

**TOWN OF UNDERHILL
SELECTBOARD MEETING MINUTES
Underhill Town Hall
Tuesday, July 25, 2017, 6:00 p.m.**

Selectboard: Rick Heh, Kurt Johnson and Pat Sabalis

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

Public: Ruth Miller (MMCTV), Paul Chamberlin, Tim Chamberlin, Stacy Turkos, Roger Frey, Mike Angelino, Scott Tower, Kevin Gibson, Mike Morin, Karen Davis, Karen Williams, David Demarest (via telephone)

6:08 p.m. Call to order, adjustments to agenda. Meeting called to order by Rick Heh.

6:10 p.m. Public Comment Period. None.

6:11 p.m. Access Permits

Chamberlin (CW031) Final Access - Tim Chamberlin in attendance to speak to application with Selectboard and Staff. Krebs and Lansing Drawing dated April 25, 2017, applicant's 6/27/17 revision to Willis Design drawing, Zoning Administrator memo of July 24, 2017 and Captain Harry Schoppmann/UJFD's email of July 25, 2017 reviewed.

Rick Heh moved that the Final Application be approved with the standard conditions and;

- Waivers approved with the Preliminary Access Approval A16-07 (granted May 20, 2016, recorded v219/pg275) remain in effect.
- Turnaround to be constructed as shown on Willis Design Plan with 6/27/17 revised date.

Kurt Johnson seconded and the motion passed 3-0.

Vandeth (NU060) – No one present to speak to application.

Gibson (NR048) Access Permit Amendment – Selectboard, Applicant and Staff discussed the application. Zoning Administrator memo of July 24, 2017 and Captain Harry Schoppmann/UJFD email of July 25, 2017 reviewed.

Rick Heh moved that the Access Permit Amendment be approved with the standard conditions and;

- Waiver for 50 feet of 11.03% grade approved.
- Applicant maintain the width of the driveway as currently constructed (16 feet) to allow for the safe ingress and egress to and from the property.

Kurt Johnson seconded and the motion passed 3-0.

6:31 p.m. Road Foreman Nate Sullivan. Nate Sullivan briefed the Board on several issues:

- Site Visit with Daniel Lee (RA015). The water/erosion issues is happening outside of Range Road right of way. The source of the water is the watershed from South Hill area. Offered suggestions on possible improvements Property owner can take on his land.
- Culvert purchase in excess of \$1,000. Quotes obtained from three sources. Culverts primarily for the Irish Settlement, River and Pleasant Valley Road projects. Road Foreman recommends low bidder FW Webb (Quote #55542677).

Rick Heh moved to accept the FW Webb quote in the amount of \$7,542,26. Kurt Johnson seconded and the motion passed 3-0.

- Bed for 2007 Pick Up purchase in excess of \$1,000. Quotes obtained from three sources. Discussion ensued regarding functionality, body type, steel vs. aluminum, anticipated life of the truck, higher than anticipated cost, etc. Road Foreman recommends proposal by Iroquois (Quote #12780) with an estimated cost of \$4,392.00.

Rick Heh moved to accept the Iroquois steel bed proposal in the amount of \$4,392,00 plus a 10% contingency. Kurt Johnson seconded and the motion passed 3-0.

- Additional discussion ensued regarding taking advantage of the bed being removed to seal the chassis and the need to identify a budget line to draw against for the increased cost. Consensus to do both.
- Large trees growing up near the winter sand pile cast shadows that make it harder to draw material. Consensus to have Road Foreman contact the Tree Warden and have trees removed.

6:57 p.m. Old School House #5. Discussion ensued between Selectboard, staff, Roger Frey, Susan Thomas and Scott Tower. Consensus to advertise as soon as possible with a bid due date of September 8, 2017 and with a completion date of September 2018.

Discussion ensued regarding a scheduling conflict with of events and availability of Town Hall and chairs. Calendar will be checked with Town Clerk to identify potential conflicts.

7:24 p.m. Town Committee Vacancies – Mike Morin, Nate Sullivan in attendance and willing to serve on the Highway Infrastructure and Equipment Committee. Kurt Johnson relayed that Clark Elliot has also volunteered.

Rick Heh moved to approve appoint Mike Morin, Nate Sullivan and Clark Elliot to the Highway Infrastructure and Equipment Committee. Kurt Johnson seconded and the motion passed 3-0.

7:31 New Business.

Better Road Grant Agreements – Selectboard and staff reviewed to Better Roads grant awards on Irish Settlement Road: Culvert replacement (BR0374 / \$3,314.00) and Road and Ditch improvements (BR0315 / \$20,000.00)

Rick Heh moved to approve and accept Grant Agreements BR0315 and BR0374. Kurt Johnson seconded and the motion passed 3-0.

