

**TOWN OF UNDERHILL
SELECTBOARD MEETING MINUTES
Underhill Town Hall
Thursday, May 23, 2019, 6:00 p.m.**

Selectboard: Pat Sabalis, Dan Steinbauer and Bob Stone

Town Staff: Brian Bigelow and Nate Sullivan

Public: Ruth Miller (MMCTV), Michael Fullem, Bill Wilson, Michelle Morris, Sarah Reeve, Peter Booth, Peter Bennett, Caroline Bennett, Paul Ruess, Mike Weisel, Lynne Kemp, Karen McKnight, Livy Strong, Bob Heiser, Susan Thomas, John Koier, Scott Tower

6:03 p.m. Call to order, adjustments to agenda. Meeting called to order by Pat Sabalis. Appointment of Chittenden Solid Waste District Commissioners added to the CSWD agenda item.

6:04 p.m. Public Comment Period. Peter Booth of Jericho inquired about any available local tax stabilization process. The Booth family is considering purchasing an Underhill property and operating a business out of it. They anticipate the property would require substantial rehabilitation which would raise the assessment. Selectboard recommended that he contact the Town Assessor.

6:06 p.m. Chittenden Solid Waste District (CSWD) Proposed FY2020 Budget. CSWD Executive Director Sarah Reeves presented the District's proposed FY20 budget and reviewed District programs and infrastructure.

Pat Sabalis moved approval of the proposed CSWD FY 20 Budget. Bob Stone seconded and the motion passed 3-0.

Discussion ensued about appointments to the CSWD. Current Commissioners Paul Ruess and Dan Steinbauer in attendance and expressed willingness to be reappointed to the Commission.

Pat Sabalis moved appointment of Paul Ruess as Underhill's Commissioner to the CSWD and Dan Steinbauer as the Alternate Commissioner. Bob Stone seconded and the motion passed 3-0.

6:27 p.m. Vermont Land Trust (VLT) and Jericho Underhill Land Trust (JULT), Tomasi Meadow. Bob Heisler (VLT) and Livy Strong (JULT) spoke with Selectboard regarding anticipated budget and process. The proposed budget is \$273,000 (\$45,000 Tomasi Family Donation, \$155,000 VHCB grant (tentative), Public Fundraising (JULT & VLT) and \$20,000 Town Funds). Other anticipated Town costs: Attorney fees and title insurance. Bob Stone expressed his strong recommendation that a survey be performed prior to transfer. Application for the \$155,000 VHCB grant requires the submittal of a Letter of Support from the Town.

Pat Sabalis moved that Selectboard submit a Letter of Support indicating the Town's backing for the proposal. Dan Steinbauer seconded. Additional discussion ensued. Bob Stone reiterated his interest in seeing survey funding included in the final budget. The motion passed 3-0.

6:53 p.m. Underhill Recreation Committee (URC), Lynne Kemp and Isabel Gamm interviews for Committee vacancies, Committee request to expand membership with two youth membership

positions. Lynne Kemp and Selectboard discussed her interest in appointment to the URC. Isabel Gamm had notified Town Administrator that she was unable to attend.

Pat Sabalis moved to appoint Lynne Kemp to the Recreation Committee for the remainder of a three year term expiring in 2020. Dan Steinbauer seconded and the motion passed 3-0.

Selectboard reviewed memorandum from the URC proposing increasing the Committee membership to nine by adding two high school aged (13-17) youth members,. These positions would be for staggered two year terms and non-voting.

Pat Sabalis moved to expand the Underhill Recreation Committee to nine with a pair of two year staggered youth positions as per Recreation Committee memorandum dated May 19, 2019. Dan Steinbauer seconded and the motion passed 3-0.

Discussion ensued regarding appointment of Isabel Gamm in abstentia. Notice made of her interest and the URC's recommendation. Chair doesn't know Isabel Gamm. Vice Chair does and concurs with the URC's assessment of her qualities.

Bob Stone moved to appoint Isabel Gamm to the Recreation Committee for the remainder of a three year term expiring in 2021. Dan Steinbauer seconded and the motion passed 2-1 with Pat Sabalis voting against while noting her vote isn't against the individual but in favor of the interview process.

7:01 p.m. Notice made that the Selectboard was running ahead of schedule and the individual for the 7:15 agenda item was not in attendance. Consensus of the Selectboard is to start the 7:30 agenda item.

