

CERTIFICATE OF HIGHWAY MILEAGE
YEAR ENDING FEBRUARY 10, 2017

Fill out form, make and file copy with the Town Clerk, and mail ORIGINAL, before February 20, 2017 to:
Vermont Agency of Transportation, Division of Policy, Planning and Intermodal Development, Mapping Section
One National Life Drive, Montpelier, VT 05633.

We, the members of the legislative body of MIDDLEBURY in ADDISON County
on an oath state that the mileage of highways, according to Vermont Statutes Annotated, Title 19, Section 305,
added 1985, is as follows:

PART I - CHANGES TOTALS - Please fill in and calculate totals.

Table with 6 columns: Town Highways, Previous Mileage, Added Mileage, Subtracted Mileage, Total, Scenic Highways. Rows include Class 1, Class 2, Class 3, State Highway, Total, Class 1 Lane, Class 4, and Legal Trail.

\* Mileage for Class 1 Lane, Class 4, and Legal Trail classifications are NOT included in total.

PART II - INFORMATION AND DESCRIPTION OF CHANGES SHOWN ABOVE.

totals checked by
K. Gismelli
9 Mar 2017

1. NEW HIGHWAYS: Please attach Selectmen's "Certificate of Completion and Opening".

2. DISCONTINUED: Please attach SIGNED copy of proceedings (minutes of meeting).

- 0.17 mi of TH-59 (Adirondack View)

3. RECLASSIFIED/REMEASURED: Please attach SIGNED copy of proceedings (minutes of meeting).

+ 0.046 mi VT-125 approach to US-7 (mileage not previously accounted for)

4. SCENIC HIGHWAYS: Please attach a copy of order designating/discontinuing Scenic Highways.

IF THERE ARE NO CHANGES IN MILEAGE: Check box and sign below. [ ]

PART III - SIGNATURES - PLEASE SIGN.

Selectmen/ Aldermen/ Trustees Signatures:

[Handwritten signature]

T/C/V Clerk Signature:

[Handwritten signature]

Date Filed:

2.16.2017

Please sign ORIGINAL and return it for Transportation signature.

AGENCY OF TRANSPORTATION APPROVAL:

Signed copy will be returned to T/C/V Clerk.

APPROVED:

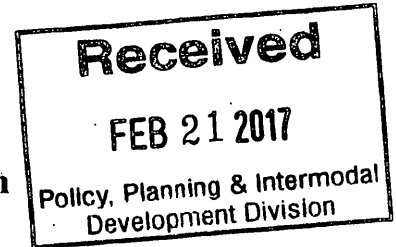
[Handwritten signature]
Representative, Agency of Transportation

DATE:

3/30/2017

Vermont Statutes Annotated

19 V.S.A. § 305. Measurement and inspection



§ 305. Measurement and inspection

(a) After reasonable notice to the selectboard, a representative of the agency may measure and inspect the class 1, 2, and 3 town highways in each town to verify the accuracy of the records on file with the agency. Upon request, the selectboard or their designee shall be permitted to accompany the representative of the agency during the measurement and inspection. The agency shall notify the town when any highway, or portion of a highway, does not meet the standards for its assigned class. If the town fails, within one year, to restore the highway or portion of the highway to the accepted standard, or to reclassify, or to discontinue, or develop an acceptable schedule for restoring to the accepted standards, the agency for purposes of apportionment under section 306 of this title shall deduct the affected mileage from that assigned to the town for the particular class of the road in question.

(b) Annually, on or before February 10, the selectboard shall file with the town clerk a sworn statement of the description and measurements of all class 1, 2, 3, and 4 town highways and trails then in existence, including any special designation such as a throughway or scenic highway. When class 1, 2, 3, or 4 town highways, trails, or unidentified corridors are accepted, discontinued, or reclassified, a copy of the proceedings shall be filed in the town clerk's office and a copy shall be forwarded to the agency.

(c) All class 1, 2, 3, and 4 town highways and trails shall appear on the town highway maps by July 1, 2015.

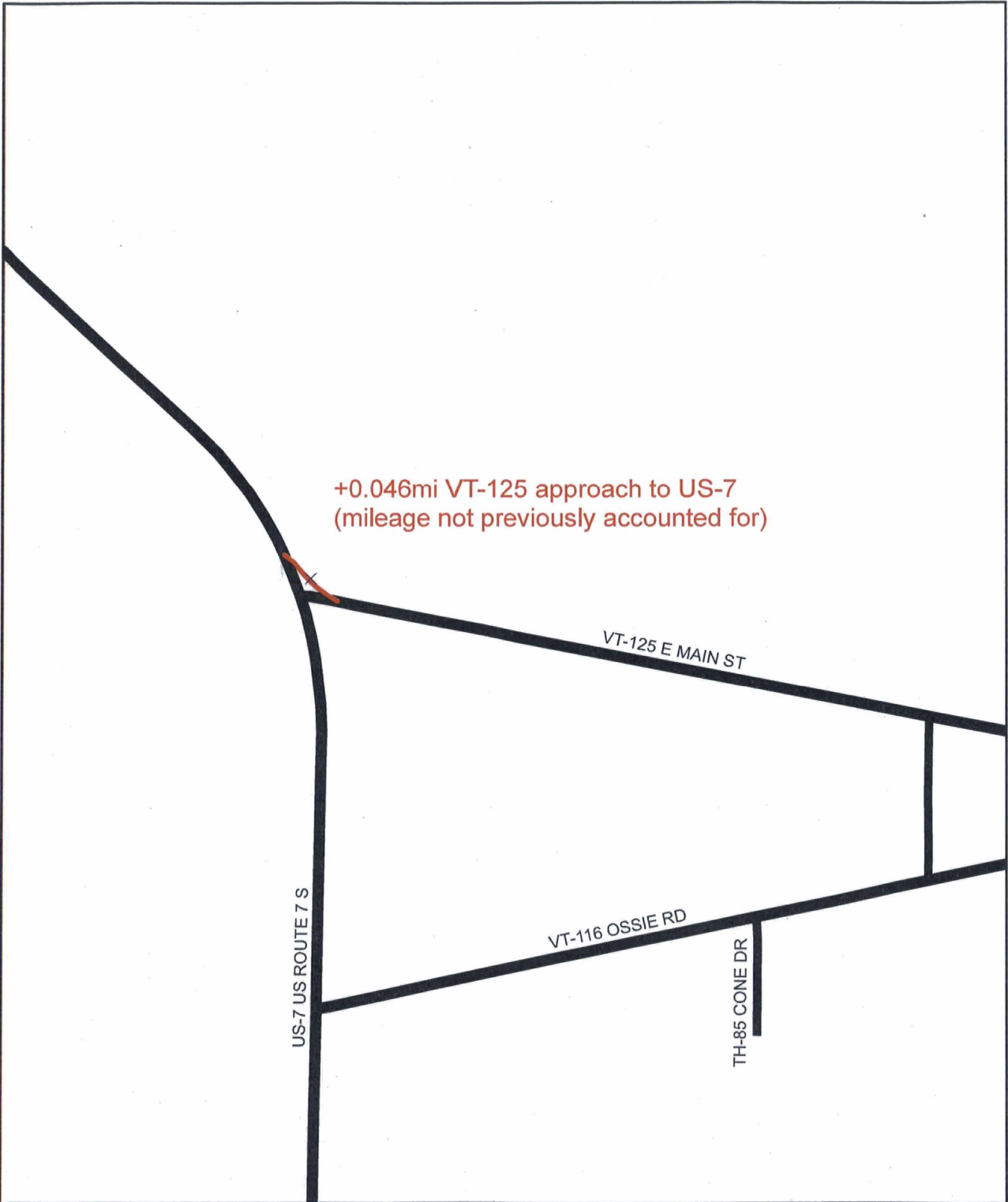
(d) At least 45 days prior to first including a town highway or trail that is not clearly observable by physical evidence of its use as a highway or trail and that is legally established prior to February 10, 2006 in the sworn statement required under subsection (b) of this section, the legislative body of the municipality shall provide written notice and an opportunity to be heard at a duly warned meeting of the legislative body to persons owning lands through which a highway or trail passes or abuts.

(e) The agency shall not accept any change in mileage until the records required to be filed in the town clerk's office by this section are received by the agency. A request by a municipality to the agency for a change in mileage shall include a description of the affected highway or trail, a copy of any surveys of the affected highway or trail, minutes of meetings at which the legislative body took action with respect to the changes, and a current town highway map with the requested deletions and additions sketched on it. A survey shall not be required for class 4 town highways that are legally established prior to February 10, 2006. All records filed with the agency are subject to verification in accordance with subsection (a) of this section.

