

**TOWN OF UNDERHILL
SPECIAL SELECTBOARD MEETING MINUTES
Underhill Town Hall
Tuesday, November 14, 2017, 6:00 p.m.**

Selectboard: Kurt Johnson and Pat Sabalis

Town Staff: Nate Sullivan, RaMona Sheppard and Brian Bigelow

Public: Ruth Miller (MMCTV), Dan Close, Peter Motulo, Charlie Baker, Pat Weisel and Mike Weisel

6:00 p.m. Call to order, adjustments to agenda. Meeting called to order by Vice Chair.

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

6:02 p.m. Road Foreman, General Road issues. Road Foreman Nate Sullivan and Selectboard discussed several items to include winter sand purchase, an invoice of Wilford King in \$3,600 excess of quote, winter sidewalk maintenance, work on the 2013 dump truck, warrants, requirements for new vendors and status of the Town Garage roof.

Kurt Johnson motioned to move \$15,000 from the Gravel line item to the Sand line item. Pat Sabalis seconded and the motion passed 2-0.

Kurt Johnson motioned to accept the quote of T. Clark Enterprises in the amount of \$2,380 for winter sidewalk maintenance. Pat Sabalis seconded and the motion passed 2-0.

Kurt Johnson motioned to approve \$6,600 invoice of Wilford King. Pat Sabalis seconded and the motion passed 2-0. Consensus of Selectboard is that the Town should attempt to tie smaller paving jobs to the annual large paving contract to take advantage of bulk pricing.

Consensus of Selectboard is to have Road Foreman contact TDI and advise them of their unsatisfactory performance regarding the 2013 truck maintenance and to schedule remedial repairs.

Town Garage roof was inspected by roofing contractor Frank Lossmann with Kurt Johnson. Lossmann will provide quotes for suggested improvements (new ridge cap, snow/ice guards, replace boot at bathroom vent) for review next meeting. It is also suggested that a plumber review the bathroom vent from the interior.

6:38 p.m. Access Permit Piney Grove Goplen (Py002-020) Final Access Approval. Peter Motulo spoke to the application. The project received Preliminary Approval in 2016. In the interim the project has obtained Development Review Board (DRB) approval, a State Stormwater permit, the engineer's sign off and Certificate of Compliance by Zoning Administrator.

Kurt Johnson moved to approve the application with the five standard conditions. Pat Sabalis seconded and the motion carried 2-0.

6:42 p.m. Old Business:

UJFD additional information re: proposed substation (NR077X). Underhill Jericho Fire Department has submitted additional and updated background information regarding the potential lease of town property for a substation and requested time on an upcoming agenda. Pat Weisel spoke to the feasibility of the concept. Mike Weisel spoke to the need to better advertise the process. Consensus of the Selectboard is to schedule time after the budget process. Staff to advise UJFD.

Leased Land Quit Claim Deed (PV139). Kurt Johnson read the following prepared statement into the record:

Richard J. and Barbara A. Albertini, formerly of 139 Pleasant Valley Road (PV139), requested that the Town of Underhill convey to them or their successors in interest (Seth and Alison Friedman) any and all of the Town's interest in their land. The issue arose because their land consisted of glebe land or leased land, which is public land that had been reserved for the use of schools when the Town charter was originally granted centuries ago. These glebe lands were generally leased for nominal amounts under durable or perpetual leases. Over the centuries, private parties have bought and sold these lands like any other private property, and the Town assessed municipal taxes on the properties. Recently, title searches that have discovered glebe lands have flagged them as potential title defects.

24 VSA sec. 2406 authorizes municipalities to sell these glebe lands with two conditions:

1. The leaseholder must be given preference as the grantee of the title and
2. The funds received for the land, if any, shall be used for the purposes for which the lands were granted.

In this instance, the new owners Seth and Alison Friedman are the leaseholders and will be given preference. The Town will not receive funds for the lands. The consideration will be the municipal and school taxes paid over the years and reimbursement to the Town of legal fees and costs it incurred in connection with this matter.

