

**TOWN OF UNDERHILL
SELECTBOARD MEETING MINUTES
6:00 p.m., Tuesday, March 31, 2015**

Selectboard: Clifford Peterson, David Rogers and Rick Heh

Town Staff: Sherri Morin, RaMona Sheppard, Nate Sullivan and Brian Bigelow

Public: Ruth Miller (MMCTV), Pete Czaja, Stan Senger, Jesse Senger, Bernie Couillard, Craig Armstrong, Carl Menard, Carol Menard, Peter Duval, Carolyn Gregson, Jennifer Desaultels, P.E.

6:00 p.m. Meeting called to order by Chair. Additions to agenda as follows: an additional Executive Session subject related to a possible contract under 91 VSA §313 (a)(1)(a).

6:02 p.m. Public Comment – Pete Czaja inquired about maintenance on Class 4 roads and if issues should go to the Road Foreman, Town Administrator or Selectboard. Pete Czaja will stay in touch with specific issues as they arise. Road Foreman will continue routine inspections.

6:07 p.m. Sherri Morin, Town Clerk

Consensus to adjust the agenda by modifying sequence and have discussion about the petition received March 19, 2105 and upcoming Special Town Meeting prior to the discussion about the Highway Department. Sherri Morin summarized the statutory schedule.

Clifford Peterson moved to hold a special election on May 12, 2015 and further that the warning include that petitions must be received by April 20, 2015. David Rogers seconded and the motion passed 3-0.

6:12 p.m. Highway Department Nate Sullivan Road Foreman and Mona Sheppard, Finance Director

Discussion with Staff and Selectboard regarding Highway budget status and upcoming projects with estimated costs. The biggest unknown will be to what degree 'Mud Season' impacts roads. Consensus was to advertise for a winter sand hauler and to hold off on installing interior garage lights until next fiscal year. Overall forecast is that department will remain within the total budget for the fiscal year though individual line items will be over budget amounts. Consensus of Selectboard was to approve the recapping of 3 grader tires, to include mounting and dismounting for total cost not to exceed \$5,000. Apron sweeping will take place in the spring. Two additional loads of salt to be purchased and two truck inspections are coming due.

Finance Director identified transactions that required Selectboard action. Discussion ensued regarding Recreation Committee and Energy Committee expenditures.

Clifford Peterson moved to transfer \$5,000 from the Recreation Committee's Capital Improvement Budget to Recreation Committee Expenses. David Rogers seconded and the motion passed 3-0.

Clifford Peterson moved to approve Energy Committee expenses of \$58.70 and \$25.48 related to the weatherization at the Post Office and reimburse committee members for those purchases. David Rogers seconded and the motion passed 3-0.

6:35 p.m. Albertini Access Permit (PV109) - Jennifer Desautels, P.E. of Trudell Consulting Engineers in attendance as Consultant for property owners in seeking input from the Selectboard on Pleasant Valley Road access point. Consultant explained the reluctance to proceed with road design, drainage, lot layout, et cetera until they have some consensus on access point. While recognizing that the application is incomplete Consultant and Board proceeded. Submitted drawings were reviewed. Consultant's preference is for a location near the Southern property line shared with Carolyn Gregson. Consultant's understanding is that access off New Road is not an option.

Adjoining property owner Carolyn Gregson favored the new development road intersecting Pleasant Valley Road across from the Mountain Road Intersection and having that new intersection be a 4-Way stop. Peter Duval opined that in the best case the land would be acquired by the Town and kept open but if developed, a roundabout was a better option than a 4-Way stop.

In lieu of New Road access, the indication from the Board was that the south option was the preferred access site and the Consultant will need to include mitigation efforts designed to minimize adverse impacts to adjoining properties. Consultant to relay information to property owner, full application to follow at a later date.

6:57 p.m. Old Business:

Dillon Access Permit (BE031) Selectboard reviewed revised drawings provided by the Dillon's Consultant Trafton Crandall, P.E.