(f) The selectboard of any town who are aggrieved by a finding of the agency concerning the measurement, description, or classification of a town highway may appeal to the transportation board by filing a notice of appeal with the executive secretary of the transportation board.

(g) The agency shall provide each town with a map of all of the highways in that town together with the mileage of each class 1, 2, 3, and 4 highway, as well as each trail, and such other information as the agency deems appropriate.

Excerpt of 19 V.S.A. § 305 - *Measurement and inspection* from Vermont Statutes Online located at – <http://legislature.vermont.gov/statutes/section/19/003/00305>



+0.046mi VT-125 approach to US-7  
(mileage not previously accounted for)

US-7 US ROUTE 7 S

VT-125 E MAIN ST

VT-116 OSSIE RD

TH-85 CONE DR

**Mileage Certificate Change 2017**  
**MIDDLEBURY**  
(CTCODE: 0111)

Mapping Section  
Division of Policy, Planning and Intermodal Development  
Vermont Agency of Transportation - March 2017



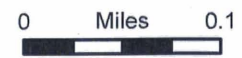


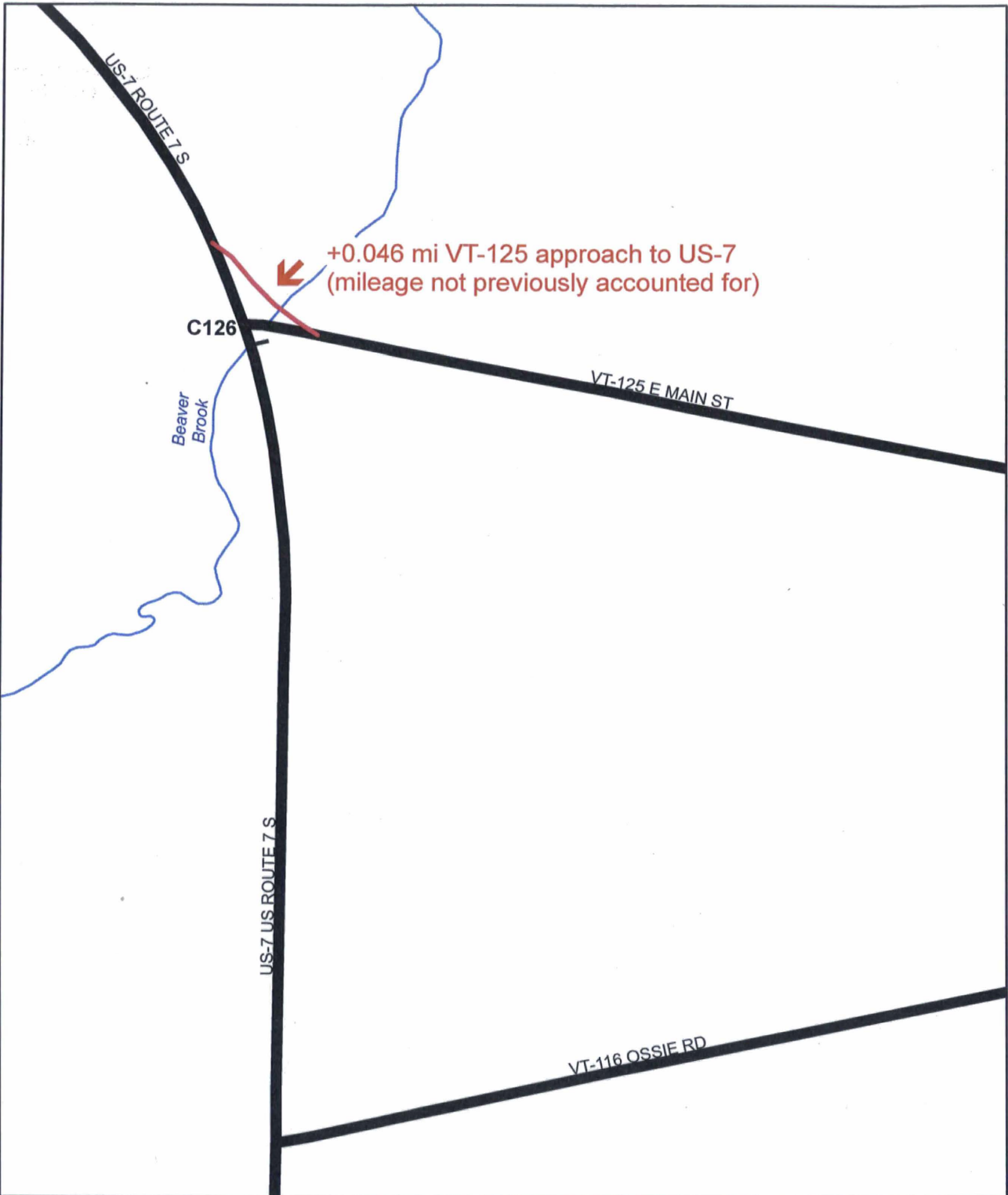
-0.17 mi CL3 TH-59  
(Adirondack Vw)  
Discontinued

**Mileage Certificate Change 2017**  
**MIDDLEBURY**

(CTCODE: 0111)

Mapping Section  
Division of Policy, Planning and Intermodal Development  
Vermont Agency of Transportation - March 2017

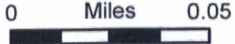




**Mileage Certificate Change 2017  
MIDDLEBURY**

(CTCODE: 0111)

Mapping Section  
Division of Policy, Planning and Intermodal Development  
Vermont Agency of Transportation - December 2016



## Town Highway/Legal Trails Addition/Reclassification/Discontinuance Checklist

The following includes a checklist of the documentation to be supplied to the Vermont Agency of Transportation (VTrans) when adding / reclassifying / discontinuing highways and trails. The documentation is subject to verification by VTrans.

Check the box  if the information is included as part of the documentation submitted.

- A description of the affected highway or trail  
Vt. Stat. Ann. tit. 19, § 305(e)
  - A current town highway map with the requested deletions and additions sketched on it  
Vt. Stat. Ann. tit. 19, § 305(e)
  - Minutes of meetings at which the legislative body took action with respect to the changes  
(include copies of the meeting minutes) Vt. Stat. Ann. tit. 19, § 305(e)
  - Evidence of written notice to adjoining landowners *(see Order of Discontinuance)*  
(include a copy of the newspaper notice and a copy of the letter sent to adjoining landowners)  
Vt. Stat. Ann. tit. 19, § 709
  - A copy of any surveys of the affected highway or trail  
Vt. Stat. Ann. tit. 19, § 305(e) Vt. Stat. Ann. tit. 19, § 704
- 
- For Class 3 or Class 4 town highway additions  
A Certificate of Completion and Opening  
While not required by statute, a Certificate of Completion and Opening form is a helpful document for the record.

All records filed with the agency are subject to verification in accordance with 19 V.S.A. § 305 (a) and 19 V.S.A. § 305 (e).

Vermont Agency of Transportation  
Division of Policy, Planning and Intermodal Development, Mapping Section  
1 National Life Drive, Montpelier, VT 05633-5001

## Discontinuance of TH-59 (Adirondack View) in the Town of Middlebury

The discontinuance of TH-59 (Adirondack View) begins at TH-3 (College Street) south 0.17 miles to its end.

Attached are:

- Urban Compact of Middlebury. TH-59 is highlighted in green.
- Minutes of Site Visit
- Notice to Mike Snyder, Commissioner of Forests, Parks, and Recreation.
- Selectboard Meeting minutes (see lines 101-122)
- Order of Discontinuance of Town Highway #59 filed in the Clerk's office.