On September 30, 2017, the Town posted and published public notice of this proposed conveyance under 24 VSA sec 1061. Thirty days have elapsed since the public notice and there has been no petition objecting to the conveyance. Therefore, the Selectboard authorizes the conveyance by quitclaim of the glebe land to Seth and Alison Friedman upon receipt of the reimbursement of fees and costs incurred by the Town, with the Quitclaim Deed to be held in escrow by Town's counsel until the Town's receipt of such reimbursement. The Chair or Vice Chair of the Selectboard shall be authorized to execute the Quitclaim Deed on behalf of the Town of Underhill and to authorize the release of such Quitclaim Deed from escrow.

Kurt Johnson moved to authorize the Vice Chair to sign the Quit Claim Deed as prepared with the condition that the deed be retained until all fees are paid. Pat Sabalis Kurt Johnson seconded and after a roll call vote the motion passed 2-0.

By consensus the Selectboard adjusted the agenda to move up the 7:30 agenda item the presenter was in attendance.

7:03 p.m. Charlie Baker, Executive Director, Chittenden County Regional Planning Commission (CCRPC). Charlie Baker in attendance to provide annual review and discuss current issues. Selectboard, staff and Executive Director discussed Route 15 paving, possible funding options for Mountain Road and Pleasant Valley Road (near Deane Road intersection) bridges, stabilization of River Road shoulders - perhaps in conjunction with possible improved alternative transportation features, and interfacing with State agencies regarding the parking congestion at Stevensville Road trailhead. Baker will respond with additional information.

7:28 p.m. New Business.

Revised Preliminary Plans Flats Sidewalk. Town Administrator advised Selectboard that the most recent VTrans comments have been responded to and are incorporated on the current plans by Lamoureux & Dickinson dated October, 2017. Plans have been forwarded to VTrans for their review.

Flats Sidewalk Grant Renewal. With the revised plans being reviewed by VTrans it is not likely that the sidewalk would be constructed in FY17/18 but in FY 18/19. A grant extension will be required.

Kurt Johnson moved that the Vice Chair be authorized to sign a grant extension until December 31, 2019. Pat Sabalis seconded and the motion passed 2-0.

The Selectboard will also seek an extension of the Structures Grant for engineering on a replacement bridge on Mountain Road.

Mt Mansfield Co-Location Testing. Copy of report required under the site's Land Use permit received. Areas accessed by public are below established guidelines.

7:36 p.m. Warrants and Minutes. Board reviewed and signed current warrants. Minutes deferred until full board in attendance.

7:39 p.m. Member Items, Correspondence, Announcements, Schedule. Notice made of the next 2017 Regular Selectboard Meeting being November 21, 2017, Notice made of Public Hearings for Zoning Bylaw updates on December 5 (5:30p.m.) and December 12 (6:00p.m)

Correspondence. Selectboard acknowledged receipt of:

- Information from Green Mountain Transit regarding the Jefferson Commuter
- Memorandum from Zoning Administrator regarding issuance of Administrative Amendment for modified driveway configuration for Davis/PG051.

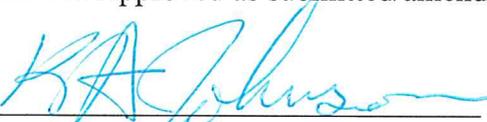
Kurt Johnson moved to authorize the Town Administrator to sign a \$60,000 Better Roads Grant Application for Culvert replacement near 293 Irish Settlement Road. Pat Sabalis seconded and the motion passed 2-0.

Consensus to discuss the Maple Leaf Town Contract question in Executive Session on December 5.
Consensus to dedicate significant portion of the November 21, December 5, December 19 and possibly a special meetings to FY18-19 Budget discussions.

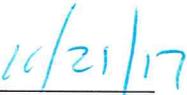
8:12 p.m. Adjournment: On a motion made by Kurt Johnson and seconded by Pat Sabalis the Selectboard unanimously voted to adjourn.

Submitted by Brian Bigelow, Town Administrator

Read and Approved as submitted/amended



Kurt Johnson, Vice Chair



Date