7:02 p.m. Nate Sullivan, Road Foreman. Nate Sullivan updated the Selectboard on upcoming projects and maintenance issues. 1) stumping complete on Maple Ridge and Poker Hill Road. 2) tree removal quotes obtained for work on Downs Road, Poker Hill and TH #20 (Barrett's - \$14,950. DJ's - \$18,000 and Vaillencourt - \$21,000), 3) Culvert purchase quotes obtained (FW Webb - \$7,064.28 and Johnson Hardware - \$7,681.05) 4) Road Sign quotes received but not comparable, will have to wait until next meeting.

Pat Sabalis moved that the Town engage Barret's Tree Service for tree work on TH #20, Poker Hill Road and Downs Road in the amount of \$14,950. Bob Stone seconded and the motion passed 3-0.

Pat Sabalis moved that the Town approve culvert purchases from F.W. Webb per their invoice #63104115 dated 05/16/19 in the amount of \$7,064.28. Bob Stone seconded and the motion passed 3-0.

Discussion ensued about the \$5,400 in repair work on 2011 Dump Truck in this weeks warrants. Deficiencies were revealed during annual inspection and the truck is no longer under warranty. Road Foreman reminded to contact the Selectboard Chair as soon as he is aware that repairs will exceed \$1,000. Carbide tips for grader and contracting French's trucking to haul material identified as upcoming purchases in excess of \$1,000 and the consensus was to proceed.

7:33 p.m. Underhill Highways Infrastructure and Equipment Committee (HIEC) Infrastructure, Engineering and Requests for Proposals (RFP) recommendations. Mike Weisel distributed a handout and discussed HIEC recommendations on various projects.

- RFP Cracksealing – HIEC recommendation to allocate an additional \$20,000 with a goal of completing the first full round of cracksealing.
- RFP Paving - HIEC recommendation to only bid the paving projects (0.2 miles of River Road, Meadow Lane and Sugar Hill this year and combine the Bomag (Green Street, Krug and Town Hall parking lot) projects next year.
- Gravel Roads. Recommend retaining East Engineering for engineering services on project.

Pat Sabalis moved that the Selectboard retain East Engineering per their Proposal dated March 29, 2019 in the amount of \$11,600 for Design, Permitting, Right-of-Way and Bidding with Construction Administration and Inspection at an hourly rate of \$100/hour if requested. Bob Stone seconded and the motion passed 3-0.

- Corbett Road Bridge HIEC recommend retaining Bannon Engineering for associated wetland consulting and permitting work.

Pat Sabalis moved that the Selectboard retain Bannon Engineering per their proposal dated May 1, 2019 to provide wetland consulting for the Corbett Road replacement bridge in the amount of \$6,550.00. That amount would come from the \$18,000 committed to bridge design work approved October 23, 2018. Bob Stone seconded and the motion passed 3-0.

- Pleasant Valley Road Bridge #8 - No recommendation. Update and options discussed. The second Design-Build bid saw only bid received (Engineers Construction, \$181,700.00 with a revised bid for July 2020 construction at \$155,095.00). Consensus of Selectboard is to retain an engineer to develop a plan and then bid the plan out in the fall. Consensus of the Selectboard to bid the engineering services.

Consensus of Selectboard to approve draft RFPs with edits noted.

8:16 p.m. New Business:

Proposal for annual maintenance on furnace and heat pumps. Selectboard and staff reviewed Alliance Mechanical quotes for Proactive Maintenance Agreements at Town Hall and Underhill Center Post Office. Alliance Mechanical has been performing the annual maintenance at the Town Garage.

Pat Sabalis moved that the Selectboard approve the Alliance Mechanical proactive maintenance Agreement at the Underhill Center Post office at a cost of \$370 per year. Bob Stone seconded and the motion passed 3-0.

Pat Sabalis moved that the Selectboard approve the Alliance Mechanical proactive maintenance Agreement at the Underhill Town Hall at a cost of \$460 per year. Bob Stone seconded and the motion passed 3-0.

Change in Financial Institutions. The Selectboard reviewed Town Clerk Sherri Morin's memorandum dated May 21, 2019 detailing comparisons between four local institutions to include current provider Community Bank. Town Clerk's recommendation is to move all municipal banking functions to Union Bank. Transition is proposed to start June 1, 2019.

Pat Sabalis moved that the Selectboard resolve to change the Town's financial institution from Community Bank to Union Bank effective June 1, 2019. Bob Stone seconded and the motion passed 3-0.