TOWN HWY. No.	CLASS 3	CLASS 4	TOWN ROAD NAME
6	0.52		SOUTH ST
15	0.38		RODGERS RD
19	0.17		CREEK RD
20	0.07		MIDDLE RD N
21	0.32		MIDDLE ST
43	0.21		BIRCHWOOD PK
44	0.10		THOMAS ST
45	0.27		MARY HOGAN DR
46	0.09		WATER ST
46	0.40		CHARLES AV
47	0.17		S PILGRIM ST
48	0.03		MERCHANTS ROW
49	0.05		WATER ST
50	0.05		QUANE CT
51	0.21		BAKERY LN
52	0.16		GREEN MOUNTAIN PL
53	0.04		TH 53
54	0.26		CHIPMAN PK
55	0.26		CHIPMAN PK
56	0.09		BENEDICT LN
57	0.19		FRANKLIN ST
58	0.17		HILLCREST RD
59	0.17		ADIRONDACK VIEW
61	0.23		SHANNON ST
62	0.06		SHORT SHANNON ST
63	0.12		MURDOCK CT
64	0.27		S GORHAM LN
64	0.26		GORHAM LN
65	0.19		GORHAM LN
66	0.25		MORNINGSIDE DR
68	0.20		MILL ST
69	0.06		PARK ST
70	0.05		MIDDLE SEYMOUR
70	0.12		MIDDLE SEYMOUR
70	0.04		VILLARD ST
71	0.09		METHUEN LN
72	0.15		ELM ST
73	0.58		EXCHANGE ST
74	0.57		HIGH ST
75	0.11		STEWART LN
76	0.11		NORTH ST
77	0.34		SPRINGSIDE RD
78	0.20		CHIPMAN HTS
79	0.04		TH 79
80	0.09		FORREST LN
81	0.09		LOCKER LN
82	0.32		COLONIAL DR
83	0.09		FORBES CIR
83	0.07		VALLEY VIEW
84	0.32		SEYMOUR ST EXT
88	0.07		BUTTOLPH CR
89	0.16		SWANAGE CT
90	0.43		WOODLAND PK
95	0.08		LUCIUS SHAW LN
96	0.12		STORRS AV
97	0.69		BUTTOLPH CR
98	0.18		MEADOW WY
100	0.25		DANFORD DR
105	0.24		BROOKSIDE DR
106	0.06		VALLEY VIEW
107	0.04		FOSTER CIR
108	0.04		DWIRE CIR
109	0.24		PETERSON TERR
110	0.10		GAMBREL CT
119	0.18		EAST RD
120	0.17		HARROW WY
121	0.04		FAIRVIEW CIR
123	0.10		OTTERRIDGE CT
124	0.12		PINEWOOD RD
125	0.05		HERITAGE CIR
TOTAL	12.84	0.00	

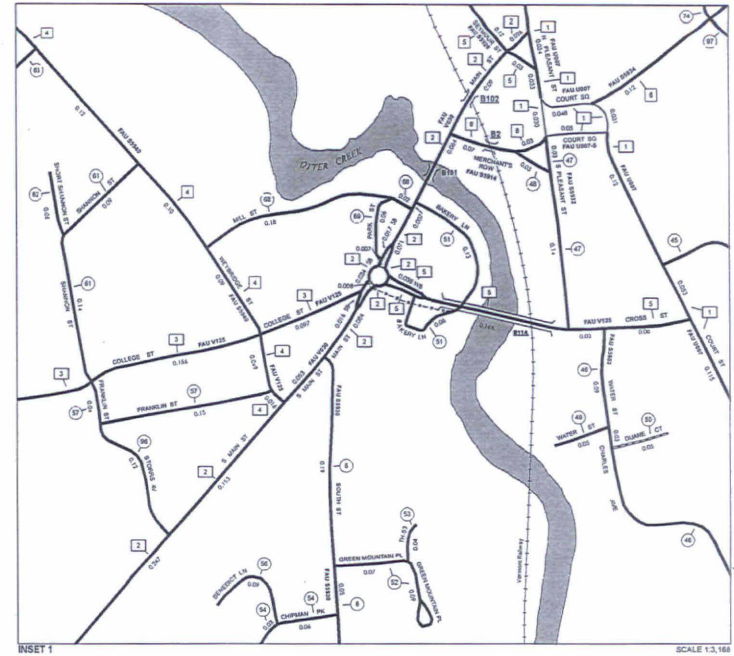
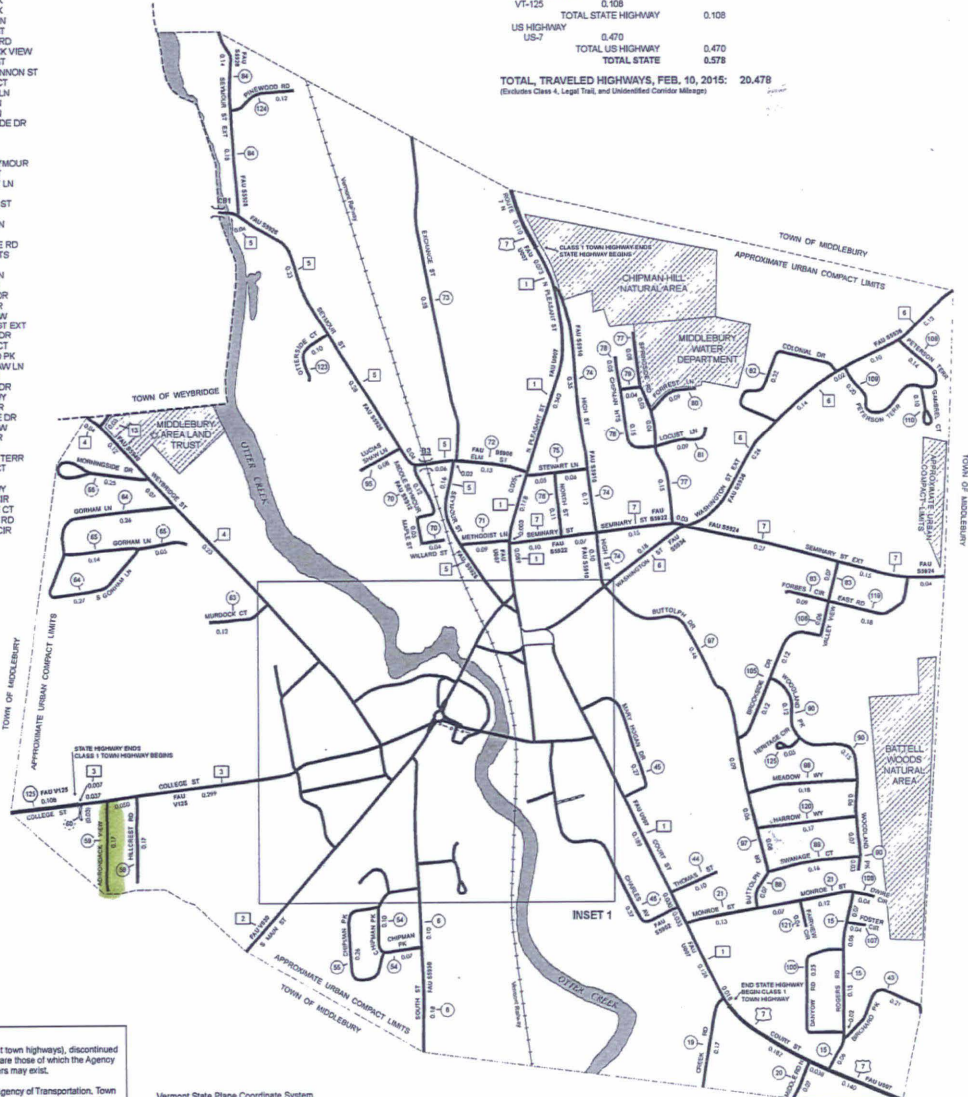
TOWN HWY. No.	CLASS 3	CLASS 4	TOWN ROAD NAME
60	0.03		TOTAL

\*The sections of the town highways listed above are legally Class 3, but have been deemed "Not Up To Standard" and are functionally Class 4 Town Highways

**MILEAGE SUMMARY**

CLASS 1	1.538	
TH-1	0.877	
TH-2	0.661	
TH-3	0.065	
TH-4	0.314	
TH-5		
TOTAL CLASS 1	3.440	
CLASS 2		
TH-4	0.770	
TH-5	0.950	
TH-6	0.950	
TH-7	0.810	
TH-8	0.100	
TH-13	0.030	
TOTAL CLASS 2	3.620	
CLASS 3		
TOTAL CLASS 3	12.84	
STATE HIGHWAY VT-125	0.108	
TOTAL STATE HIGHWAY	0.108	
US HIGHWAY US-2	0.470	
TOTAL US HIGHWAY	0.470	
TOTAL STATE	0.578	
TOTAL TRAVELED HIGHWAYS, FEB. 10, 2015	20.478	

(Excludes Class 4, Legal Trail, and Unimproved Collector Mileage)



