

**TOWN OF UNDERHILL
SELECTBOARD MEETING MINUTES
6:00 p.m., Tuesday, May 12, 2015**

Selectboard: Clifford Peterson, David Rogers and Rick Heh

Town Staff: Brian Bigelow

Public: Ruth Miller (MMCTV), Cynthia Seybolt, Gerry Adams, David Edson, Jeff Moulton, Peter Duval, Richard Albertini, Barbara Albertini, and Jennifer Desautels

6:00 p.m. Meeting called to order by Chair. Adjustments made to the agenda as follows: Discussion of the Advertisement and Job Description for the Zoning and Planning Administrator position added after the Draft Town Plan Public Hearing, Discussions about the applications for the Interim Town Administrator position and an update on Piney Grove added prior to the Executive Session

6:02 p.m. Public Comment – Cynthia Seybolt inquired about the Albertini Preliminary Access application.

6:09 p.m. Clifford Peterson recused himself from the next agenda item due to his membership on the Planning Commission and left the meeting.

6:10 p.m. Selectboard Public Hearing on Draft Town Plan

Vice Chair David Rogers opened the Public Hearing.

Jeff Moulton followed up on issue raised in his March 16, 2015 letter to the Planning Commission regarding the accuracy of the Existing Land Use Map (Map #2) for two properties on Fuller Road. In addition he asked questions regarding the treatment of trails within the Draft Plan to include definition, location and which town body to talk to about trails.

Discussion ensued about the maps as the best available depiction based on the information provided. Jeff Moulton suggested a specific disclaiming paragraph as opposed to redoing the full map. Discussion ensued about the lack of specificity of informal trails on private property and how to some degree that was a purposeful choice of the Planning Commission. Peter Duval concurred that formalizing some private trails would be unfortunate and in addition there was no urgency for adoption.

Selectboard committed to further review of maps and the trail section of the draft plan prior to their second public hearing on May 20, 2015. The Selectboard thanked the Planning Commission for their efforts and closed the Public Hearing at 6:35 p.m.

6:36 p.m. Chair rejoins Board.

Review of Job Description and Advertisement for Zoning and Planning Administrator position with Planning Commission Chair Cynthia Seybolt. Consensus reached on proposed changes. Edits to be forwarded to Finance Director for input and advertising.

6:45 p.m. Albertini (PV019) Preliminary Access Approval.

Property owners and consultant Jennifer Desautels, P.E. reviewed revised drawings with Selectboard. Board, applicants, consultant and Peter Duval discussed: access point, completeness of application, ability to meet requirements of local ordinance, characteristics of Pleasant Valley Road in that area to include driving practices, future meetings with the Development Review Board, and the level of engineering appropriate for various points in the review processes. The sightline to the north was identified as the primary safety concern. Consultant asserts that the site can be designed to meet all design requirements. By consensus of the Board the Chair and staff will draft a set of approval conditions.

David Rogers moved to grant preliminary access approval to the Albertini's application subject to conditions as drafted. Rick Heh seconded and the motion passed 3-0.

7:38 p.m. Deane Road Culvert Replacement Engineering RFP Bid Opening

Sealed bids were opened from Eckman Engineering (\$13,500), LLC and Otter Creek Engineering (\$19,418). In addition an email submittal (\$18,000) from Aldrich & Elliot absent required elements was noted. Consensus of Board was to direct staff to create a side by side comparison for review at the next Selectboard meeting.

7:50 p.m. Old Business

FEMA HGMP / VT539 – Staff reviewed status. Property owners have not completed the prepared Voluntary Transaction Agreement (VTA).

Village Center Designations – No new developments since last meeting.

Town of Rutland Siting petition – Discussion of petition ensued. Notice made of concurrent legislative process. Consensus of Board is that they endorse the petition.

Clifford Peterson moved that the Underhill Selectboard adopt the Town of Rutland Petition as per the Town of Rutland letter of January 13, 2015. David Rogers seconded and the motion passed 3-0.

Access Process Determinations – Consensus of Board was to have property owners make application for an Access Permit for the May 26, 2015 Selectboard meeting regarding additional dwelling at WB025. Additional general process questions to be reviewed at a later date with Staff.

8:05 p.m. New Business

Town Land Contracts – General discussion was held about the application forms and policy.

David Rogers moved to approve the Silpe/SO031, Weber/UE191, Baron/PH480 and Reynolds & Bryant/PV354 contracts. Rick Heh seconded and the motion passed 3-0.

Consensus of Selectboard was to have a moratorium on new or renewed Town Land Contracts until January 2016.

8:09 p.m. Minutes and Warrants

Warrants reviewed and signed by Selectboard.

David Rogers moved to approve the minutes of the April 28, 2015 Regular Meeting minutes as written. Rick Heh seconded and the motion passed 3-0.

Clifford Peterson moved to approve the minutes of the April 28, 2015 Special Meeting minutes as written. David Rogers seconded and the motion passed 3-0.

8:14 p.m. Member Items, Correspondence, Announcements, Schedule.

The next regularly scheduled Selectboard meeting is May 26, 2015 at 6:00 p.m and the second Public Hearing on the Draft Town Plan is scheduled for May 20, 2015.

Correspondence – The following items were reviewed by the Selectboard:

- DR-4207 FEMA Subgrant Agreement signed by Chair.
- No action taken on Thomas Petition.
- Finance Director's memorandum related to insurance coverage during Town Administrator's Leave of Absence reviewed by Board.

Clifford Peterson moved that the insurance coverage be continued in accordance with Finance Director's memo dated 5/12/15. David Rogers seconded and the motion passed 3-0.

- Capital Improvement Program process will be starting soon. Chair will be recusing himself from Planning Commission discussions.
- Letters formalizing Part time status of Sarah McShane reviewed and signed.
- Financial Reports provided by Finance Director reviewed by Board.

Notice of the March 17, 2015 Selectboard decision to allow opportunity for the ownership of the Piney Grove development to propose improvements to the property without initiating a Notice of Violation. Item to be included on the next agenda.

Board decided on three candidates to interview for the Interim Town Administrator position. Staff to warn special meeting on May16 for interviews.

8:41 p.m. Executive Session

Clifford Peterson moved to enter Executive Session under 1 VSA §313 (a)(1)(e and f), to receive advice of counsel and discuss pending litigation, re: Repa Trail, on a specific finding that premature general public knowledge would clearly place the Selectboard at a substantial disadvantage in pending civil litigation. David Rogers seconded and the finding and motions passed by a 3-0 vote.

On a motion by Clifford Peterson, seconded by David Rogers the Board came out of Executive Session on a 3-0 vote at 9:04 p.m. No actions taken as a result of Executive Session.

Adjournment

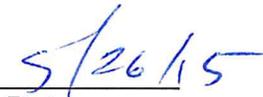
9:05 p.m. David Rogers moved to adjourn. Rick Heh seconded and the motion passed 3-0.

Submitted by Brian Bigelow, Town Administrator

Read and Approved as submitted/amended.



Clifford Peterson, Chair



Date