

**TOWN OF UNDERHILL
SELECTBOARD REGULAR MEETING MINUTES
Underhill Town Hall
Thursday, July 18, 2019, 6:00 p.m.**

Selectboard: Pat Sabalis, Dan Steinbauer and Bob Stone

Town Staff: Brian Bigelow

Public: Ruth Miller (MMCTV), Kurt Johnson, Nancy Berry, Ron Berry, Jim Neeson, David Demarest, Lee Whalen, Roger Frey, Trudi Frey, Tim Pedrotty, Georganne Pedrotty, Anne Hawley, Richard Hawley, Karen McKnight, Peter Booth, Amy Beaton, Sue Cromwell, Susan Thomas, Peter Mitchell, Liz Manz, Dean Haller

6:03 p.m. Call to order, adjustments to agenda. Meeting called to order by Pat Sabalis. Addition of two Executive Sessions made: one related to a contract and one related to confidential attorney-client communications.

6:04 p.m. Public Comment. David Demarest provided a copy of an email (attached) he received from John Drew. Selectboard members read printout of email.

6:05 p.m. FY2020 Tax Rate and Draft Accounting, Auditing & Financial Reporting Policy. Selectboard and Staff reviewed Town Clerk Sherri Morin's final FY2020 Tax Rate Information as per memorandum dated July 16, 2019 and attached spreadsheet: Municipal: \$0.4764 (-10.37%), Local Agreement: \$0.0205 (-6.82%), Homestead Rate: \$1.5129 (+1.29%), Non-Residential Rate \$1.6234 (+2.64%). Total Homestead rate is \$2.0098 (-1.87%) and Total Non-Residential is \$2.1203 (-0.69%). General discussion ensued regarding necessary correction from Agency of Education and impact on Tax Bills being mailed out. The first quarter installment will be due August 20 rather than August 15.

Pat Sabalis moved the Selectboard approve the FY2020 tax rates per Town Clerk's memorandum. Dan Steinbauer seconded and the motion past 3-0.

Review of draft revisions to Accounting, Auditing & Financial Reporting Policy. Staff and Selectboard reviewed draft identified minor change to be included in the Accounting, Auditing, and Financial Reporting Policy. Staff to include the phrase "... *or more frequently* ..." into the first sentence of paragraph four.

Pat Sabalis moved the Selectboard adopt the revised Accounting, Auditing & Financial Reporting Policy with the correction noted. Dan Steinbauer seconded and the motion passed 3-0.

As the Selectboard was ahead of schedule related to agenda estimated times and the 6:20 item was anticipated to have public interest, the consensus of the Selectboard was to address routine business items.

6:10 p.m. Warrants and Minutes. By consensus the Board reviewed and signed current warrants.

Pat Sabalis moved to approve the minutes of the July 2, 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 July 11, 2019 Special Meeting of the Selectboard. Bob Stone seconded and the motion passed by a vote of 3-0.

6:12 Old Business:

Town Road and Bridge Standards. Selectboard and staff discussed implications of the adoption of new standards, some sections of which are voluntary and other required. Current standards expire July 31, 2019. Staff recommendations are to adopt all seven sections of the Standards.

Pat Sabalis moved that the Town of Underhill adopt the 2019 Town Road and Bridge Standards to include Sections 1 through 7. Dan Steinbauer seconded and the motion passed by a vote of 3-0.

6:19 p.m. Beartown Road Neighbors, Gravel Pit Discussion. Roger Frey, Nancy Berry, Karen McKnight, David Demarest and Georgine Pedrotty discussed history, current and future usage of the former Beartown Road Gravel pit property with the Selectboard. General Discussion held regarding the formation of a Task Force to discuss utilization of the property going forward. Volunteers to be sought. Roger Frey and Jim Neeson emails attached.

6:34 p.m. Highway Infrastructure and Equipment Committee (HIEC) Status of Projects. HIEC Chair Kurt Johnson updated the Selectboard on HIEC projects to include: meeting with VTrans personnel re: Harvey Road intersection with Pleasant Valley Road; input approving Vanassee Hangen Brustlin (VHB) as engineering firm for River Road assessment grant; Corbett Road Bridge replacement design; Irish Settlement and Poker Hill Road Reconstruction Projects anticipated to go out to bid in early winter for 2020 construction season; English Settlement project anticipated to be pushed to Spring 2020 based on Road Crew's workload; HIEC working with Underhill Planning Commission to provide input for Capital Improvement Plan; and River Road and Pleasant Valley Road identified as priorities for cracksealing. HIEC does not recommend additional investigation into reopening Beartown Road Gravel Pit since the Lamphere property is no longer available.

HIEC recommended that the Town accept the bid from Engineers Construction Incorporated (ECI) for repairs to Bridge #8. Discussion ensued regarding ECI's May 10, 2019 revised bid for spring/summer 2020 construction in the amount of \$179,195.00 versus rebidding the project.

Pat Sabalis moved that the Selectboard accept the bid of Engineers Construction Incorporated in the amount of \$179,195.00. Dan Steinbauer seconded and the motion passed by a vote of 2-1 with Bob Stone opposed.

