

**TOWN OF UNDERHILL  
SELECTBOARD SPECIAL MEETING MINUTES  
6:00 p.m., Wednesday, November 12, 2014**

**Selectboard:** Seth Friedman, David Rogers and Cliff Peterson

**Town Staff:** Pam Shover, Brian Bigelow, Nate Sullivan

**Public:** Ruth Miller (MMCTV), Rich Rushlow, Andrew Fletcher, Paul and Marlene Yanus, Bill Young, Austin Hart

**6:00 p.m.** Meeting called to order. Adjustments to agenda: Consensus of Board was to add Draft Road, Driveway and Trail Ordinance and Stevensville Road No Parking signs to Old Business, add 11 Romar Drive to New Business and to follow their practice of making adjustments to the agenda order as timing allows.

**6:02 p.m. Public Comment** – No members of the public in attendance to speak to non agenda items.

**6:03 p.m. Andrew Fletcher FEMA HMGP VT539** – Discussion about the process of payment and reimbursement timing still being unresolved. Town Administrator awaiting callbacks from FEMA personnel. Staff to call Towns of Stockbridge and Killington for their input on similar projects. Andrew Fletcher willing and able to be patient and his letter of October 23, 2014 deemed sufficient by the Board.

**6:14 p.m. Adjustment to order: New Business** –

To ensure that interested parties were in attendance for the 6:30 Agenda Item; the Board moved on to New Business. Discussion ensued regarding the three Hydraulic Studies performed by TR Fellows Engineering. Consensus of Board was to proceed with an engineered design for the Corbett Road culvert with a goal of preparing a RFP for bidding on the project conditional on the passing of a budget at Town Meeting. Town Administrator to contact Mike Weisel, P.E.

**6:30 p.m. Maple Leaf Farm**

Executive Director Bill Young and Attorney Austin Hart met with the Board and discussed and expanded upon their letters of November 10 and 11 respectively. Letters had been written in response to the Selectboard's letter of November 5<sup>th</sup> on the topic of their property tax exemption request under 33 VSA §3802. Austin Hart contended that there were more recent and more pertinent cases than the Fletcher Farm case cited by the Board. Cliff Peterson confirmed and expanded on the Board's position. Additional discussion about the programs offered ensued. Austin Hart will provide a further response on the statute and precedent. Review of next steps for a Town Meeting Ballot item for continued local exemption if they cannot proceed with the state exception.

**7:00 p.m. Adjustment to Schedule: Old Business**

Selectboard and Town Administrator reviewed status of:

- Town Garage Ventilation Project – Alliance Mechanical reported that the equipment would be ready to start installing next week.
- Land Fill Closure Recertification – Application has been deemed complete by State. Staff to warn public comment period.
- Stevensville Signage - Road crew to install an abundance of 'No Parking' signs on Stevensville Road near the trailhead.
- Latest version of the Draft Road, Driveway and Trail Ordinance to be forwarded to DRB and Planning Commission for their review.
- Guardrail to be installed on Pleasant Valley Road south of the Harvey Road intersection at an estimated cost of ~\$6,800. Stop bar to be painted on Harvey Road apron.

### **7:15 p.m. Capital Improvement Program**

Updated CIP spreadsheet reviewed. Much discussion about the conflict of desired municipal projects, recommended actions and individual property owners' economic circumstances. Specific line items discussed ex. refurbishing the grader versus purchase of a new one, full rebuild or short term patching of troublesome sections of roads. Consensus of Board was that current amounts were excessive. Town Administrator to distribute revised spreadsheet showing level funding numbers for comparison purposes.

### **6:14 p.m. New Business (continued)**

Selectboard discussed proposal for vehicular access to temporarily accommodate handicapped access at RO011. Project initiated by Missions for Independence (MFI). Consensus was to approve the proposal as designed. Staff to call the point of contact.

### **8:15 p.m. Minutes and Warrants**

Current Warrants reviewed and signed by Selectboard.

David Rogers moved to approve the minutes of the October 28, 2014 Special Meeting. Cliff Peterson seconded and the motion passed 3-0.

David Rogers moved to approve the minutes of the October 28, 2014 Regular Meeting. Cliff Peterson seconded with a friendly amendment to add clarifying language to the Moore Access agenda item. David Rogers accepted the language as friendly and the motion passed 3-0. Town Administrator to add language.

David Rogers moved to approve the minutes of the November 4, 2014 Special Meeting. Cliff Peterson seconded noting a typo and the motion passed 3-0.

### **8:20 p.m. Member Items, Correspondence, Announcements, Schedule.**

- Bergeron Paradis Fitzpatrick invoices reviewed by Board and by consensus signed by Chair.
- 2014 Town Meeting Ballot item language relating to Maple Leaf Farm reviewed. By consensus no petition would be required. Chair to contact Bill Young.
- Correspondence from Gravel & Shea received regarding compliance with FCC guidelines for RF exposure at the Mount Mansfield Colocation Corporation site.
- Need for a town representative to attend the November 19<sup>th</sup> Tax Sale and bid on properties in the event that no other individual did was discussed.

David Rogers moved to have Seth Friedman attend and, in the event of no bidder being willing to do so, bid the amount owed on the Mullen Road property of Tami Bell (MU021) and the Beartown Road property of Robert Blais (BE190). Cliff Peterson seconded and the motion passed 3-0.

- November 10, 2014 letter of Todd Odit, Jericho Town Administrator received related to interest expressed by the Jericho Selectboard in reviewing the contract between the Underhill Jericho Fire Department and the two towns in the Spring of 2015. Town Administrator to forward copies of letter agreement to Selectboard.
- TR Engineering invoice reviewed by Board.

David Rogers moved to pay the invoice in the amount of \$4,185 out of the Selectboard Contingency Fund budget line. Cliff Peterson seconded and the motion passed 3-0.

The next regularly scheduled meeting is November 25, 2014 at 6:00 p.m.

**8:15 p.m. Adjournment.**

David Rogers moved to adjourn. Cliff Peterson seconded and the motion passed 3-0.

Submitted by Brian Bigelow, Town Administrator

Read and Approved as submitted/amended.

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Seth Friedman, Chair

\_\_\_\_\_  
Date

11-25-14