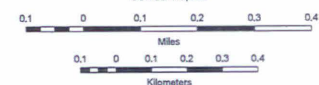
- HIGHWAYS**
- INTERSTATE
- STATE ROUTE
- CLASS 1
- CLASS 2
- CLASS 3
- CLASS 4
- LEGAL TRAIL
- INTERSTATE OR DIVIDED HIGHWAY
- STATE - HARD SURFACE OR PAVED
- TOWN - HARD SURFACE OR PAVED
- GRAVEL
- SOIL OR GRADED AND DRAINED EARTH
- UNAPPROVED OR IMPROVED
- IMPASSABLE OR UNTRAVELED
- LEGAL TRAIL
- DISCONTINUED
- HIGHWAY CLASS CHANGE
- RAILROAD
- INACTIVE RAILROAD
- NFR NATIONAL FOREST ROAD
- SFH STATE FOREST HIGHWAY
- PARK AND RIDE
- PUBLIC LAND - GREEN MOUNTAIN NATIONAL FOREST
- PUBLIC LAND - STATE/MUNICIPAL
- POLITICAL SUBDIVISIONS
- STATE BOUNDARY
- COUNTY BOUNDARY
- TOWN BOUNDARY
- VILLAGE BOUNDARY
- URBAN COMPACT BOUNDARY
- WATER BODY
- STREAM OR BROOK
- BRIDGE OR CULVERT
- BRIDGE OR CULVERT > 20'
- BRIDGE OR CULVERT 6' - 20'
- VOBCIT BRIDGE
- VOBCIT CULVERT > 6'
- STATE BRIDGE OR CULVERT IDENTIFIER
- TOWN BRIDGE OR CULVERT IDENTIFIER
- FEDERAL CLASSIFICATION IDENTIFIER
- PAU URBAN ARTERIAL OR COLLECTOR
- MAJ MAJOR ARTERIAL
- MJC MAJOR COLLECTOR
- MINC MINOR COLLECTOR
- PA PRINCIPAL ARTERIAL

**VERMONT GENERAL HIGHWAY MAP**  
**Urban Compact of Middlebury**

ADDISON COUNTY  
Transportation District #5

Prepared by the  
Vermont Agency of Transportation  
Division of Policy, Planning and Intermodal Development  
in cooperation with  
U.S. Department of Transportation  
Federal Highway Administration

Mileage as of February 10, 2015  
Map prepared June 17, 2015  
SCALE 1:6,336



**DISCLAIMER:**  
The untraveled highways (laid-out town highways), discontinued highways, and legal trails herein are those of which the Agency of Transportation has record; others may exist.

Highway and bridge data by the Agency of Transportation. Town short structures are drawn from the Vermont Online Bridge & Culvert Inventory Tool (VOBCIT) database. All other data from the Vermont Center for Geographic Information. Only named streams are shown.

Vermont State Plane Coordinate System  
North American Datum of 1983  
SPCS\_Zone\_Identifier: 4000  
Geocentric Reference System ID  
2,000-meter grid, Easting - Northing





**TOWN OF MIDDLEBURY**

**ORDER OF DISCONTINUANCE OF TOWN HIGHWAY (19 V.S.A., Chapter 7)**

**Town Highway #59 (Adirondack View)**

**WHEREAS**, on June 14, 2016, the Middlebury Selectboard initiated proceedings on its own Motion, pursuant to 19 V.S.A. §708(a), to determine whether Town Highway #59 should be discontinued; and

**WHEREAS**, the notices of the time and date for examining the premises and hearing the persons interested were sent in accordance with 19 V.S.A. §§709 and 775, namely by mailing notice via certified mail, return receipt requested, to each interested person at least thirty days in advance, by giving notice to the municipal planning commission and the Vermont Department of Forests, Parks and Recreation, by posting a copy of the notice in the office of the Town Clerk, and by causing a notice to be published in a local newspaper of general circulation in the area (namely, the Addison Independent) not less than ten days before the time set for the hearing; and

**WHEREAS**, on August 23, 2016, the Selectboard conducted its examination of the premises and hearing and took testimony regarding whether the discontinuance would serve the public good, necessity and convenience of the inhabitants of the Town of Middlebury;

**NOW, THEREFORE**, the undersigned Selectboard makes the following Findings of Fact:

1. Town Highway #59, a Class Three highway known as Adirondack View, currently begins at Town Highway #3 (College Street) and proceeds in a southerly direction 0.17 miles, more or less, before terminating at or near its intersection with Ridgeline Road, a private road owned by The President and Fellows of Middlebury College (hereinafter "Middlebury College").

2. The proposal before the Selectboard calls for Town Highway #59 to be discontinued in its entirety. Said highway is more particularly described as follows:

Beginning at a point at or near the southerly edge of the right-of-way of Town Highway #3 (College Street), approximately 0.04 miles east of the point where Town Highway #3 becomes State Highway #125;

Thence proceeding in a southerly direction 0.17 miles, more or less, to the southerly terminus of Town Highway #59.

Said highway is believed to be three rods in width and is more particularly described in the Warranty Deed of William L. Turner and Irene Turner to the Town of Middlebury, dated April 10, 1930, and recorded in Book 43 at Page 123 of the Middlebury Land Records.

WHEREFORE, pursuant to 19 V.S.A. § 711(a), the Selectboard hereby orders as follows:

1. Town Highway #59 is hereby discontinued in its entirety.
2. Pursuant to 19 V.S.A. § 775, title to the land underlying the highway shall be returned to the owners of the adjoining lands, i.e., The President and Fellows of Middlebury College. Because it appears that the Town of Middlebury holds fee simple title to the land underlying Town Highway #59, the Town Manager, Kathleen Ramsay, is hereby authorized and directed to execute a Quitclaim Deed conveying said land to The President and Fellows of Middlebury College.
3. The Town Manager is further authorized to execute a Bill of Sale and other appropriate documents to convey the Town's interest in the water and sewer infrastructure underlying Town Highway #59 to The President and Fellows of Middlebury College.

This Order and its incorporated findings, together with a copy of the Minutes indicating the initiation of these proceedings, shall be filed with the Town Clerk for recording.

DATED at Middlebury, Vermont, this 27<sup>th</sup> day of September, 2016.

TOWN OF MIDDLEBURY  
SELECTBOARD

By: Sean E. Shashok

By: [Signature]

By: [Signature]

By: [Signature]

By: [Signature]

By: [Signature]

By: [Signature]

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**SELECTBOARD MEETING**  
**Large Conference Room - New Town Offices**  
**Tuesday, June 14, 2016**  
**Meeting Minutes**

**Excerpt**

**Members Present:** Brian Carpenter, Nick Artim, Susan Shashok, Donna Donahue, Victor Nuovo, and Heather Seeley. **ABSENT:** Laura Asermily

**Staff Present:** Town Manager Kathleen Ramsay and Director of Operations Dan Werner. The meeting was televised on MCTV by Dick Thodal and reported by John Flowers of *The Addison Independent*.

**10. Middlebury College Request to Discontinue Adirondack View as a Town Highway**

Dan Werner advised that because Middlebury College now owns the properties on both sides of Adirondack View, the college has asked the Town to consider discontinuance of the town highway in order that it revert to the College as owner of the adjoining property. Dan outlined the process to discontinue a town highway in accordance with 19 VSA §708, to include 1) presenting the College's request to the Infrastructure Committee; 2) scheduling an on-site visit by the Selectboard with a 30-day notice; 3) provide more than a 10-day Public Hearing notice, and notice to the Commissioner of Forests, Parks, and Recreation; 4) hold a public hearing and report Selectboard findings of discontinuance within 60 days. Dan noted that the Selectboard may initiate the process on its own motion. He added that Town Counsel recommends the Town-owned water main and wastewater gravity sewer main within the right-of-way be deeded or sold to the College, thereby relinquishing title to any water or sewer infrastructure underlying the road. Town Counsel also recommends entering into an agreement making clear that the College will be taking over the maintenance and operation of this infrastructure. Susan Shashok moved to initiate proceedings in accordance with 19 VSA §708 to discontinue Adirondack View as a Town highway, and set July 26, 2016 as the date for an inspection and a public hearing to take testimony from interested parties; Nick Artim seconded. Motion carried with 6 members in favor, none opposed, and 1 member absent. **MOTION PASSED.** Heather Seeley indicated that members of the Infrastructure Committee had asked if the college would consider covering the legal costs associated with the process.

