

District 5
 Certcode 0403-0

**CERTIFICATE OF HIGHWAY MILEAGE
 YEAR ENDING FEBRUARY 10, 2022**

Fill out form, make and file a copy with the Town Clerk, and submit the Mileage Certificate on or before February 20, 2022 to: Vermont Agency of Transportation, Division of Policy, Planning and Intermodal Development, Mapping Section via email to: aot.mileagecertificates@vermont.gov or if necessary via mail to: VTrans PPAID - Mapping Section, 219 North Main Street, Barre VT 05641.

We, the members of the legislative body of BURLINGTON CITY in CHITTENDEN 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.

Town Highways	Previous Mileage	Added Mileage	Subtracted Mileage	Total	Scenic Highways
Class 1	7.131				0.000
Class 2	21.727				0.000
Class 3	65.30				0.000
State Highway	0.195				0.000
Total	94.353				0.000
* Class 1 Lane	4.161				
* Class 4	1.10				0.000
* Legal Trail	0.00				

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

DS
 PD

PART II - INFORMATION AND DESCRIPTION OF CHANGES SHOWN ABOVE.

- NEW HIGHWAYS:** Please attach Selectmen's "Certificate of Completion and Opening".
- DISCONTINUED:** Please attach SIGNED copy of proceedings (minutes of meeting).
- RECLASSIFIED/REMEASURED:** Please attach SIGNED copy of proceedings (minutes of meeting).
- SCENIC HIGHWAYS:** Please attach a copy of order designating/discontinuing Scenic Highways.

IF THERE ARE NO CHANGES IN MILEAGE: Place an X in the box and sign below.

PART III - SIGNATURES - PLEASE SIGN.

Signatures of Selectmen/ Aldermen/ Trustees:

DocuSigned by:

 DPW Director

Signature of T/C/V Clerk: 

Date Filed: 2/9/2022

Please sign ORIGINAL and return it for Transportation signature.

AGENCY OF TRANSPORTATION APPROVAL: Signed copy will be returned to T/C/V Clerk.

APPROVED:


 Johnathan Croft
 Representative, Agency of Transportation

DATE: 2/16/2022

Board of Finance and City Council Submission ChecklistDepartment: Department of Public Works Submitter: Caleb MannaTitle/Subject: 2022 VTRANS Highway Mileage Certificate

	Approval:	Meeting Date:
<input type="checkbox"/>	Board of Finance	Click or tap to enter a date.
<input type="checkbox"/>	City Council	Click or tap to enter a date.
<input checked="" type="checkbox"/>	Concurrent	1/24/2022

This form must be completed by the person submitting the materials, and sent with the final submission. Please do not indicate that a signoff was received until it has actually been obtained.

Signoffs Received

Signoff Needed	Received	Date Received	Note
Department Head	Yes	1/19/2022	Chapin Spencer
Mayor's Office informed and approved memo	No	Click or tap to enter a date.	Click or tap here to enter text.
Board/Commission, if required	N/A	Click or tap to enter a date.	Click or tap here to enter text.
City Attorney's Office has approved contract and/or legal documents, -Identify attorney in note	N/A	Click or tap to enter a date.	Click or tap here to enter text.
City Attorney's Office has approved memo and motion(s) or resolution(s) -Identify attorney in note	Yes	1/12/2022	Tim Devlin
CAO has reviewed budget, financing, and memo	N/A	Click or tap to enter a date.	Click or tap here to enter text.
Human Resources, if personnel action -Identify HR Manager in note	N/A	Click or tap to enter a date.	Click or tap here to enter text.
CIO, if an IT-related investment/purchase	N/A	Click or tap to enter a date.	Click or tap here to enter text.

Materials Included

	Included?	Note
Final Memo Attached?	Yes	Click or tap here to enter text.
Contract Attached, if applicable?	N/A	Click or tap here to enter text.
Additional Materials, if necessary	Yes	Click or tap here to enter text.
Draft Resolution or Motion?	N/A	Click or tap here to enter text.
If for submission to Council, are sponsors identified?	N/A	Click or tap here to enter text.



