lead rear axle. Work would be under warranty.

**Deicing Material.** State Contract price is up 22.3%. Request for quote made to last year's provider (American Rock Salt), Cargill has replied that they could not take on another client. Discussion ensued about Road Crews' attendance at a deicing seminar in August. Town Administrator to attend October event. Staff investigating getting salt that is pretreated. Chair requested additional information prior to using deicing salt with phosphate additives.

#### **6:26 p.m. New Business**

**Demarest Fuller Road Gravel Request.** Selectboard discussed request for gravel over culverts on Class 4 Fuller Road. Chair reported he drove the road and could not identify a public need and suggested that Landowner propose private repairs for Selectboard consideration. Discussion ensued. Consensus of Board to deny the request.

#### **6:29 p.m. Old Business.**

**Request of Poker Hill School re: Reduced Speed Limit.** Susannah Slabinski and Kyle Hibbard summarized request to reduce the speed limit in front of Poker Hill School from 35 mph to 25 mph. There are more children enrolled (74), to include some with special needs. Selectboard directed staff to request traffic study from Chittenden County Regional Planning Commission, advise Chittenden County Sheriff's Department of the School's observations (high speeds, 50+mph) and to include the location in the rotation of the Town's radar feedback sign.

**Beartown Road Solar Array.** No public comment on agenda item. Topic of proposed contracts to be discussed in Executive Session later in the meeting.

**6:39 p.m. Warrants and Minutes.** By consensus the Board reviewed and signed current warrants.

Kurt Johnson moved to approve the minutes of the September 6, 2018 Special Meeting of the Selectboard. Cat Kearns seconded and the motion passed on vote of 2-0.

#### **6:43 p.m. Member Items, Correspondence, Announcements, Schedule.**

**Correspondence.** Selectboard acknowledged receipt of:

- Memorandum from RaMona Sheppard re: Open Health Insurance Enrollment Period and possible changes. Selectboard asked that additional information be distributed as soon as it is available. Goal would be to be able to make a determination by November 1, the start of the non-Medicare coverage enrollment period.
- Spreadsheet from RaMona Sheppard with update of work at Old Schoolhouse #5.
- Budget Status Report Dated 09/20/18.

- Estimate for Town Hall Lift Maintenance from Access Mobility LLC in the amount of \$1,310.50 Consensus motion

Chair moved to accept the estimate of Access Mobility in the amount of \$1,310.50 for routine maintenance of the elevator in Town Hall. Cat Kearns seconded and the motion passed 2-0.

- Essex Rescue invite to attend an October 3 presentation as part of community engagement and education.
- Amanda Bosley request for mileage and hotel room for IAAO Course 102. Cost to be reimbursed by the state upon completion.

Chair moved to approve the mileage and lodging costs associated with Assessing Clerk's course work in White River Junction October 1<sup>st</sup> to October 5<sup>th</sup> in an amount not to exceed \$839.36. Cat Kearns seconded and the motion passed 2-0.

- Deicing Conference October 10, 2018. Town Administrator to attend.
- 2019 Green Up Day Town Coordinator appointment. Pat Lamphere willing to be reappointed.

Chair moved to reappoint Pat Lamphere as Underhill's 2019 Green Up Day Coordinator. Cat Kearns seconded and the motion passed 2-0.

- Addendum to Underhill Flats Sidewalk Engineering Contract for 16 additional hours to have draft deeds and plans mirror each other. Discussion ensued.

Chair moved to approve Amendment #3 to the Engineering Contract with Lamoureux and Dickinson in the amount of \$1,443.00. Cat Kearns seconded and the motion passed 2-0.

- Additional testing proposed at former landfill for Per- and polyfluoroalkyl substances (PFAS)

Chair moved to retain Ross Environmental Associates per their letter of September 24, 2018 for additional testing at the former landfill at a maximum cost of \$1,820. Cat Kearns seconded and the motion passed 2-0.

- Municipal Energy Improvements Conference October 10, 2018, Energy Committee members to be notified of opportunity.
- Underhill Historical Society advised that Proof of Insurance and server's certificates of training would be given to Town Administrator prior to UHS Octoberfest.

**Member items.** Need to plan for special meetings for initial budget discussions reiterated.

**Schedule.** Notice made that the next Regular Selectboard date is October 9, 2018 and that a Special Meeting/Public Hearing would be held on October 30, 2018.

### **7:03 Executive Session.**

Chair moved that the Selectboard find that premature general public knowledge of the review of proposed contracts for a solar array at the Beartown Road Former Gravel Pit would clearly place the Town at a substantial disadvantage in negotiations. Cat Kearns seconded and the motion passed on a vote of 2-0.

Chair moved that the Selectboard, Staff, Town Attorney and members of the Underhill Energy Committee Peter Bennett and Steve Webster enter Executive Session to discuss the proposed contracts under the provisions of Title 1, Section 313(a)(1) of the Vermont Statutes. Cat Kearns seconded and the motion passed on a vote of 2-0.

Chair moved that the Selectboard find that premature general public knowledge of pending or probable civil litigation involving the Town on Fuller Road would clearly place the Town at a substantial disadvantage. Cat Kearns seconded and the motion passed on a vote of 2-0.

Chair moved that the Selectboard enter Executive Session with Staff and Town Attorney to discuss pending or probable civil litigation that the Town is a party to under the provisions of Title 1, Section 313(a)(E-F) of the Vermont Statutes. Cat Kearns seconded and the motion passed on a vote of 2-0.

Chair noted that the Town Attorney had advised that he may not be available and the Civil Litigation Executive Session would be canceled in that event.

At 7:58 p.m. the Chair moved to exit the Executive Sessions. Cat Kearns seconded and the motion passed on a vote of 2-0.

No actions taken as a result of the Executive Session regarding Beartown Road Solar Array. Civil Litigation Executive Session did not occur.

**8:00 p.m. Adjournment.** On a motion made by Kurt Johnson and seconded by Cat Kearns 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