

**TOWN OF UNDERHILL  
SELECTBOARD MEETING MINUTES  
Underhill Town Hall  
Tuesday, December 4, 2018 6:00 p.m.**

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

**Town Staff:** Brian Bigelow

**Public:** Ruth Miller (MMCTV), Ben Butler, Rick Heh, Dan Steinbauer, Steve Webster, David Demarest, Nathan Guay, Pete Czaja

**6:00 p.m. Call to order, adjustments-to agenda.** Meeting called to order by Chair. Add Human Resources assistance to Member Items.

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

**6:02 p.m. Class 4 Road Policy Update.** Rick Heh presented draft policy and matrix. Policy based on Vermont Leagues of Cities & Towns template. Matrix is an attempt to quantify various criteria of Class 4 roads and the areas they serve. Inputs welcome. David Demarest noted errors on Fuller Road. Corrections will be made. Questions about valuations (points) for different characteristics asked. Draft at this time. Volunteer and staff inputs to date. Selectboard will need to consider options and can make modifications prior to adopting policy.

Other possible considerations: Dedicate funds to Class 4 Roads in Highway budget? Status quo, Reclassification or discontinuance of individual Class four Roads?

Ben Butler noted two sugar bushes/businesses on Downes Road.

David Demarest noted that perhaps the bulk purchase of material advantages available to the town could be extended to residents.

Peter Czaja noted his unique status of his driveway being one Class 4 Road accessed by a different Class 4 Road and to consider vegetation control as well as road conditions/material.

Question raised about process to formalize private winter maintenance on Class 4 Roads and the potential for a Town Meeting Survey.

**6:32 p.m. Draft Road, Driveway & Trail Ordinance.** Planning Director Andrew Strniste presented the most recent draft and provided background. Reformatting of the 2015 Ordinance in part to streamline the access review process with additional review and approval authority being delegated to the Development Review Board (DRB) and allow for additional administrative review when appropriate. The DRB would be granted authority on applications in front of them and Staff would have authority for most instances that do not require DRB review and approval. Corresponding language from Underhill's Land Use and Development Regulations being incorporated into this ordinance.

David Demarest cautioned that some newer snow and ice removal options had environmental concerns. Selectboard agreed that clarifying language should be included, perhaps referencing State of Vermont approval of techniques or material.

Pat Sabalis provided additional formatting and stylistic comments. It is anticipated that the minor changes would be back in front of the Selectboard at their December 18, 2018 meeting.

**6:43 p.m. Old Business.**

**Underhill Jericho Fire Department (UJFD) – First Response proposal.** Brief discussion of status of contract between the UJFD and the Towns of Underhill and Jericho and the Department's proposal to seek a license to provide a first response option in the two towns. Discussion in part since the previous meeting was not televised.

**Finance Officer Vacancy Status.** Notice made that one application has been made. Staff to contact and see if an interview could be scheduled and added to the December 6, 2018 agenda.

**6:49 New Business.**

**FY19-20 Budget Review.** Selectboard and staff discuss draft. Additional placeholders inserted. Review with Bill Hall at Thursday's Special Selectboard Meeting.

**Selectboard Vacancy.** Notice made of resignation of Cat Kearns effective December 5, 2018 with thanks for her service. Staff to notice vacancy. Appointment would be through Town Meeting Day and those interested in the remaining two years of the term would submit a petition to be on the Town Meeting ballot.

**Town Meeting Articles.** General discussion about anticipated Town Meeting Articles. Possible articles include Class 4 Road maintenance funding, Infrastructure loan, Town use of Glyphosates, UJFD contracts, UJFD Rescue services, Town Plan, Town Land Contracts.

**TriTown Alternative Transportation Committee Mission Statement.** Chair summarized status of ad hoc committee made up of volunteers from Underhill, Jericho and Cambridge and shared Mission Statement. Staff to include on municipal website.

**Scoping Grant for Pleasant Valley Road Bridge #7 and River Road Bike Path.** Chair made note of application for initial investigation into potential options.

**7:23 p.m. Warrants and Minutes.** By consensus the Board reviewed and signed current warrants.

Kurt Johnson moved to approve the minutes of the November 20, 2018 Regular Meeting of the Selectboard. Pat Sabalis seconded and the motion passed 2-0-1 on a roll call vote with Cat Kearns abstaining.

~~7:49 p.m. Member Items, Correspondence, Announcements, Schedule.~~

**Correspondence.** Selectboard acknowledged receipt of:

- Ross Environmental Associates results from the Fall testing cycle at the former landfill. Results are consistent with previous years and have been sent to the Agency of Natural Resources for review.
- Alliance Mechanical quote for repairs in the amount of \$1,200. Quote accepted by consensus of the Selectboard.
- Zoning Administrator Administrative Access Permit Amendment for Dunphey/IS334. Permit # (A18-13R)

**Schedule.** Notice made that the next Regular Selectboard date is December 18, 2018 proceed by a 5:30 Public Information Hearing re: Town Plan Amendment and that a Special Meeting would be held on December 6, 2018 at 1:00.

**7:31 p.m. Executive Sessions.**

Chair moved that the Selectboard find that premature general public knowledge of the review of proposed contract between the Underhill Jericho Fire Department (UJFD) and the Towns of Underhill and Jericho would clearly place the Town at a substantial disadvantage in negotiations. Pat Sabalis seconded and the motion passed on a roll call vote of 3-0.

Chair moved that the Selectboard and Staff enter Executive Session to discuss the proposed contract under the provisions of Title 1, Section 313(a)(1)(A) of the Vermont Statutes. Pat Sabalis seconded and the motion passed on a roll call vote of 3-0.

At 8:00 p.m. the Chair moved to exit the Executive Session. Pat Sabalis seconded and the motion passed on a roll call vote of 3-0.

At 8:01 Kurt Johnson moved that the Selectboard find that premature general public knowledge of pending or probable civil litigation involving the Town on Crane Brook Trail would clearly place the Town at a substantial disadvantage. Pat Sabalis seconded and the motion passed 3-0 on a roll call vote.

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)(E-F) of the Vermont Statutes. Pat Sabalis seconded and the motion passed 3-0 on a roll call vote.

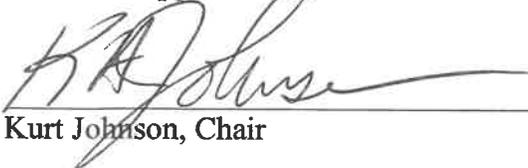
At 8:06 p.m. the Chair moved to exit the Executive Sessions. Pat Sabalis seconded and the motion passed 3-0 on a roll call vote.

No actions taken relative to UJFD contract or Crane Brook Trail.

**8:07 p.m. Adjournment.** On a motion made by Kurt Johnson and seconded by Pat Sabalis 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