**CITY OF BURLINGTON
DEPARTMENT OF PUBLIC WORKS**

645 Pine Street, Suite A
Post Office Box 849
Burlington, VT 05402-0849
802.863.9094 VOX
802.863.0466 FAX
802.863.0450 TTY
www.burlingtonvt.gov

5.05 AGENDA ITEM #

DATE 2/7/22

COMPLETION

MEMORANDUM

Chapin Spencer
DIRECTOR OF PUBLIC WORKS

2/7/22

the Burlington City Council voted to

approve the motion

AS MOTION

ALSO: Joe Allery

TO: Board of Finance/City Council

FROM: Caleb Manna, Excavation Inspector, Department of Public Works

DATE: February 7, 2022

CC: Norman Baldwin, P.E. Assistant Director of Public Works/City Engineer
Chapin Spencer, Director of Public Works.
Laura Wheelock P.E., Public Works Engineer

RE: 2022 VTRANS Highway Mileage Certificate Acceptance

Background

The Vermont Agency of Transportation (VTRANS) annually reviews the accepted highway mileage in each Vermont municipality for accuracy used towards determining the amount of state and federal aid each municipality is eligible for, and to ensure the Town Highway Map remains current.

As part of this process, additions, subtractions, modifications, and reclassifications of streets are reviewed. Any changes in mileage or classification are recorded and updated in the mileage certificate calculation that is sent to each municipality for review and approval. The certificate, once accepted by the City Council, is then signed and returned to the state agency.

The Department of Public Works is recommending that following the requested motion, authorization be appointed to Chapin Spencer, Director of Public Works, to sign the 2022 Highway Mileage Certificate on behalf of the City Council and/or as their designee.

Changes

This year there are no changes to the 2022 City of Burlington Certificate of Highway Mileage. The Certificate will be approved as described, and current mileage is recorded in the attached Town Highway Map.

RE: VTRANS Highway Mileage Certificate Acceptance
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February 7, 2022

Attachments

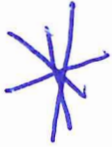
- A. 2022 City of Burlington Highway Mileage Certificate
- B. Town Highway Map

Motions

Board of Finance:

1. "To approve and recommend that the City Council accept the recorded mileage for the City of Burlington with the Vermont Agency of Transportation in the 2022 Highway Mileage Certificate, and authorize Chapin Spencer, Director of Public Works, to execute the certificate on behalf of City Council."

City Council:



1. "To accept the recorded mileage for the City of Burlington with the Vermont Agency of Transportation in the 2022 Highway Mileage Certificate, and authorize Chapin Spencer, Director of Public Works, to execute the certificate on behalf of City Council."

An Equal Opportunity Employer

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Vermont Agency of Transportation Guidelines - Certificate of Highway Mileage

These guidelines are intended to assist municipalities and insure the changes submitted on the mileage certificates are processed completely and without delay. The statutory definitions and processes related to Town Highways can be found in the Vermont Statutes Annotated (V.S.A.), Title 19 (Highways), Chapters 3 (Town Highways) and 7 – (Laying Out, Discontinuing, and Reclassifying Highways).

Certificate of Highway Mileage and the General Highway Maps

Each year, the Vermont Agency of Transportation (VTrans) Mapping Section processes the Certificate of Highway Mileage for each municipality and compiles the totals of State Highways, Class 1, 2, 3, and 4 Town Highways, and Legal Trails into a summary. The highway mileage information is used in the formula for the appropriation of State Aid for Town Highways. The Certificate of Highway Mileage and supporting documentation of changes also provides the VTrans Mapping Section with information to make the necessary changes to the General Highway Maps, also referred to as the Town Highway Maps.

This process is defined in 19 V.S.A. § 305 (Measurement and Inspection):

(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.

Documentation of Legal Establishment

VTrans requires proper documentation that shows the legal establishment of town highways and trails before they may be added to the Town Highway Map. There has been a significant amount of case law following the passage of Act 178 of 2006 and Act 158 of 2008 that clarified the need for proper documentation showing legal establishment of highways through the statutory process or "dedication and acceptance".

A defining case raising the bar on documentation is *Austin v. the Town of Middlesex*; 2009 VT 102, which dealt with a road that VTrans had been mapping as class 4 town highway for over 40 years. The Vermont Supreme Court determined the road was not a town highway, which resulted in VTrans' removing this road from the map. This case, as well as others, has prompted a higher requirement for documentation for highways and trails before they may be added to the town highway maps. Additional cases include the following Vermont Supreme Court Decisions – *Merritt v. Daiello* (2010) (entry order; three-justice panel) and *Kirkland v. Kolodziej*, 2015 VT 90. Also, there is the Washington Superior Court decision in *Virginia Houston and Jean Damon v. Town of Waitsfield* (2010). In summary, a town highway needs the appropriate level of documentation as evidence to legal establishment, either through the statutory process or through "dedication and acceptance" for inclusion on the VTrans produced general highway maps.

