

District 8
Certcode 0610-0

**CERTIFICATE OF HIGHWAY MILEAGE
YEAR ENDING FEBRUARY 10, 2018**

Fill out form, make and file copy with the Town Clerk, and mail ORIGINAL, before February 20, 2018 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 MONTGOMERY in FRANKLIN 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	0.000	N/A		0.00	0.000
Class 2	6.680	N/A		6.680	0.000
Class 3	34.97		- .10	34.87	0.000
State Highway	14.314	N/A		14.314	0.000
Total	55.964			55.864	0.000
* Class 1 Lane	0.000			-	
* Class 4	7.87			7.87	0.000
* Legal Trail	0.00			-	

* 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.

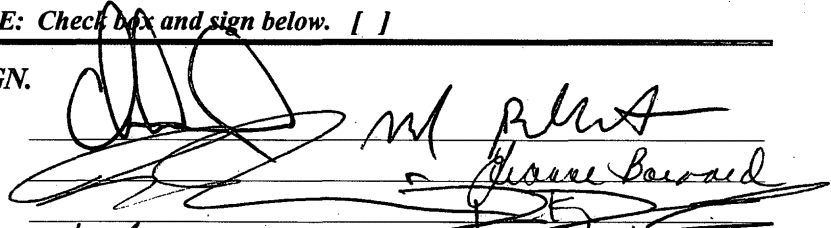
CL4 total by K. Alley
3/27/2018.

1. NEW HIGHWAYS: Please attach Selectmen's "Certificate of Completion and Opening".
2. DISCONTINUED: Please attach SIGNED copy of proceedings (minutes of meeting). * ATTACHED
3. RECLASSIFIED/REMEASURED: Please attach SIGNED copy of proceedings (minutes of meeting).
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:



T/C/V Clerk Signature: Elizabeth Reigley Asst Clerk Date Filed: 2/12/2018

Please sign ORIGINAL and return it for Transportation signature.

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

APPROVED: 
Representative, Agency of Transportation

DATE: 4/18/2018

Received

FEB 14 2018

Policy, Planning & Intermodal
Development Division

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.

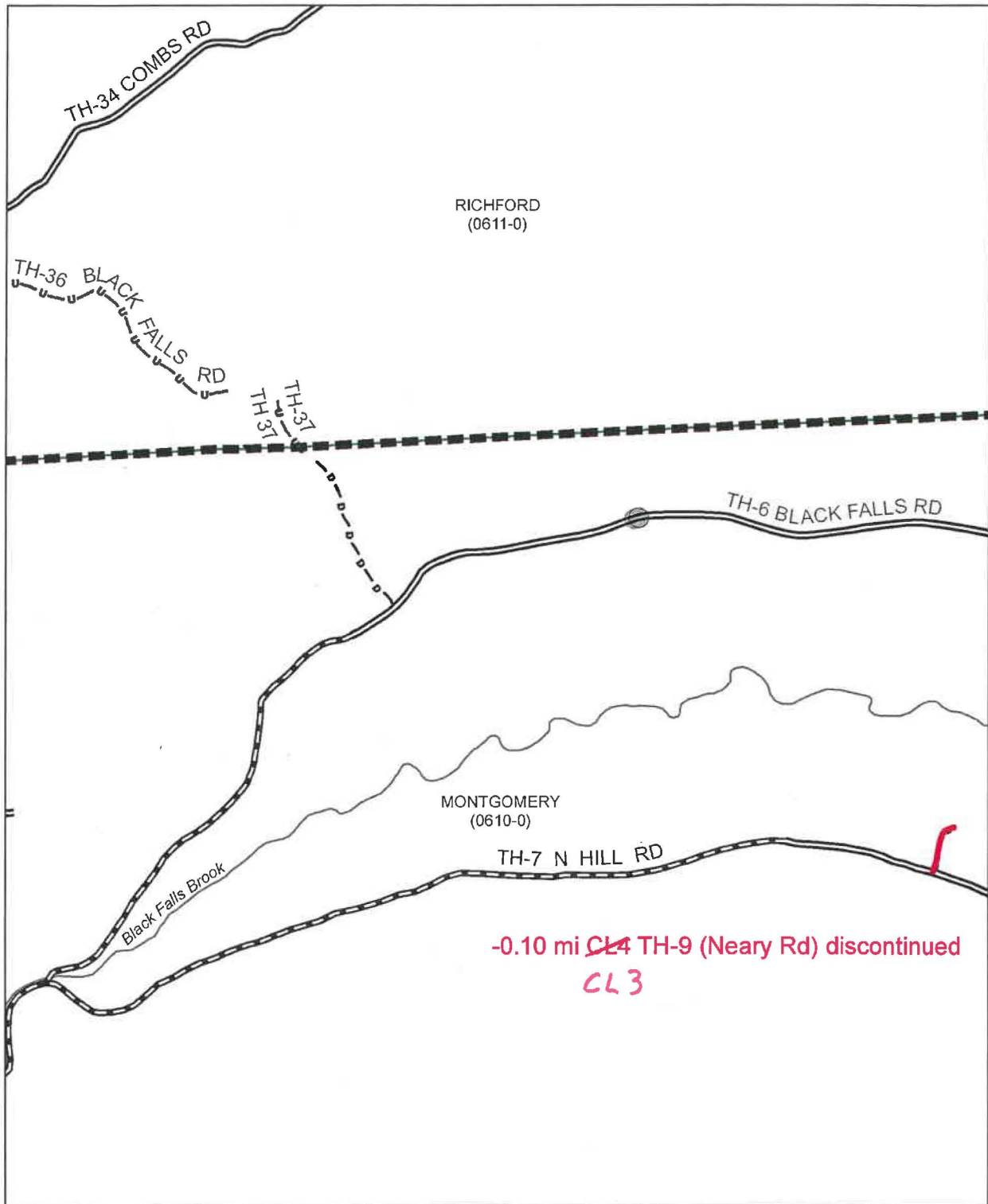
(d) At least 45 days prior to first including a town highway or trail that is not clearly observable by physical evidence of its use as a highway or trail and that is legally established prior to February 10, 2006 in the sworn statement required under subsection (b) of this section, the legislative body 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.