Attest a true copy,

  
Ann F. Webster  
Town Clerk

Received for Record at MIDDLEBURY, VT  
On 09/29/2016 At 2:45:00 pm



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**SELECTBOARD MEETING**  
**Large Conference Room – New Town Offices**  
**Tuesday, August 23, 2016**  
**Meeting Minutes**

**Members Present:** Brian Carpenter, Victor Nuovo, Susan Shashok, Donna Donahue, Laura Asermily, and Heather Seeley. Nick Artim was absent.

**Staff Present:** Town Manager Kathleen Ramsay. Several members of the community attended the meeting, which was televised on MCTV by Dick Thodal.

**1. Call to Order**

Chair Brian Carpenter called the meeting to order at 7:00 p.m.

**2. Approval of Meeting Minutes for August 9, 2016**

Laura Asermily moved to approve the minutes for the August 9, 2016 Selectboard meeting as presented. Donna Donahue seconded. Motion carried with 5 members in favor, 1 abstention (Donahue) and 1 absent. **MOTION PASSED.** Minutes approved with no changes.

**3. Approval of Agenda**

Susan Shashok moved to approve the agenda with the addition of an Executive Session at the end of the meeting. Laura Asermily seconded. Seeley noted that the agenda said she would be giving the Energy Committee report, but Jason Kay was present and he would be giving it instead. Motion carried with 6 members in favor, 1 absent. **MOTION PASSED.**

Chair Carpenter informed those present that there had been a site visit before the meeting regarding the discontinuance Town Highway #59 (Adirondack View) and it would be brought up later in the meeting.

**4. Citizen Comments**

Rocket addressed the incident that happened between himself and a Town employee at the Town Offices on August 9<sup>th</sup>. He hoped a conversation on that incident and what led up to the incident might lead to a reconsideration of the current state of the community. For the record he stated he had been deeply involved in the economic development office in this community when he wrote a report for the Town that was used to create the office as it is today. He said the article in the Independent following the incident, was very unfair to him and focused on his motives into the inquiry rather than the motives behind the confrontation. He stated he knows what his motives for the inquiry were, but any town citizen has the right to question town business and the way tax dollars are being spent. After asking some people and getting strange answers, he asked more questions and continued to get strange answers. He felt he had done everything by the book and tried to be professional and respectful had no

47 idea it would lead to a physical confrontation. He gave a brief rundown on the events of that day and  
48 how he had initially come here to vote, and had no intention to be involved in the altercation. He  
49 questioned why some of the businesses he'd spoken with were afraid to speak up and is concerned that  
50 others won't speak up if they see something wrong. He told the Board that as they begin their own  
51 inquiry into the position, he would be happy to share any information he has, and if they decide on  
52 eliminating the position, that they consider reimbursing him for expenses incurred during the last 2  
53 weeks.

54  
55 Laurie Mackey asked the Board to reconsider the Zoning Ordinance as it relates to food vendors and  
56 vending in general. She felt the rules were outdated and not in line with the goal of revitalizing  
57 downtown. She also felt the ordinance needed clarity as to what is expected and to revisit the idea of  
58 allowing vending downtown during certain times. She also felt it was very open ended leaving too  
59 much room for interpretation. Donna Donahue said she was more than welcome to come to a Policy  
60 Review Committee meeting to share her suggestions.

61  
62 **5. Application of Vermont Coffee Company for a First Class Liquor License**

63  
64 Paul Ralston told the Board that the Vermont Coffee Company Café opened just a little over a year ago  
65 and they have evening events once or twice a month. Previously they've used a catering company with  
66 a liquor license, but they're now seeking their own permit so they will be able to offer beer and wine at  
67 evening events.

68  
69 Susan Shashok moved to approve the application from Vermont Coffee Company for a First Class Liquor  
70 License at its café at 1197 Exchange Street. Seconded by Victor Nuovo. The motion carried with 6 in  
71 favor, 1 absent. **MOTION PASSED.**

72  
73 **6. Mark LaBarr from the Vermont Audubon Society & Carl Robinson, Executive Director of the**  
74 **Middlebury Area Land Trust (MALT) regarding Habitat Management Activities Proposed for Wright**  
75 **Park.**

76  
77 Mark LaBarr and Carl Robinson joined the Board. LaBarr said this was a follow-up to an earlier  
78 presentation by Robinson on a management plan at the Town owned Wright Park, overseen by MALT.  
79 LeBarr said he was providing additional information regarding their proposal to manage some of the  
80 early successional habitats, primarily for birds, to prevent these areas from moving into permanent  
81 forest habitat.

82  
83 LaBarr said he'd spoken with Chris Smith of the U.S. Fish and Wildlife Service Partners Program, who can  
84 provide \$3000 to pay for the management. This plan will replicate the plans done for the Charlotte  
85 Wildlife Park and Geprags Park in Hinesburg. The money will go to the Otter Creek Conservation  
86 District who will distribute it to the Town, who will then pay the contractor. He said he and his  
87 coworker would be marking trees (shrubs) to be saved and also mark invasive species to be removed to  
88 return the area to a habitat condition.

89  
90 LaBarr went on to describe the process for clearing and rehabilitating the areas and the types of species  
91 this habitat encourages.

92  
93 Laura moved to approve the proposed Habitat Management Plan for Wright Park and to authorize Town  
94 Manager Kathleen Ramsay to sign any grant funding associated with it. Donna Donahue seconded. The  
95 motion carried with 6 in favor, 1 absent. **MOTION PASSED.**

96  
97 LaBarr said he can help arrange the contractor and warned that the work looks rough right after it's  
98 done, but grows back in quickly. Laura Asermily said the area could be seen on the TAM Trek on  
99 September 18<sup>th</sup>. Seeley asked LaBarr to photograph the work to show the progress.

100  
101 **7. Public Hearing on Discontinuance of Town Highway #59 (also known as Adirondack View)**

102  
103 Brian Carpenter opened the hearing on the discontinuance of Adirondack View at 7:35 p.m.. He said  
104 now that the College owns the properties on both sides of the road, it is possible to discontinue the road  
105 as a town highway, with ownership reverting back to Middlebury College. He said Town counsel has  
106 recommended that the Town owned water and wastewater mains that run in the right-of-way be  
107 deeded or sold to the College, thereby relinquishing title to any infrastructure. The College will take  
108 over maintenance of these lines, which have all been recently upgraded.

109  
110 Father William Beaudin spoke representing St. Mary's Church. He said while they have no objection to  
111 the discontinuance of Adirondack View as a Town road, they did want to point out that Hillcrest Road,  
112 which is connected to Adirondack View, is still a Town road and the only access to their cemetery.

113  
114 Carpenter closed the public hearing at 7:40 p.m.

115  
116 Donna Donahue moved to issue an Order of Discontinuance for Town Highway #59 (also known as  
117 Adirondack View) and authorize Town Manager Kathleen Ramsay to work with Counsel on drafting  
118 appropriate terms with the College. Seconded by Susan Shashok. The motion carried with 6 in favor, 1  
119 absent. **MOTION PASSED.**

120  
121 Asermily asked if they need to include the wording about the water and sewer utilities, but the others  
122 felt that the working "appropriate terms" would cover the utilities.

123  
124 **8. Ilsley Library Director Kevin Unrath with an update on the Building Committee's Recent Work and**  
125 **Recommendation for the Award of the Contract for Preliminary Architectural Services.**

126  
127 Kevin Unrath asked the Board to recommend going forward with the contract with Gossens Bachman  
128 Architects for preliminary architectural services for the library expansion project. He said the contract  
129 had been reviewed by Vermont League of Cities and Towns, Architect John McLeod (who is on the

130 Library Committee) and their feedback has been incorporated into the contract that is currently being  
131 reviewed by Town Counsel.

132  
133 Victor Nuovo moved to award a contract for preliminary architectural services for the Ilsley Library to  
134 Gossens Bachman Architects for \$41,160, pending review by Town Counsel, and to authorize Town  
135 Manager Kathleen Ramsay to sign the Letter of Agreement with GBA on behalf of the Town of  
136 Middlebury. Susan Shashok seconded. The motion carried with 6 in favor, 1 absent. **MOTION PASSED.**

137  
138 **9. Update on the Work of the Middlebury Energy Committee, including the Transportation Survey**  
139 **and input on the Update of the Town Plan.**

140  
141 Heather Seeley told the Board there was a memo in their packet that the Energy Committee had  
142 approved and sent to Jennifer Murray, with suggestions for updating the Energy Section of the Town  
143 Plan. She said they are unsure of how the Planning Commission will incorporate this information into  
144 the Town Plan, so they are mostly suggestions.