David Rogers moved to accept the application with conditions:

1. The driveway shall be built as shown on both sheets of Revision #2 dated 3/19/15 of the drawings dated 1/6/15 by Trafton Engineering Associates, LLC 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.
3. The erosion prevention and sedimentation control practices set out on the drawings referenced above shall be followed.
4. Culverts placed 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. State Standard B-71 shall apply.

Repa Trail/Eastman Property – Chair reviews status. Eastman Trust is looking for an answer. Meeting every two weeks is slowing the process down. Consensus of Board is that the Chair is authorized to be the primary contact between meetings, subject to input and guidance from the whole Board. The Eastman Trust has taken the position that in the absence of an expedient approval, they'd file suit against the Town and seek a court order for access.

Craig Armstrong, Carl and Carol Menard spoke to the issue. Town Administrator to ensure notice is made to interested parties. It is anticipated that the issue will be a recurring agenda item.

FEMA HMGP VT539 - Asbestos Assessment quotes have been received. Landowners to send in funding for the establishment of a Reserve Fund.

Deane Road Culvert Draft RFP – To be discussed at the next Selectboard Meeting.

7:26 p.m. Minutes

Clifford Peterson moved to approve the minutes of March 17, 2015 with corrections as noted. David Rogers seconded and the motion passed 3-0.

Clifford Peterson moved to approve the minutes of February 27, 2015 with corrections as noted. David Rogers seconded and the motion passed 3-0.

7:32 p.m. New Business

Clifford Peterson moved to appoint Sarah McShane as Underhill's Representative to the Chittenden County All-Hazards Mitigation plan Update Committee. David Rogers seconded and the motion passed 3-0.

Clifford Peterson moved to appoint Pat Lamphere the Underhill Green Up Day Coordinator. David Rogers seconded and the motion passed 3-0.

Local Emergency Operations Plan – Town Administrator in the annual update phase. Draft potentially to be ready for April 14 meeting.

Renewal of Beartown Road Categorical Disposal Certification – Renewal Application reviewed by Board. Consensus to have the Chair sign the application and have it submitted by the Town Administrator.

2015 FEMA HMGP application – Town Administrator directed to initiate the application process to include a request for funding for a generator at the Town Garage.

7:48 p.m. Warrants

Warrants reviewed and signed by Selectboard. Town Administrator to contact VT Overhead Door regarding the mileage charge.

7:58 p.m. Member Items, Correspondence, Announcements, Schedule.

Correspondence received by Selectboard –

- Memorandum from Town Planner Sarah McShane related to the Selectboard's upcoming role in the Town Plan Update to include holding two public hearings. Due to the Chairs' role with the Planning Commission the Vice Chair will run the hearings and Chair will recuse from all consideration. David Rogers to coordinate with Town Planner and Planning Commission Chair. Tentative dates discussed were May 12 and May 21.
- Memorandum from Vermont Department of Housing and Community Development regarding Village Center Designation for Riverside Village center (joint with Jericho). Town Planner will coordinate.

The next regularly scheduled Selectboard meeting is April 14, 2015 at 6:00 p.m.

7:50 p.m. Executive Session

Clifford Peterson moved to enter Executive Session to discuss a potential contract under 1 VSA §313(a)(1)(a) and litigation and legal advice and under §313 (a)(1)(e and f) on a specific finding that premature general public knowledge would clearly place the Selectboard at a substantial disadvantage in discussing pending civil litigation to which the Town is a party and discuss confidential attorney client communications made for the purpose of providing professional legal services to the Selectboard. David Rogers seconded and the finding and motions passed by a 3-0 vote.

At 8:40 p.m., on a motion by Clifford Peterson, seconded by David Rogers, the Board came out of Executive Session on 3-0 vote. No action taken as a result of Executive Sessions.

8:42 p.m. David Rogers moved to adjourn. Rick Heh seconded and the motion passed 3-0.

Submitted by Brian Bigelow, Town Administrator

Read and Approved as submitted/amended.



Clifford Peterson, Chair



Date