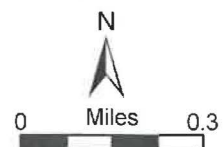
(g) The agency shall provide each town with a map of all of the highways in that town together with the mileage of each class 1, 2, 3, and 4 highway, as well as each trail, and such other information as the agency deems appropriate.

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



Mileage Certificate Changes 2018
MONTGOMERY
 (0610-0)

Mapping Section
 Division of Policy and Planning
 Vermont Agency of Transportation -- April 10, 2018



Town Highway/Legal Trails Addition/Reclassification/Discontinuance Checklist

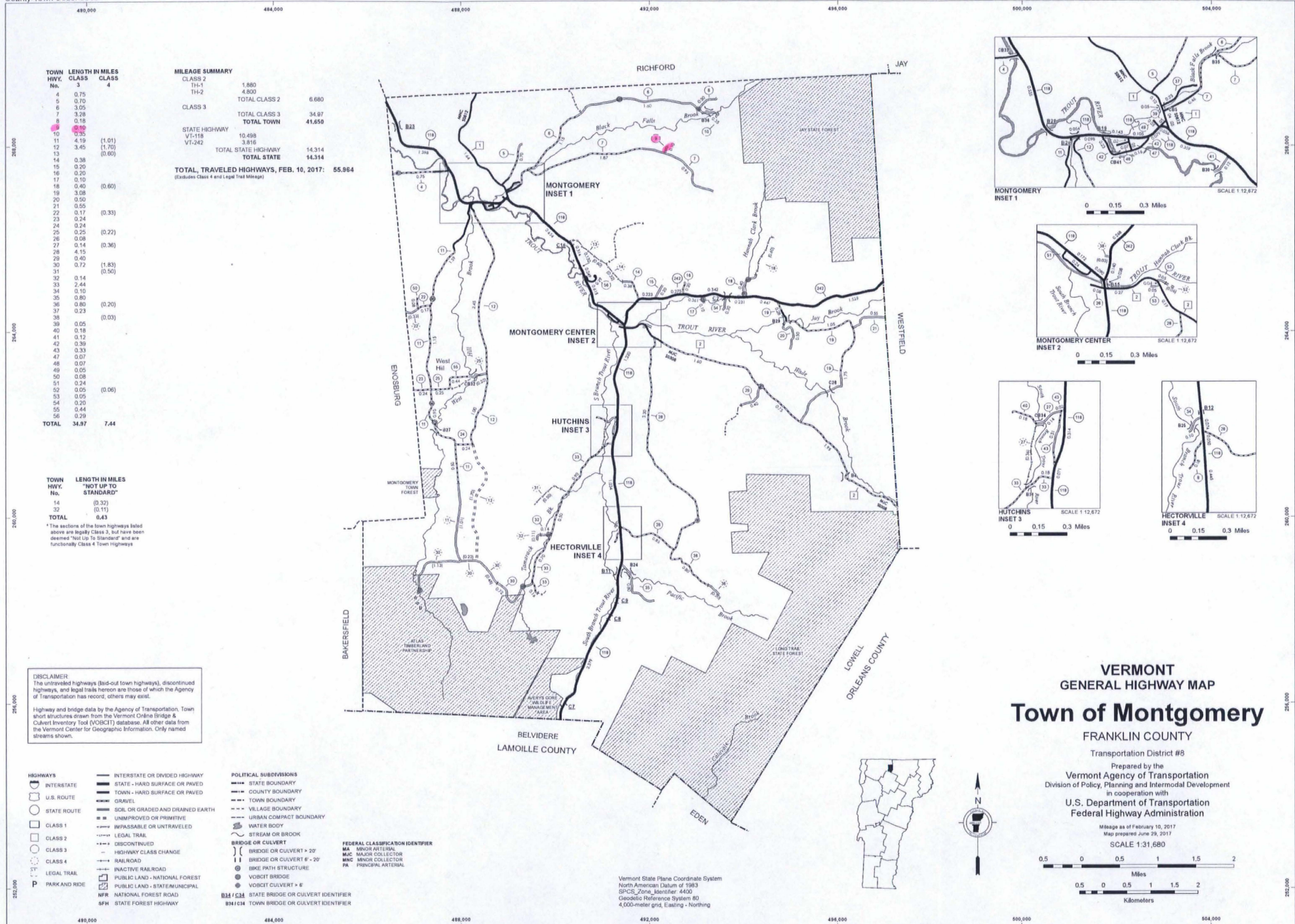
The following includes a checklist of the documentation to be supplied to the Vermont Agency of Transportation (VTrans) when adding / reclassifying / discontinuing highways and trails. The documentation is subject to verification by VTrans.