If CADD, GPS, or GIS data layers exist that document the change, this information can be forwarded to VTrans to assist in the mapping process.

Notice and hearing of reclassification or discontinuance

The legislative body shall promptly appoint a time and date for examining the premises and hearing the persons interested, and give thirty days notice to the petitioners, and to persons owning or interested in lands through which the highway may pass or abut, of the time when they will inspect the site and receive testimony.

The legislative body shall also:

- Give notice to any municipal planning commission in the town.
- Post a copy of the notice in the office of the town clerk.
- Cause a notice to be published in a local newspaper of general circulation in the area not less than ten days before the time set for the hearing.

The notice shall be given by certified mail sent to the official residence of the person(s) required to be notified. (19 V.S.A. § 709)

Additional notice of discontinuance

The legislative body shall notify the commissioner of forests, parks and recreation when it has filed a petition to discontinue a highway under this subchapter. (19 V.S.A. § 775)

When submitting a reclassification or discontinuance with your municipality's mileage certificate, please include evidence of these notices and hearings.

Survey of new or altered highway

When the legislative body accepts, lays out, or alters a highway, it shall cause a survey to be made. The survey shall describe the highway and the right-of-way by courses, distances and width, and shall describe the monuments and boundaries. (19 V.S.A. § 704).

The minimum standard for a Class 3 highway

A Class 3 highway is negotiable under normal conditions all seasons of the year by a standard manufactured pleasure car. (19 V.S.A. § 302(a)(3)(B))

Legal Trail Mileage

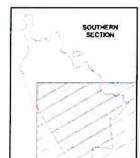
The municipality will need to provide information related to trails and their mileage on the certificate, similar to the reporting of highway additions, reclassifications, or discontinuances.



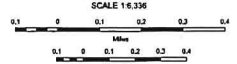
- | | | |
|---|--|--|
| <p>ROADWAYS</p> <ul style="list-style-type: none"> — INTERSTATE OR DIVIDED HIGHWAY — INTERSTATE — U.S. ROUTE — STATE ROUTE — CLASS 1 — CLASS 2 — CLASS 3 — CLASS 4 — LEGAL TRAIL — PARK AND RIDE | <p>POLITICAL SUBDIVISIONS</p> <ul style="list-style-type: none"> — STATE BOUNDARY — COUNTY BOUNDARY — TOWN BOUNDARY — VILLAGE BOUNDARY — LOCAL BOUNDARY — WATER BODY — STREAM OR BROOK — BRIDGE OR CULVERT — BRIDGE OR CULVERT - 1P — BRIDGE OR CULVERT - 2P — BRIDGE OR CULVERT - 3P — VTCALVERT BRIDGE — VTCALVERTS CULVERT - 1P — STATE BRIDGE OR CULVERT IDENTIFIER — RAILROAD | <p>FEDERAL CLASSIFICATION IDENTIFIER</p> <ul style="list-style-type: none"> — MAJOR ARTERIAL — MAJOR COLLECTOR — MINOR COLLECTOR — LOCAL ARTERIAL |
|---|--|--|

DISCLAIMER:
The Unimodal Highway Ball-out been highways, discontinued highways, and local streets shown are those of which the Agency of Transportation has recent, others may exist.
Highways and bridges shown by the Agency of Transportation. Town and village boundaries are shown from the Vermont Office of Geographic Information System (VOCIS) 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
SPZS Zone, Spheroid: GRS80
Geoid: Reference System 85
2.000meter grid, Easting - Northing



VERMONT
GENERAL HIGHWAY MAP
City of Burlington
Southern Section
(See northern section for mileage summaries)
CHITTENDEN 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
 Maps as of February 16, 2020
 Map prepared November 05, 2019
 SCALE 1:6,336