7:37 p.m. Old Business.

Route 15 Culvert Replacement – Selectboard and staff reviewed Lauren Oates/DEMHS email of July 20, 2017 approving the revised Grant of Temporary Rights.

Rick Heh moved to authorize the Chair to sign the revised Grant of Temporary Rights. Kurt Johnson seconded and the motion passed 3-0.

Mountain Road Culvert Engineering. Selectboard and staff discussed the December 31, 2017 deadline for the 2015 engineering grant. Consensus of Selectboard was to seek a recommendation from the Highway Infrastructure and Equipment Committee.

Class 4 Road Policy: Staff read Jeff Moulton's (FU049) email of July 25, 2017 where he expressed an interest in a common standard of care and that he be kept advised of future times when the topic would be discussed. The Chair summarized that maintenance is not required but he would like to see a consistent policy. Budgetary constraints identified as one area of concern. Recommendations would be sought for proposed services and for an algorithm for providing the services, based on factors like length of road, number of residences, etc. David Demarest (FU111) advocated for a basic level of maintenance, a policy that was not arbitrary or capricious and served the property owners. Karen Davis (ST204) spoke to the amount of traffic the Class 4 portion of Stevensville Road saw. Pat Sabalis offered to lead a group discussion with residents to gather their thoughts and suggestions.

Demarest Request: Selectboard discussed David Demarest's May 9, 2017 request to make actual and anticipated Town legal expenses and their rationale more transparent via posting on the website and broken down by individual cases. Cumulative legal expense are already posted there. Consensus of Board is to consider making the actual spending amounts available on an individual request basis.

Compensatory Time: Discussion ensued about local policy, current practice, flexibility and statutory obligations. Hypothetical and actual time sheets reviewed. Consensus of Board is to schedule a Special Meeting on Monday, July 31, 2017 to have discussion with employees.

By consensus discussion of the Town Hall Cleaning Budget item moved from Member Items: The reduction of cleaning services from weekly to biweekly is proving insufficient. Consensus of the Board is to have Town Clerk look into additional cleaning.

Flats Sidewalk: Staff briefed that the right-of-way and stormwater questions have not been resolved in time for construction this year. In addition VTrans will be looking for the Town to take on maintenance of storm water infrastructure outside of the Route 15 right-of-way and plowing of the on street parking spaces. Consensus of the Selectboard is that they would agree to those maintenance stipulations. Staff to forward information to VTrans.

8:48 p.m. Warrants and Minutes. By consensus the Board reviewed and signed current warrants.

Rick Heh moved to approve the minutes of the July 11, 2017 Regular Meeting of the Selectboard as ammended. Kurt Johnson seconded and the motion passed 3-0.

8:50 p.m. Member Items, Correspondence, Announcements, Schedule. Notice made of the next Regular Selectboard meeting being held on August 1, 2017 and Special Meeting scheduled for July 31, 2017.

Selectboard acknowledge receipt of:

- Draft letters to Randy Bishop and the Bernasconi family related to Animal Control complaints. Consensus of Selectboard to sign as presented.
- William Towle (ST260) letter of July 17, 2107 regarding request to relocate some of the 'No Parking' signs on Stevensville Road. Consensus of Selectboard is to ask the Road Foreman to make the proposed changes.
- Abutter notification from the Town of Westford regarding Benjamin Bornstein's application to the Westford Development Review Board of an August 14, 2107 hearing.
- Budget Status Report dated 7/21/17.
- Staff distributed draft RFPs for the FY17-18 Pleasant Valley Road Bo-Mag and Poker Hill Road Paving projects.

- June 27 email from Vermont State Police Sergeant William Warner regarding suspicious activity complaints on New Road. He is suggesting signage prohibiting parking after dark. Selectboard consensus to review signage issue with Road Foreman.

9:07 p.m. Executive Session. The Selectboard wanted to talk about correspondence received from town attorney.

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. Kurt Johnson seconded and the motion passed 3-0.

Chair moved that the Selectboard enter Executive Session 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. Kurt Johnson seconded and the motion passed 3-0.

At 10:02 p.m. the Chair moved to exit Executive Session. Kurt Johnson seconded and the motion passed 3-0.

No action taken as a result of Executive Session.

10:05 p.m. Adjournment: On a motion made by Rick Heh and seconded by Kurt Johnson the Selectboard unanimously voted to adjourn.

Submitted by Brian Bigelow, Town Administrator

Read and Approved as submitted/amended



Rick Heh, Chair

8-1-17

Date