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) **ATTACHED - SEE HIGHLIGHTED AREA**
 - 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)
ATTACHED
 - Evidence of written notice to adjoining landowners
(include a copy of the newspaper notice and a copy of the letter sent to adjoining landowners)
Vt. Stat. Ann. tit. 19, § 709 **ATTACHED**
 - A copy of any surveys of the affected highway or trail (N/A)
Vt. Stat. Ann. tit. 19, § 305(e) Vt. Stat. Ann. tit. 19, § 704
-
- For Class 3 or Class 4 town highway additions (N/A)
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



MILEAGE SUMMARY

CLASS 2	1,880
TH-1	4,600
TH-2	
TOTAL CLASS 2	6,680
CLASS 3	34.97
TOTAL CLASS 3	34.97
TOTAL TOWN	41,650

STATE HIGHWAY	10,498
VT-118	4,119
VT-242	1,770
TOTAL STATE HIGHWAY	14,314
TOTAL STATE	14,314

TOTAL, TRAVELED HIGHWAYS, FEB. 10, 2017: 55.964
(Excludes Class 4 and Legal Trail Mileage)

LENGTH IN MILES "NOT UP TO STANDARD"

TOWN HWY. No.	LENGTH IN MILES
14	(0.32)
32	(0.11)
TOTAL	0.43

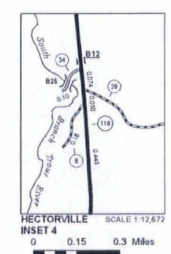
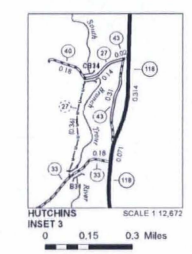
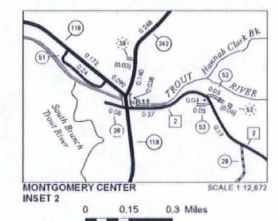
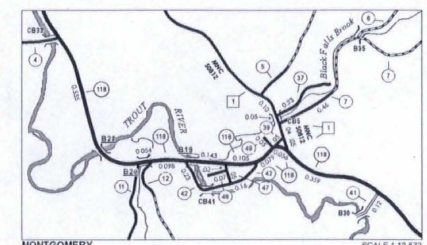
*The sections of the town highways listed above are legacy Class 3, but have been deemed "Not Up to Standard" and are functionally Class 4 Town Highways

DISCLAIMER
The untraveled highways (dashed-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 drawn from the Vermont Online Bridge & Culvert Inventory Tool (VOCBIT) database. All other data from the Vermont Center for Geographic Information. Only named streams shown.