145  
146 Asermily, who served on the Energy Committee at one time, said she appreciated the structure and  
147 alignment with their campaign of first efficiency, transportation and renewable energy. She liked the  
148 context and supported the direction it was going. Seeley wanted to point out and thank Jason Kaye and  
149 Howard Weidnitz, who as a subcommittee spent a lot of time drafting this document. The Board all  
150 were complimentary on the content and format and they hoped the Planning Commission appreciated  
151 the work that went into it. Jason Kaye said they hoped to have some Energy Committee members at the  
152 Planning Commission meeting when they review this to get their feedback.

153  
154 Seeley went on to report on the results of the Transportation Survey. She said this document is a report  
155 of the survey results and not any subjective interpretation of the results. She said at the end of the  
156 report is what the Committee feels the next steps are based on these results, so asked for any  
157 comments on those.

158  
159 Jason Kaye said that the data showed a couple of interesting indicators, such as increased bus service to  
160 East Middlebury and more frequent trips to Burlington for the commuters. He thought it was not a  
161 comprehensive data set of respondents, but shows a couple of areas we want to focus on and do more  
162 research to see if they're accurate or more of a broader thought around transportation. Asermily  
163 agreed that the respondent were mostly female and not daily commuters, so they want to make sure it  
164 addresses the community at large. She said the ACTR board consistently gets request for added routes  
165 to Burlington and East Middlebury and that there are options, such as the Park and Ride at Middlebury  
166 Beef Supply for bus connections, and maybe they need to make people more aware of those options.  
167 The survey was trying to see how aware people are of those options that are available.

168  
169 There was discussion on the results and numbers. Seeley said they had obtained an additional grant  
170 from New England Grassroots Environmental Fund for work with the Committee to do trip diaries and to  
171 investigate their own behavior so they can then go out and train others in the community. Asermily also

172 mentioned the Way to go Challenge in is September this year, which encourages people to experiment  
173 with alternative transportation for a week.

174  
175 **10. First Amendment to the Grant Agreement for the Downtown Transportation Fund Grant for the**  
176 **Main Street & Merchants Row Railroad Overpass Bridge Replacement Project.**

177  
178 Town Manager Ramsay said the Town had received a grant in 2004 for landscaping and other amenities  
179 to go on top of the railroad tunnel cap when constructed. At the time we were optimistic the project  
180 would be complete by October 28, 2016, but we now know that won't be met. The Downtown Board is  
181 willing to give the Town an extension until August 31, 2018, and we will have to go back to them with  
182 any further extensions beyond that date.

183  
184 Susan Shashok moved to authorize Town Manager Kathleen Ramsay to sign the First Amendment to the  
185 Grant Agreement for Middlebury's Downtown Transportation Fund Grant, extending the completion  
186 date from October 28<sup>th</sup>, 2016 to August 31, 2018. Victor Nuovo seconded. Motion carried with 6 in  
187 favor, 1 absent. **MOTION PASSED.**

188  
189 Seeley asked if we would be granted another extension if needed, and Ramsay believed they would and  
190 Vermont Agency of Transportation was very supportive of this and indicated this to the Downtown  
191 Transportation Board.

192  
193 **11. Discussion of Appointment of a Subcommittee to Review the Middlebury Business Development**  
194 **and Innovation Fund Initiative to Date and Plan for Town Meeting 2017**

195  
196 Chair Carpenter said that we are coming into our last year of the Middlebury Business Development and  
197 Innovation Fund Initiative and we need to look at what we want to do with the position going forward.  
198 He thought it was time to look at the position, to review how the position was created and what did we  
199 hope to get out of it, as well as what is happening with this position and how does it fit into Town  
200 government. He said it also needed a cost benefit analysis, since it is now a shared expense between  
201 the Town and the College. He said following the review of these factors, it would come back to the  
202 Board for them to pass judgment on the position and decide whether the position had value or if the  
203 personnel money could be better spent on a different position.

204  
205 Carpenter said he has spoken with the Town Manager and given a lot of thought on who to appoint to  
206 do this study. He has chosen: Donna Donahue, who was involved in the early stages of this position and  
207 works with the downtown community; Nick Artim, who is on the oversight committee; Ken Perine, who  
208 was on the oversight committee and is a respected business leader, and someone from Middlebury  
209 College. He felt limiting the number to 4 members would make it easier to coordinate times to meet,  
210 but large enough to get good input on the review of the position to come back to the Board with their  
211 recommendations.

212



213 Victor Nuovo asked about the funding, since now it is shared with the College and the business  
214 community raised funds as well. Carpenter said that part of the review would be how to fund the  
215 position if we go forward with it.

216  
217 Laura Asermily wasn't opposed to Carpenter's suggestion, but had thought the current Middlebury  
218 Business Development Fund Board would do the review. Carpenter said that he felt the MBDF Board  
219 was too close to the position and wanted someone from Town government and with a historical  
220 background of the position to be involved. Asermily said she liked the individuals chosen, but also  
221 wondered about someone from the Addison County level, since there had been discussion as to how  
222 these positions coordinate. Carpenter felt this was a Middlebury position, but part of this review would  
223 be to get Addison County input. Shashok said she thought someone from the College Advancement and  
224 Development Office might be appropriate, and also someone from a company that Jamie Gaucher has  
225 worked with.

226  
227 After some discussion on the make up of the committee, the Board supported the four people chosen  
228 by Carpenter. Carpenter said he or Ramsay would reach out to the College for who would represent  
229 them in the review process.

230  
231 Laurie Mackey spoke in favor of having someone from the small business community that is not  
232 connected with the College, and since it's funded with tax dollars, someone who more closely  
233 represents the average person in town. She also felt that from what she'd seen on-line and from the  
234 website, she thought it appeared the position was more about bringing in businesses from outside and  
235 to promote Middlebury College alumni, than for supporting and helping new and established local  
236 businesses. Carpenter thought the position was established to provide all of it.

237  
238 There was more discussion on the value of input from a variety of individuals and Donahue thought it  
239 would be an interesting process to collect the information. She said this was meant to be a joint effort  
240 with ACEDC, not competitive, and thought questions should be asked of all those people involved and  
241 see what worked and what didn't work.

242  
243 Heather Seeley asked the time frame for this review. Ramsay said that budget work would begin by  
244 November, so would need something by then. Shashok was concerned about how the review  
245 committee would interact with staff and they should be conscious of their ability to prepare and provide  
246 information for these meetings.

247

## 248 **12. Recommendation for Purchase of Line Striper**

249

250 Ramsay said the Board would find in their packet a recommendation from Public Works Director Dan  
251 Werner for the purchase of a Graco LineLazer V paint spraying machine and an accompanying motor  
252 drive from Franklin Paint for a total cost of \$17,160. She said this was approved by voters at Town  
253 Meeting in the equipment fund list. This was to go before the Infrastructure Committee at its last  
254 meeting, but there was not a quorum present, and there is a \$1000 price increase on August 30<sup>th</sup>, so

255 Werner has asked the Board to accept his recommendation. Shashok said she doesn't have any issue  
256 with it and Seeley said it had been discussed earlier on the committee, so while it hadn't been officially  
257 sanctioned by the Committee, there was no objection to it.

258  
259 Shashok moved to award the contract for purchase of a Graco LineLazer V paint spraying machine and  
260 an accompanying motor drive unit from Franklin Paint for a total cost of \$17,160. Victor Nuovo  
261 seconded. The motion carried with 6 in favor, 1 absent. **MOTION PASSED.**

262  
263 **13. Request for new Road Name: Hathaway Lane, a private road off Route 7, just south of Three Mile**  
264 **Bridge Road.**

265  
266 Kathleen Ramsay read from a memo from E911 Coordinator Beth Dow, explaining that the owner of the  
267 Specialty Community Care facility on 3627 Route 7 South had requested that all 5 buildings have  
268 individual 911 numbers. The State 911 guidelines require roads with 3 or more buildings that are not  
269 visible from the main road have its own name. The property owner, Ray Hathaway, has requested the  
270 road be named "Hathaway Lane". Dow is recommending approval, since the name is unique and not  
271 similar to any other name in town.