BURLINGTON CITY, NORTHERN SECTION, CHITTENDEN COUNTY - 2020

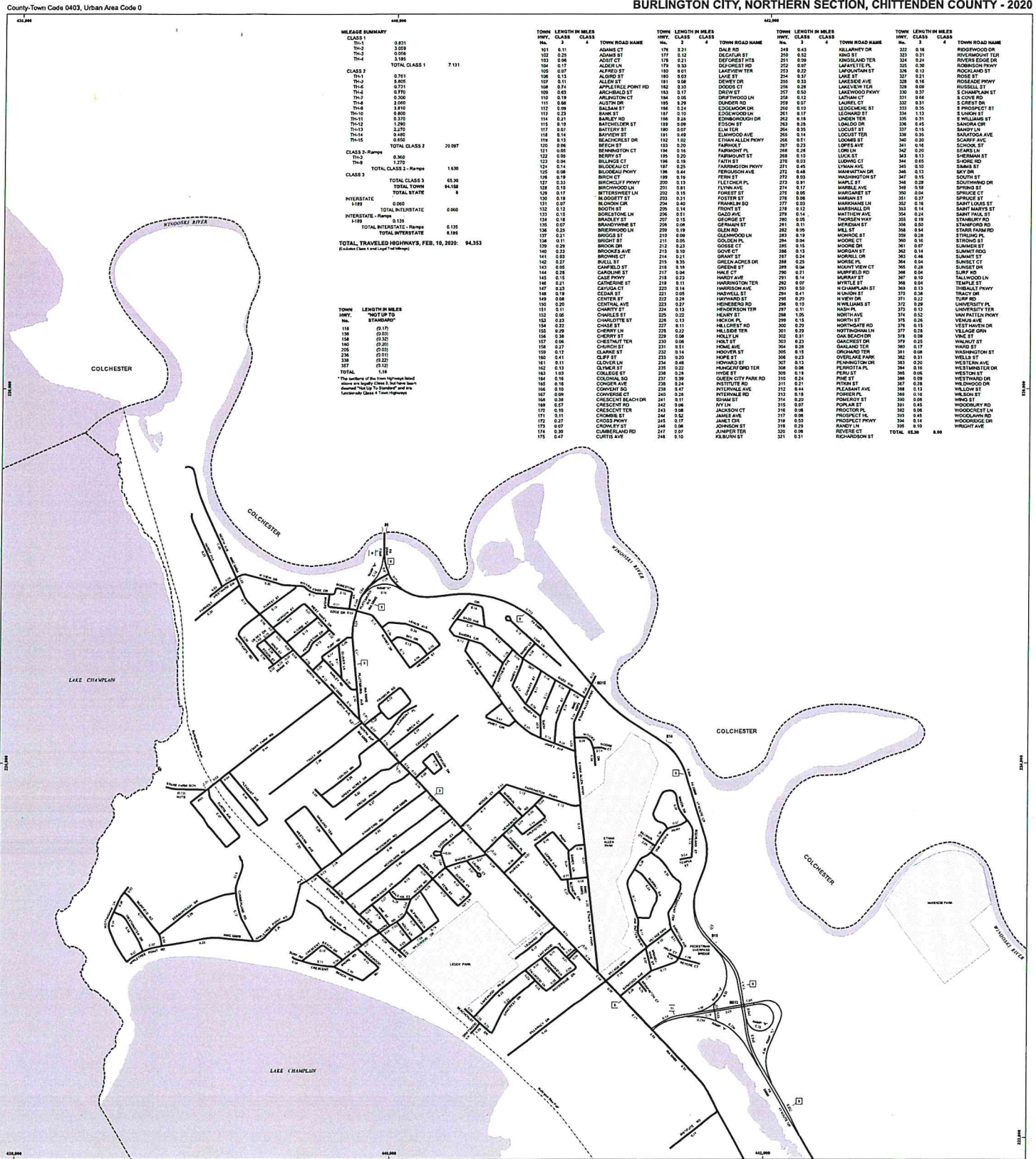


Table with 8 columns: MESSAGE SUMMARY, CLASS 1, CLASS 2, CLASS 3, INTERSTATE, and TOTAL INTERESTATE. Rows list various road classes and their respective lengths in miles. Example: CLASS 1: Th-1 0.871, Th-2 3.028, Th-3 0.956, Th-4 3.185.

VERMONT GENERAL HIGHWAY MAP City of Burlington Northern Section CHITTENDEN COUNTY. Includes a legend with symbols for Interstates, State Routes, and various road types. Also includes a north arrow, a small map of Vermont, and a scale bar. Text includes: Prepared by the Vermont Agency of Transportation, Division of Policy, Planning and Intermodal Development. U.S. Department of Transportation Federal Highway Administration. Date: February 18, 2020.

For more information contact: Vermont Agency of Transportation, Division of Policy, Planning & Intermodal Development, Mapping Section, 219 North Main Street, Barre, VT 05641. Telephone: 932-629-2900. This map was funded in part through grants from the Federal Highway Administration, U.S. Department of Transportation.