- HIGHWAYS**
- INTERSTATE
 - U.S. ROUTE
 - STATE ROUTE
 - CLASS 1
 - CLASS 2
 - CLASS 3
 - CLASS 4
 - LEGAL TRAIL
 - PARK AND RIDE
- INTERSTATE OR DIVIDED HIGHWAY**
- STATE - HARD SURFACE OR PAVED
 - TOWN - HARD SURFACE OR PAVED
 - GRAVEL
 - SOIL OR GRADED AND DRAINED EARTH
 - UNIMPROVED OR PRIMITIVE
 - IMPASSABLE OR UNTRAVELED
 - LEGAL TRAIL
 - DISCONTINUED
 - HIGHWAY CLASS CHANGE
 - RAILROAD
 - INACTIVE RAILROAD
 - PUBLIC LAND - NATIONAL FOREST
 - PUBLIC LAND - STATE/MUNICIPAL
 - NATIONAL FOREST ROAD
 - STATE FOREST HIGHWAY
- 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'
 - BIKE PATH STRUCTURE
 - VOCBIT BRIDGE
 - VOCBIT CULVERT - 6'
 - STATE BRIDGE OR CULVERT IDENTIFIER
 - TOWN BRIDGE OR CULVERT IDENTIFIER
- FEDERAL CLASSIFICATION IDENTIFIER**
- MA - MINOR ARTERIAL
 - MAC - MAJOR COLLECTOR
 - MNC - MINOR COLLECTOR
 - PA - PRINCIPAL ARTERIAL

Vermont State Plane Coordinate System
North American Datum of 1983
SPCS Zone Identifier 4400
Geoid Reference System 80
4,000-meter grid, Easting - Northing



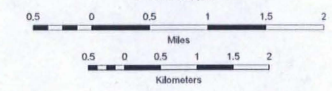
VERMONT GENERAL HIGHWAY MAP
Town of Montgomery

FRANKLIN COUNTY

Transportation District #8

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

Message as of February 10, 2017
Map prepared June 29, 2017
SCALE 1:31,680





MONTGOMERY
FOUNDED 1750

Town of Montgomery - P.O. Box 356
Montgomery Center, VT 05471
802-326-4719
www.montgomeryvt.us

COPY

CHARLES HANCOCK
CLERK, SELECTBOARD

REGULAR MEETING OF THE
SELECTBOARD & WATER COMMISSION
Temporary Town Office (86 Mountain Road)
Monday, November 6th 2017, 6:30pm

UNAPPROVED
(APPROVED 11.20.17)

* T.H. 9
SEE PAGE 4

Selectboard members: Charlie Hancock-chair, Darren Drevik-vice chair, Jacob Racusin, Mark Brouillette (absent), Colin Sorenson (via conference call)

Visitors: Michael Snider, Sue Wilson, Anita Woodward, Larry Letourneau, Marijke Dollois, Joe Sherman

Clerk: Elizabeth Reighley

Charlie called the meeting to order at 6:37p.m.

1. Review and make any changes to the agenda. Add under Public Works, Buildings & Grounds 3,B(c), Monitoring Contract for Public Works Building.

2. Review/approve minutes of the October 16th meeting. Darren motioned to approve as written, seconded by Jacob. This passed 3-0-1 by roll call vote: Darren-yea, Jacob-yea, Charlie-yea, Colin-abstention.

3. Public Works

a) Roads and Bridges

- a. Grants: Status Updates: Michael met with Bethany Remmers, of Regional Planning, about pursuing the grant for Rte 58 under 'Better Roads', she will be obtaining estimates to bring back to the board. Regan Rd also needs work for ditching and stone lining, Michael stated that he needs to put together estimates for this project, also under the "Better Roads" program; Bank stabilization and ditching for Longley Bridge Road will go through the new 'SFY Transportation Alternatives' grant program. Michael cited that the concrete bridge on Rte 58 may need to be replaced, this came by State recommendation, however he still needs to finish reviewing the bridge reports from the state before making any decisions to ensure that the bridge needs are prioritized and budgeted for properly.