272  
273 Shashok moved to approve the request designating the private road servicing the Specialty Community  
274 Care Facility at 3627 Route 7 South "Hathaway Lane". The motion carried with 6 in favor, 1 absent.  
275 **MOTION PASSED.**

276  
277 **14. Contract for the Town-wide Reappraisal**

278  
279 Ramsay said this is a follow-up from the last meeting regarding the reappraisal, Assessor Bill Benton met  
280 with Ed Clodfelter of NEMRC to prepare a draft contract for Board consideration. Seeley said she had  
281 one minor change to the draft. To change the dates on page 3, item 2 from 2016 to 2018 to 2017 to  
282 2019 as shown in the timeline.

283  
284 Asermily moved to approve the contract proposal from NEMRC for the completion of a Town-wide  
285 reappraisal for a total cost of \$236,000 pending review by Town Counsel. Seconded by Heather Seeley.  
286 The motion carried with 6 in favor, 1 absent. **MOTION PASSED.**

287  
288 **15. Town Manager's Recommendation for Public Works Operation Director Position.**

289  
290 Ramsay said she was pleased to present a recommendation for the Board consideration to hire Bill  
291 Kernan of Waterbury for the Town's newly created position of Operations Director. She said Kernan  
292 comes from an extensive background in public works, first as construction oversight engineering and  
293 also had experience in CAD, and supervising work crews and implementing safety programs. Currently  
294 he works as supervisor of the Moretown landfill, which is being closed down in the next several years.  
295 She said he had several interviews with department heads, and Board members Carpenter, Shashok and

296 Seeley also had informal interviews with him. She said it is the consensus that he will make a great fit  
297 with our staff here.

298  
299 Victor Nuovo moved to approve Kathleen Ramsay's hiring recommendation for the new Public Works  
300 Operation Director position, pending completion of his background investigation. Susan Shashok  
301 seconded. The motion carried with 6 in favor, 1 absent. **Motion Passed.**

302  
303 Ramsay said his anticipated start date was October 3<sup>rd</sup> or sooner.

304  
305 **16. Approval of Check Warrants.**

306  
307 Laura Asermily reported it was a large warrant with almost \$5 million paid out, but this included  
308 property tax payments to the school and social service agency payments, as well as \$93,000 for a loader.  
309 She reported that the total for expenses is \$4,809,239.39. She also said that she's impressed by the  
310 great job Pam and Jackie in the Treasurer's Office do of documenting and tracking everything.

311 Asermily moved to approve the checks warrant for \$4,802,239.39, and Victor Nuovo seconded the  
312 motion. Motion carried with 6 in favor, 1 absent. **MOTION PASSED**

313 **17. Town Manager's Report**

314 **17. a. Weybridge Street Sanitary Sewer Main Replacement Project Underway.**

315  
316 This project is the replacement of approximately 500 feet of sanitary sewer main, ending just north of  
317 Juniper Lane. The majority of excavation should be complete by Labor Day. Traffic control is on site, but  
318 everyone should expect minor delays.

319  
320 **17.b. Creek Road Erosion Stability Study Public Meeting Rescheduled to Wednesday, September 7, at**  
321 **the Town Offices from 5 p.m. to 7 p.m.**

322  
323 The purpose of this meeting is to engage adjacent property owners and concerned members of the  
324 general public in a neighborhood meeting to discuss, analyze and solicit feedback and relevant  
325 information regarding the various alternatives that Pathways, the project consultant, has explored and  
326 are considering including in its final report. There will be another meeting at the end of September.

327  
328 **17.c. Vermont Gas Request for Easements.**

329  
330 In July, Vermont Gas requested easements from the Town for installation of gas distribution lines along  
331 the Town's properties at 77 Main Street and near the Powerhouse property. Town Counsel has asked  
332 VT Gas for additional information about the easements and clarification of the terms of the transaction.  
333 Counsel recommends holding off on issuing the 30-day public notice as required by 24 V.S.A. § 1061  
334 until the terms of the transaction are clarified.

335

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373

**17.d. Time Capsule**

The Henry Sheldon Museum Archivist Eva Garcelon-Hart is preparing a display of copies of the items from the 94 Main Gymnasium 1939 time capsule at the Sheldon. The display should be available for viewing starting in September.

**18. Board Member Concerns**

Asermily said there will be a concert on the Town Green on Wednesday, put on by Better Middlebury Partnership and the Middlebury Community Music Center. She thought it was wonderful for organizations to come together and offer these kinds of events. She also said the Middlebury Film Festival will be this weekend and will bring lots of visitors to Town. She felt these events were a real asset to the Town and made our community culturally rich.

Seeley wanted to ask all committee members to please let your Chair know if you are unable to attend a meeting. It wastes people's time when a meeting is scheduled, but not enough people attend to have a quorum, especially given the schedule over the next couple of months. Donahue agreed with Seeley and said that with all the time-sensitive discussions going on now, it's important to have a quorum.

**19. Executive Session**

In accordance with Vermont's Open Meeting Law requirements, Susan Shashok moved that the Board find that premature general knowledge of the consideration of a personnel matter would clearly place the Selectboard at a substantial disadvantage because the Selectboard risks disclosing its strategy if it discusses the personnel issue in public. Victor Nuovo seconded. Motion carried with 6 members in favor, 1 absent. **MOTION PASSED.**

Susan Shashok further moved that the Board enter into Executive Session to discuss a personnel matter under the provisions of Title 1, Section 313(a)(1) of the Vermont State Statutes. Victor Nuovo seconded. Motion carried with 6 members in favor, 1 absent. **MOTION PASSED.**

The Board entered into Executive Session at 8:15 p.m.

**20. Action on Matters Discussed in Executive Session.**

The Board exited Executive Session at 9:20 p.m. with no further action.

**19. Adjournment**

The meeting adjourned at 9:20 p.m.

The Middlebury Selectboard will hold its next regular meeting on Tuesday, Sept. 13, 2016 at 7:00 p.m.

Respectfully submitted,  
Beth Dow

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2  
3  
4  
5  
6

**SELECTBOARD**  
**SITE VISIT**  
**TOWN HIGHWAY #59 (Also known as Adirondack View)**  
**Tuesday, August 23, 2016**  
**Minutes**

7  
8  
9

**\*DRAFT**

\*subject to approval by Selectboard

10 Members Present: Brian Carpenter, Victor Nuovo, Susan Shashok, Donna Donahue, Laura Asermily, and  
11 Heather Seeley. Nick Artim was absent.

12  
13 Staff Present: Town Manager Kathleen Ramsay.

14  
15 Others Present: Norm Cushman, Middlebury College Associate Vice President for Operations, and Tom  
16 McGinn, Middlebury College Project Manager.

17  
18 At 6:30 p.m., the Selectboard held a site visit to determine whether the public good requires the  
19 discontinuance of Town Highway #59 (also known as Adirondack View). The Selectboard walked the  
20 road and Norm Cushman and Tom McGinn of Middlebury College noted that the College owns all  
21 properties accessed from the road and that the College would maintain the road if discontinued by the  
22 Town. The road would be closed to the public, with gates at either end, which would be opened for  
23 snowplowing and deliveries. Cushman and McGinn indicated that the College would accept water and  
24 wastewater utilities in the Adirondack View right-of-way, if the Town decided it was in the best interest  
25 of the Town to grant them to the College at the same time the road is discontinued.

26 Respectfully submitted,  
27

28 Kathleen Swingleton Ramsay  
29 Town Manager  
30

31  
32  
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41

**TOWN OF MIDDLEBURY, VERMONT**  
77 MAIN STREET, MIDDLEBURY, VT 05753



(802) 388-8100  
FAX: (802) 388-4364

July 8, 2016

Extensions:

- 201 Kathleen Ramsay  
Town Manager
- 202 Beth Dow,  
Manager's Office
- 203 Jackie Sullivan,  
Treasurer
- 204 Pam Bartlett  
Bookkeeping
- 205 Terri Arnold  
Dir, Parks & Rec
- 206 Bill Benton,  
Assessor
- 207 Allison Joseph  
Lister's Office
- 209 Tom Scanlon, P&Z
- 210 Jennifer Murray  
Dir. P&Z
- 211 Ann Webster,  
Town Clerk
- 212 Ronnie Parrish,  
Asst. Clerk
- 213 Louise Fitzsimmons  
Asst. Clerk
- 216 Dustin Hunt  
Parks & Rec
- 222 Chris English  
Asst. Town Mgr.
- 250 Jamie Gaucher  
Director, Office of  
Business Dev.  
and Innovation

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Michael Snyder, Commissioner  
Vermont Department of Forests, Parks and Recreation  
1 National Life Drive, Davis 2  
Montpelier, VT 05620-3801

**RE: Proposed discontinuance of Town Highway #59 (Adirondack View) in  
Middlebury, Vt.**

Dear Commissioner Snyder:

The Middlebury Selectboard has initiated proceedings to determine whether the public good requires the discontinuance of Town Highway #59, also known as Adirondack View. As required by 19 V.S.A. § 775, I am enclosing a notice of the site visit and public hearing, which is scheduled for August 23, 2016.