6:59 p.m. New Business:

2019 Harvest Market. Harvest Market Steering Committee members Peter Mitchell and Liz Mann, Selectboard and Staff reviewed draft Selectboard Letter of Support, Draft Resolution to Establish Traffic Rules and the State Highway Access and Work Permit application. GAR Place added to draft resolution. Additional discussion occurred regarding manner of securing road closure and a potential of auction old road signs.

Pat Sabalis moved that the Selectboard approve the Letter of Support, the Resolution to Establish Traffic Rules and the State Highway Access and Work Permit application. Bob Stone seconded and the motion passed by a vote of 3-0.

The Selectboard signed the Resolution and the Chair signed the Letter of Support and the VTrans application.

Pine Ridge Stormwater Permit. John Koier not in attendance. Staff advised that John Koier and he spoke earlier in the day and have committed to exploring options and will report back to Selectboard at a future meeting.

Booth/VT413 Tax Contract Question. Peter Booth and Amy Beaton met with Selectboard to discuss their proposal, joint with current property owner Ross Brewer, to enter into a three year tax stabilization contract with the Town of Underhill. Per Booth and Beaton the stabilization is required to rehabilitate the historic property proposed to become a dual use commercial building. Consensus of the Selectboard is supportive and the Chair will explore the process under 24 VSA §2741.

Tribute to Gael Boardman. Discussion ensued about establishing a meaningful way to recognize resident volunteers who have made contributions to the Town of Underhill: past, present and future. Bob Stone to survey other municipalities' policies and practices.

Town Hall Retention Basin Bid Award. Selectboard and staff discussed the bids received and the budget. The low bid would be \$4,290 over estimate. Request has been made for an increase in the grant award to maintain the 80-20 grant split. The increase in the Town match (20%) would be \$858.

Pat Sabalis moved that the Selectboard approve the bid of EcoSolutions in the amount of \$17,290 for construction of the Retention Basin at Town Hall conditioned upon an increase in the grant award of \$3,432. Bob Stone seconded and the motion passed by a vote of 3-0.

7:42 p.m. Member Items, Correspondence, Announcements, Schedule: Notice made of scheduling conflicts for the next Regular Selectboard meeting scheduled for August 6, 2019. A Special Meeting to be scheduled.

Correspondence. Notice made of receipt of:

- June 26, 2019 Letter from Efficiency Vermont with the results of their Site Visit to the Town Garage. With the exception office lighting (T12) their recommendation is to only upgrade equipment at end of life. Staff to get a count and cost estimate on replacing the T12 fixtures.
- July 15, 2019 letter from Dennis Fekert ANR/DEC regarding the Categorical Disposal Facility at former Beartown Road Gravel Pit. Along with two suggestions to re-cover stumps and utilize asphalt, the absence of a required sign was pointed out. Road Foreman to address issues.
- Flyer from Jericho Underhill Land Trust (JULT) and Vermont Land Trust (VLT) announcing a Public Walk of the Tomasi Meadow on July 27th at 9:00.
- Letter from DuBois & King regarding VTrans's FY2021 paving on Route 15 from North Underhill Station Road to Cambridge.
- Materials from recent Vermont League of Cities & Towns seminar on Risk Management.

7:52 p.m. Executive Sessions.

Pat Sabalis moved that the Selectboard enter Executive Session with Dean Haller under: 1 VSA §313 (a)(3) Appointment or employment or evaluation of a public officer or employee. Dan Steinbauer seconded and the motion passed by a vote of 3-0.

The Selectboard exited Executive Session at 8:29. Dean Haller to research employee appraisal process in neighboring towns.

At 8:32 Pat Sabalis moved that the Selectboard find that premature general public knowledge of the review of a proposed contract between the Town of Underhill and a resident impacted by Underhill Flats Sidewalk project would clearly place the Town or a person involved at a substantial disadvantage. Bob Stone seconded and the motion passed by a vote of 3-0.

Pat Sabalis moved that the Selectboard enter Executive Session with the Town Administrator to discuss a contract for an easement agreement under the provisions of Title 1, Section 313(a)(1)(A) of the Vermont Statutes. Bob Stone seconded and the motion passed by a vote of 3-0.

At 8:38 p.m. Pat Sabalis moved to exit the Executive Session. Dan Steinbauer seconded and the motion passed 3-0.

As a result of the Executive Session the consensus of the Selectboard was to approve entering into a contract with Janice Robinson for \$2,000, the amount her contractor estimated to install a swale on the south side of her property as a secondary safety feature to the new catch basin. Staff to draft contract.

Pat Sabalis moved that the Selectboard find that premature public knowledge of strategy decisions in pending civil litigation on the appeal of a Development Review Board decision on Pine Ridge 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)(1)(F) of the Vermont Statutes. Dan Steinbauer seconded and the motion passed 3-0.

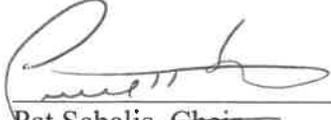
At 9:53 p.m. Pat Sabalis moved to exit Executive Session. Dan Steinbauer seconded and the motion passed 3-0. No action taken as a result of Executive Session.

Conesus of Selectboard to cancel their Regular Meeting of Tuesday, August 6th and to schedule a Special Meeting on Monday, August 5, 2019 at 6:00PM.

8:56 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
Dan Steinbauer, Vice Chair

8/5/2019

Date