

**TOWN OF UNDERHILL
SELECTBOARD REGULAR MEETING MINUTES
Underhill Town Hall
Tuesday, November 5, 2019, 4:00 p.m.**

Selectboard: Pat Sabalis, Dan Steinbauer & Bob Stone

Town Staff: Jennifer Silpe-Katz, Nate Sullivan & Brian Bigelow

Public: Ruth Miller (MMCTV), Kassandra Bean, Bob Genter, Tim Clark, Anton Kelsey, Chris Toulis, Kurt Johnson, Patricia Gray, Tyler Main, Roger Koniuto, Rick Heh, Doug Keith

4:00 p.m. Call to order, adjustments to agenda. Meeting called to order by Pat Sabalis. Additions to agenda: update on Halloween Rain event on Dumas, Downes, Fuller and Stevensville Road and draft Class 4 Road Policy.

4:01 p.m. First Public Comment Period. Chair acknowledged the work by the Underhill Jericho Fire Department and Underhill Road Crew for their efforts during the recent event.

Residents of Dumas Road and Meadow Lane including Kassandra Bean, Bob Genter and Patricia Gray in attendance to request Town initiate federal review, specifically under the Emergency Watershed Protection (EWP) program, of the streambank on the Gray property (DM012) and provide a load of sand for residents to use to fill sand bags.

4:14 p.m. Anton Kelsey, Chair, Underhill Recreation Committee (URC). Anton Kelsey presented the URC 2020-21 Budget options for the tennis courts on Stevensville Road. Options summarized as “*repair, resurface or remove*”. URC recommendation is to repair courts at this time and stripe one for pickle ball with a budget implication of approximately \$10,000. Chair requested URC look into grants and fundraising options. URC Chair expressed concern that that might be more than a volunteer committee could commit to.

4:23 p.m. Irish Settlement Road ‘Segment B’ bids. Kurt Johnson Highway Infrastructure and Equipment Committee (HIEC) presented that Committee’s recommendation of the bids. Of the eight bidder’s GW Tatro was the low bidder at \$248,050. Project Engineer Tyler Billingsley and HIEC recommend awarding the bid to GW Tatro. In addition the HIEC recommends that the Poker Hill Road portions of the reconstruction design be put out to bid.

Bob Stone moved that the GW Tatro bid in the amount of \$248,050 for reconstruction of Segment B of Irish Settlement Road be accepted by the Town. Pat Sabalis seconded and the motion passed by a vote of 3-0.

Consensus of the Selectboard to proceed with advertising a Request for Proposals for the sections of Poker Hill Road proposed for reconstruction.

4:37 p.m. FY20-21 Budget, General expenditures. Selectboard and staff discussed the budget proposals received to date. Future discussion to be held at the November 21 Selectboard meeting. Additional discussion ensued regarding the FY18-19 audit. Finance Officer Jennifer Silpe-Katz said that the Auditors have completed their onsite work and anticipates having the Audit being completed later this month.

5:47 p.m. New Business:

Winter 19-20 Sidewalk Maintenance Contract. Sole bid received from T. Clark Enterprises in the amount of \$3,995.00 for the season (Mid November - Mid April) or per event at \$100 per occurrence for plowing and \$150 per occurrence for sanding.

Bob Stone moved to accept the bid of T. Clark Enterprises for the season in the amount of \$3,995 and outside of the season at the proposed occurrence rates. Dan Steinbauer seconded and the motion passed by a vote of 3-0.

Addition to Agenda: Class 4 Road issues as a result of rain event and the Dumas Road and Meadow Lane neighborhood. Selectboard and Road Foreman Nate Sullivan reviewed storm damage on Class 4 Fuller Road, and the Class 4 portions of Stevensville Road and Downes Road. Road Foreman provided estimates of time and material to perform repairs to identified storm damages portions of those Class 4 roads.

Bob Stone moved the Town approve the expenditure of funds not to exceed \$1,500 for temporary emergency repairs on Fuller Road. Dan Steinbauer seconded and the motion passed by a vote of 2-1 with Pat Sabalis dissenting.

Additional discussion ensued regarding the need to post the road and notify residents and emergency responders regarding the compromised culvert. Consensus to have Road Foreman post the road at an appropriate weight limit.

Pat Sabalis moved the Town approve the expenditure of funds not to exceed \$700 for temporary emergency repairs on Stevensville Road. Bob Stone seconded and the motion passed by a vote of 3-0.