8:25 p.m. Old Business:

Michael Fullem Food Cart Request. Michael Fullem and Selectboard discussed his request for approval to utilize a portion of 32 Pleasant Valley Road (PV032X) for his food cart. Handout presented outlining additional details to include maximum number of days (60) and hours of operation (noon to 8:00 p m). Additional submittals included the Shelburne Food Truck Ordinance and an electronic copy of a planning document regarding a variety of ordinances nationwide.

Bob Stone moved to accept the Fullem request on a provisional basis June – September. Dan Steinbauer seconded. Discussion ensued about the role of the Development Review Board and the required land use process. The motion and second were withdrawn. Applicant directed to have further discussion with Zoning Administrator. Pat Sabalis will discuss any means to expedite the process.

Underhill Historical Society (UHS) PV032X Boundary Question. Brad Holden, L.S. has started the survey. Town Administrator will contact Brad Holden to ask for a timeframe for completion of survey.

Flats Sidewalk. Update from Town Administrator: verbal approvals from last four landowners reached. A redesigned access will require relocation of a VT Gas main.

Underhill Center Post Office. Selectboard and staff reviewed quote from Harvey Brook Maintenance LLC to replace copper pipes with Aquapex. Harvey Brook performed the maintenance the last time the copper piping failed and was asked to quote the project at that time. Consensus of the Selectboard to accept the quote in the amount of \$400.17. Flooring quotes to be obtained.

Town Policy Review. Consensus of Selectboard to carry the agenda item over to the next meeting.

9:08 p.m. Warrants and Minutes. By consensus the Board reviewed and signed current warrants. Chair to have conversation with Town Clerk regarding a list of overpayments of taxes.

Pat Sabalis moved to approve the minutes of the May 7, 2019 Regular Meeting of the Selectboard. Bob Stone seconded and the motion passed by a vote of 3-0.

Pat Sabalis moved to approve the minutes of the May 7, 2019 Special Meeting of the Selectboard. Dan Steinbauer seconded and the motion passed by a vote of 2-0-1 (Bob Stone abstaining).

5:46 p.m. Member Items, Correspondence, Announcements, Schedule: Notice made of the next Regular Selectboard meeting being held on June 4, 2019 at 4:00 p.m.

Correspondence. Notice made of receipt of:

- Automatic renewal of dental benefit plan effective July 1, 2019. Budget estimate was for a 2.9% increase. It came in at 3.39% for an additional increase of \$44.76.
- Notice made of Underhill Conservation Commission annual plant sale to be held June 1, 2019.

- Green Up Day results: 97 bags of trash and 49 tires. Reimbursement request for \$533.86 has been sent to CSWD.
- Peter Bennett email of May 20, 2019 asking for Selectboard assistance in clarifying the two distinct proposals underway at the former Beartown Gravel Pit site: the proposed solar array and the proposal to reopen the pit for extracting gravel was discussed. Chair to work with staff to draft an informational article for distribution.
- State of Vermont House of Representatives Resolution recognizing May 19-25, 2019 as National Public Works Week in Vermont.

Member Items. None.

9:19 p.m. Executive Sessions.

Pat Sabalis moved that the Selectboard find that premature public knowledge of strategy decisions in pending civil litigation on Fuller Road would clearly place the Town at a substantial disadvantage because there is a risk of disclosing legal advice and litigation strategy if the discussion occurs in open session. Dan Steinbauer seconded and the motion passed 3-0.

Pat Sabalis moved that the Selectboard enter Executive Session with Town Administrator to discuss pending civil litigation involving the Town as a party, under the provisions of Title 1, Section 313(a)(F) of the Vermont Statutes. Dan Steinbauer seconded and the motion passed 3-0.

At 9:31 p.m. Pat Sabalis moved to exit Executive Session. Dan Steinbauer seconded and the motion passed 3-0.

Pat Sabalis moved that the Selectboard enter Executive Session to discuss the evaluation of a public officer or employee under: 1 VSA §313 (a)(3). Dan Steinbauer seconded and the motion passed 3-0.

At 9:43 p.m. Pat Sabalis moved to exit Executive Session. Dan Steinbauer seconded and the motion passed 3-0.

No action taken as a result of Executive Sessions.

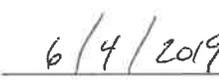
9:45 p.m. Adjournment: On a motion made by Pat Sabalis and seconded by Bob Stone, the Selectboard voted 3-0 to adjourn.

Submitted by Brian Bigelow, Town Administrator

Read and Approved as submitted/amended



 Pat Sabalis, Chair



 Date