

**TOWN OF UNDERHILL
SELECTBOARD MEETING MINUTES
Underhill Town Hall
Tuesday, January 30, 2018 6:00 p.m.**

Selectboard: Rick Heh and Pat Sabalis

Town Staff: Brian Bigelow

Public: Ruth Miller (MMCTV) Stacy Turkos, Alex Angelino, Brad Holden, Peter Macone, Nancy Berry, Ron Berry, Cat Kearns, Anne Hawley, Richard Hawley, Dan Close, Ruth Julianelle, Tony Julianelle, Susan Cromwell, Chris Whelen, Tim Pedrotty

6:00 p.m. Call to order, adjustments to agenda. Meeting called to order by Rick Heh. Additions made to the agenda: Class 4 Road Maintenance Discussion, Town Contract for Ryan Bralich/IS586 and draft letter to editor regarding the Glebe/Lease Land Article removal from Town Meeting Australian Ballot all to be added after Charter Change Discussion.

6:06 p.m. Public Comment Period. Alex Angelino in attendance to discuss the recent Town policy to no longer allow residents to access the Town sand pile. He disagrees with the policy and in the past he has used sand on the Class 4 portion of Downes Road to access his camp. Alex Angelino also observed that the decision to discontinue the policy should have been publicized more. He fell while walking on Downes Road after finding out about the change and not being able to drive in. Selectboard reiterated that the reversal was based on safety, budgetary constraints and fairness. Selectboard confirmed that the Town was not required to provide year around maintenance on Class 4 Roads and they were working on a Class 4 road maintenance policy.

6:07 p.m. Access Permit

Macone (PH031) Access Application – Peter Macone and Brad Holden, L.S. in attendance to speak to application. Application is for a 5th driveway accessed off Bridle Trail, a private road. Applicant has joined the Bridle Trail Road Association. Drawing prepared by Brad Holden, L.S. entitled Proposed Driveway Peter Bemis Macone Living Trust dated January 18, 2018 was presented and reviewed. This is a slightly modified plan from access permit approved in 2010 but never built. Input from Underhill Jericho Fire Department has not been received yet. Driveway accesses the end of Bridle Trail, across from one driveway (Miller/BT018) and east of another (Paradis & Bolen/BT024). Notice made of sight distance of 194' down the latter driveway. Applicant feels the installation of the Macone driveway will benefit the turnaround at the end of the road.

Applicant committed to widening the road to 24 feet in width for the length serving five residences (Spence & Wheelock/BT010), and installing a pull off at ~475' on the new driveway.

Rick Heh moved to approve the Access Application as shown on drawing entitled Proposed Driveway Peter Bemis Macone Living Trust dated January 18, 2018. With the standard conditions and:

- Bridle Trail to be widened to 24' from Poker Hill Road to the Spence/Wheelock Driveway.
- Pull Off installed at approximately at station 4+75.
- Waiver granted for sight distance to the left as it is down a residential driveway. and
- Approval from the Underhill Jericho Fire Department.

Pat Sabalis seconded and the motion passed 2-0.

6:29 p.m. Discussion of removed Glebe/Lease Land Charter Change Town Meeting Article.

Town Administrator explained timeline and apologized for not ensuring that the Town Charter warning deadlines for the Public Hearings were met. The first warning needed to have occurred late December.

Pat Sabalis confirmed the Selectboard's intent to warn the same proposal in conjunction with the November 2018 vote rather than wait for the 2019 Town Meeting. In the interim the process would be the same for any affected properties that would transfer would be unchanged. Note made of efforts by the state legislature to address the issue.

Nancy Berry, Ron Berry, Anne Hawley, Richard Hawley, Dan Close, Ruth Julianelle, Tony Julianelle, Susan Cromwell, Chris Whelen, Tim Pedrotty all in attendance to ask questions and offer suggestions. Subjects addressed included legislative efforts in Montpelier, opportunities for public education and outreach, historical questions, and costs.

Dan Close recognized the efforts of Ed Moore in identify the original Glebe/Lease lots and identified Rep. Maida Townsend and the best contact regarding state legislative efforts.

Staff to advertise information on Front Porch Forum, Website and Mountain Gazette and explore feasibility of individual notices to individual landowners. Additional outreach to occur closer to vote and August warning dates.

7:08 p.m. Town Land Contract (Ryan Berlich/IS586). Selectboard reviewed application for Ryan Berlich to enter into a Town Land Contract. Discussion ensued about the program in general and the specific application.

Rick Heh move to approve the Land Contract as submitted. Pat Sabalis seconded and the motion passed 2-0. Chair signed the contract. Staff to submit to Town Clerk for recording.

7:20 p.m. Class 4 Road maintenance. Selectboard received a draft matrix. Information about the Town's twelve Class Four roads and uses of properties accessed off them included. Subjective values inserted in formulas purely for discussion purposes. General discussion included compiling additional information like: width of road and cost to maintain.

7:45 p.m. Warrants and Minutes. By consensus the Board reviewed and signed current warrants.

Rick Heh moved to approve the minutes of the January 16, 2018 regular Meeting of the Selectboard. Pat Sabalis seconded and the motion passed 2-0.

Selectboard consensus to not approve the January 23 Special Meeting minutes until Kurt Johnson is present.

7:49 p.m. Member Items, Correspondence, Announcements, Schedule. Notice made that the next Regular Selectboard date is February 13, 2018.

Correspondence. Selectboard acknowledged receipt of.

- After review, the consensus of the Selectboard is to have the Chair sign a letter to Underhill's State Representatives and Chittenden County Senators in support of future legislation that

would allow for the alternative use of electronic media for the posting of public notices received.

- After review, the consensus of the Selectboard is to have the Chair sign a letter of support for a grant application by the Winooski Natural Resources Conservation District.
- Budget Status Report and Unassigned Fund Balance, both dated 01/25/18..
- Offer by MMCTV to film and broadcast a Pre Town Meeting informational spot. Town Clerks in Jericho and Richmond were scheduled. Town Administrator to ask Town Clerk.
- Memorandum from CCRPC of their ECOS Plan. Consensus of Board to have staff add to Town Website.
- Quote from 1st Step Printing to have two interior pages of the Town Report printed in color with an additional cost of \$150. Consensus to proceed in the interest of legibility.
- Draft follow up on Glebe land Chart Change Status reviewed. Staff to send to Mountain Gazette and publish to FPF and the Town Website.

7:52 p.m. Executive Sessions.

At 7:52 p.m. Selectboard wanted to discuss information received from town attorney related to Fuller Road.

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. Pat Sabalis seconded and the motion passed 2-0.

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. Pat Sabalis seconded and the motion passed 2-0.

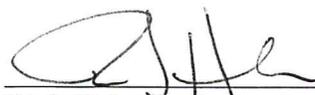
At 8:30 p.m. the Chair moved to exit Executive Session. Pat Sabalis and the motion passed 2-0.

No action taken as a result of Executive Session.

8:31p.m. Adjournment. On a motion made by Rick Heh and seconded by Pat Sabalis the Selectboard unanimously voted to adjourn.

Submitted by Brian Bigelow, Town Administrator

Read and Approved as submitted/amended



Rick Heh, Chair

2-13-18

Date