Bob Stone moved the Town approve the expenditure of funds not to exceed \$500 for temporary emergency repairs on Downes Road. Dan Steinbauer seconded and the motion passed by a vote of 3-0.

Additional discussion ensued regarding the requests from Dumas Road and Meadow Lane residents for sand to fill sand bags. Consensus of Selectboard is to provide one load of sand and for the Town Administrator to initiate a request under the EWP Program.

Municipal Checklist for Internal Controls. Selectboard reviewed annual forms prepared by Town Clerk and Finance Officer.

Pat Sabalis moved that the Selectboard authorize the Chair to sign checklists as prepared by Finance Officer and Town Clerk. Bob Stone seconded and the motion passed by a vote of 3-0.

Reappointment of Zoning Administrator. Selectboard and staff reviewed October 30, 2019 memorandum from Andrew Strniste, Planning Director & Zoning Administrator. In accordance with statute 24 VSA §4448 the Planning Commission recommended the Zoning Administrator's reappointment at their meeting of October 17, 2019.

Pat Sabalis moved that the reappointment of Andrew Strniste as Zoning Administrator for a three year term. Bob Stone seconded and the motion passed by a vote of 3-0.

Review of Revised Purchasing Policy and Proposed Balance Budget Policy and Class 4 Road Policy. Selectboard reviewed drafts. Members to consider various limits and thresholds within the for draft revised Purchasing Policy for next meeting. Information on thresholds utilized by other communities to be obtained by Chair. Draft Class 4 Road Policy to be considered at next meeting. Consensus to mail information to Class 4 property owners. Consensus is that within the draft Balance Budget Policy the Finance Officer and/or Town Treasurer present a budget closing plan with recommendations to the Selectboard.

Pat Sabalis moved that the Selectboard adopt the Balanced Budget Policy as amended. Dan Steinbauer seconded and the motion passed by a vote of 3-0.

5:30 p.m. Old Business.

Executed Solar Array Contract with Green Lantern Group (GLG) at BE097X and Certificate of Public Good. Notice made that the contract between the Town of Underhill and GLG has been executed and that GLG has received their Certificate of Public Good. It is estimated that construction will beginning spring of 2020.

Leased Land Informational Meeting on November 20, 2019. Selectboard will host an informational meeting on the implications of 24 VSA §2409 to include the January 1, 2020 date. Meeting start time be 6:30 p.m..

5:38 p.m. Warrants and Minutes. By consensus the Board reviewed and signed current warrants.

Pat Sabalis moved to approve the minutes of the October 17, 2019 Regular Meeting of the Selectboard. Bob Stone seconded and the motion passed by a vote of 2-0-1 with Dan Steinbauer abstaining.

5:43 p.m. Member Items, Correspondence, Announcements, Schedule: Notice made of the next Regular Selectboard meeting scheduled for November 21, 2019.

Correspondence. Notice made of receipt of:

- Quote from TechGroup for replacement of two Personnel Computers that are to old to have warrantied. Town Administrator and Town Clerk to review.
- Notice of Secretary of State's 'Fifth Biennial Transparency Tour' with dates and locations.

5:47 p.m. Second Public Comment Period. None.

5:48 p.m. Executive Sessions.

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

At 6:15 p.m. the Selectboard exited Executive Session. Action as a result of Executive Session is that the Road Crew will move Jersey barriers to Town Garage.

Pat Sabalis moved that the Selectboard find that premature general public knowledge of pending or probable civil litigation involving the Duval appeal of a DRB Decision would clearly place the Town at a substantial disadvantage. Dan Steinbauer seconded and the motion passed 3-0.

Pat Sabalis moved that the Selectboard enter Executive Session to discuss pending or probable civil litigation that the Town is a party to and to have confidential attorney-client communications under the provisions of Title 1, Section 313(a)(1)(E and F) of the Vermont Statutes. Dan Steinbauer seconded and the motion passed 3-0.

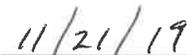
At 6:30 p.m. the Selectboard exited Executive Session. Actions as a result of Executive Session are that the Town will retain Stitzel Page & Fletcher for the Duval appeal from the Development Review Board denial and that the Town denies the request to file a motion to reopen the appeal.

6:31 p.m. Adjournment: On a motion made by Pat Sabalis and seconded by Dan Steinbauer the Selectboard voted 3-0 to adjourn.

Submitted by Brian Bigelow, Town Administrator

Read and Approved as submitted/amended


Pat Sabalis, Chair


Date