If you have any questions regarding this matter, please feel free to contact me.

Sincerely,

Kathleen Swingleton Ramsay  
Town Manager

## Grimaldi, Kevan

---

**From:** Croft, Johnathan  
**Sent:** Tuesday, October 25, 2016 3:54 PM  
**To:** Grimaldi, Kevan; Moulton, Sara  
**Subject:** FW: Public to Private Road

Good afternoon Kevan and Sara,

Please add this to the pending list for Middlebury. We should expect the discontinuance information from the Town on this, if we have shown it as class 3 or other town highway or trail.

Thanks,

Johnathan Croft  
Vermont Agency of Transportation (VTrans)  
Mapping Section  
(802) 828-2600

[johnathan.croft@vermont.gov](mailto:johnathan.croft@vermont.gov)

---

**From:** Hermanson, Tyler  
**Sent:** Tuesday, October 25, 2016 3:53 PM  
**To:** Beth Dow <BDow@TownOfMiddlebury.org>  
**Cc:** Alley, Kerry <Kerry.Alley@vermont.gov>; Croft, Johnathan <Johnathan.Croft@vermont.gov>; Grimaldi, Kevan <Kevan.Grimaldi@vermont.gov>; McCusker, Angus <Angus.McCusker@vermont.gov>; McMullen, Jeremy <Jeremy.McMullen@vermont.gov>; Moulton, Sara <Sara.Moulton@vermont.gov>  
**Subject:** RE: Public to Private Road

Yes! I will change the class to PVT and also add a gate (with no address) to the map.

John,  
I have changed **Adirondack Vw, Middlebury** from Class 3 to PVT. GeonameID =12116

*Tyler Hermanson* GIS Specialist State of Vermont Enhanced 911 Board  
E: [tyler.hermanson@vermont.gov](mailto:tyler.hermanson@vermont.gov) P: 802-828-4092 ; F: 802-828-4109 ; **Tue – Fri** : 7-5:30

---

**From:** Beth Dow [<mailto:BDow@TownOfMiddlebury.org>]  
**Sent:** Tuesday, October 25, 2016 3:44 PM  
**To:** Hermanson, Tyler <[Tyler.Hermanson@vermont.gov](mailto:Tyler.Hermanson@vermont.gov)>  
**Subject:** Public to Private Road

Hi Tyler,

Middlebury College now owns and controls Adirondack View. They are gating this road off and it will be become a pedestrian road only. I'm assuming this should be noted in E911?

***Beth Dow***

Assistant to the Town Manager  
Town of Middlebury  
77 Main Street  
Middlebury, VT 05753  
802-388-8100, Ext 202  
802-388-4364 FAX  
[www.townofmiddlebury.org](http://www.townofmiddlebury.org)



Preloaded on 2017 Cest 2016-12-01

**Moulton, Sara**

---

**From:** Trunzo, Michael  
**Sent:** Thursday, December 01, 2016 10:56 AM  
**To:** Moulton, Sara; Grimaldi, Kevan  
**Subject:** FW: Approach ramp addition

Please see below.

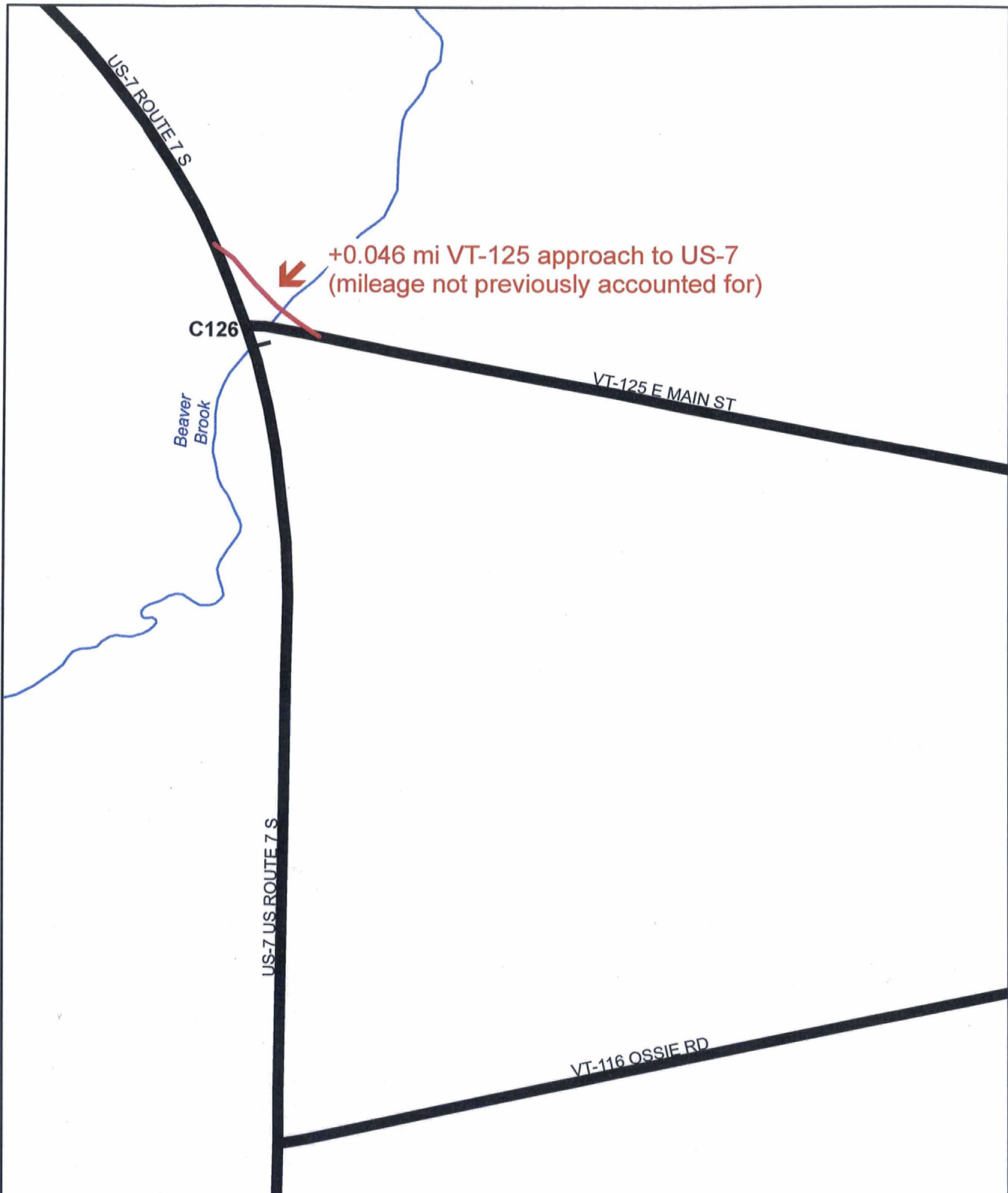
---

**From:** Trunzo, Michael  
**Sent:** Thursday, December 01, 2016 10:21 AM  
**To:** Croft, Johnathan <[Johnathan.Croft@vermont.gov](mailto:Johnathan.Croft@vermont.gov)>  
**Subject:** Approach ramp addition

Good morning Johnathan,  
*0.046 (20 Dec 2016)*

I just added a 0.024 mile north approach for V125 which goes to US7 in Middlebury. TWN\_LR = V125-0111NA001, ETE\_LR = V125-NA001

Michael Trunzo  
Vermont Agency of Transportation  
Mapping Section  
802-828-3974  
[Michael.Trunzo@vermont.gov](mailto:Michael.Trunzo@vermont.gov)



### Mileage Certificate Change 2017 MIDDLEBURY

(CTCODE: 0111)

Mapping Section  
Division of Policy, Planning and Intermodal Development  
Vermont Agency of Transportation - December 2016