- b. Michael also noted that the Town of Berkshire has reached out to neighboring towns stating that they will be posting all of their roads in the springtime and enforcing a travel ban which includes municipal trucks taking Berkshire roads to truck materials; this will restrict Montgomery from access to sand and gravel from current source during mud season, so we will need to consider stockpiling materials or alternative sources for Spring 2019.
 - i. **Amended Paving Grant.** The grant paperwork is complete and has been submitted, the turn-around time for reimbursement should take about four weeks.
 - ii. **Structures Grant for Route 58.**
 - iii. **Better [Back] Roads Bridge and Culvert Grant**
 - iv. **USFS Culvert Grant for AOP design.** As of now the Regan road project is back on schedule and will be happening according to Regional Planning.
 - v. **Municipal Grants in Aid Pilot Project.** Postponed until the spring
 - vi. **SFY Transportation Alternatives (see above)**
- c. **Longley Bridge Update.** The bridge was officially opened today and Stanley Longley was first resident to drive through the new bridge.
- d. **Fuller Bridge**
 - i. **Monitoring.** Carry over
 - ii. **Covered Bridge Ordinance Review** Charlie Merriman sent a letter to the board regarding his thoughts on the viability of the ordinance and whether the selectboard has the authority to enforce this particular type of ordinance, for which there is limited direction in statute. Discussion last time ended with the feeling that this would help the town obtain reimbursement from persons who damage the bridge to relieve the burden from falling on taxpayers to pay for all the repairs. Discussion took place, marking up the existing draft. Darren motioned to adopt the Covered Bridge Ordinance as amended, seconded by Jacob, and the motion passed 3-1 by a roll call vote: Darren-yea, Jacob-yea, Colin-nay, Charlie-yea. Board members further discussed extra signage needs and monitoring options.
- e. **Brady Road; Cote Road bridge/culvert needs.** The plans to begin removing the temporary bridge will be underway Wednesday. Part of it will go to Cote Road to mitigate the bridge issues there and the remainder will go into storage for now, with Brady Road being the next project that will need immediate attention.
- f. **Road Crew Training.** Michael stated a change in requirements that will allow road crew members to forgo Osha 10, for now, and be able to immediately take the grader classes as they are available. The board discussed working both with the state and regional planning to get them to provide more of these classes up north in our region as most of the grader courses are being offered in southern parts of the state.

b) Buildings and Grounds

- a. **Generators.** The recent storm and town wide power outage(s) this past week has brought up some concern that if something like this happens again in the winter the town has limited capacity to service the four buildings we're obligated to maintain. Michael suggested that we may need to look into the cost of hooking up certain buildings for portable back-up generators, or purchase additional portable ones to maintain heating and keep pipes from freezing. Doug Kopacz has been asked to take a look at the different building specs and determine what potential hook-ups/wiring and/or type of generators would be required. Once the board has the information they can direct the budget committee to consider the work and potentially request proposals from local contractors. The service of the school generator will be finished during the Thanksgiving break.
- b. **Snow Guards PSB/Grange.** The board reviewed the breakdown of labor and materials submitted by R&A Enterprise for the snow guard work. Jacob moved to accept the bid from R&A Enterprises, this was seconded by Darren, and passed by unanimous roll call vote.
- c. **Town Garage Monitoring.** Summer Electric has submitted the requested proposal to also monitor the town garage at the same monitoring rate and schedule as what the PSB has; Charlie motioned to execute a contract with Summer Electric for the Town Public Works building, seconded by Darren, and passed 3-1 by roll call vote of: Darren-yea, Jacob-yea, Colin-nay, Charlie-yea
- d. **Grange:** Michael is planning to winterize the grange and address damage from potential animal nesting

4. Visitors:

Joe Sherman—Deuso Road. Joe Sherman came before the board to discuss the Deuso house that was condemned by the state due to a fire threat within the house. The State electrician condemned the house due to a faulty water heater, the meter was seized until repairs were completed. A follow up inspection was and the deputy state fire marshal confirmed there was no longer a fire hazard. All information regarding the action is public records and available both to the town and to landowners. Charlie noted to Joe that NWRPC is looking into information regarding FEMA buyouts for properties that have issues with flood damage and erosion.

Sue Wilson- requested \$100 to purchase 10 boxes of LED x-mas lights for the town wreaths; Darren motioned to approved the request, seconded by Jacob and the motion passed by unanimous roll call vote. Sue stated they will be preparing the wreaths with the new lights this friday.

5. Water Commission Issues

- a. **Ordinance Review and Amendments.** Charlie handed out the latest draft of amendments to the ordinance with the edits and suggested changes, he stated the changes were mostly clerical and pointed out the few substantive edits that had to be retained in the ordinance concerning what is governed by state statute. Darren motioned to approve the amendments to the water system ordinance, Jacob seconded, and the motion passed 3-1 by roll call vote of: Darren-yea, Jacob-yea, Colin-nay, Charlie-yea

6. Old Business

- a. **Town Office Needs.** Carry over to special meeting, time and place TBD.
- b. **VCRD Community Visits Program (pending announcement Fall 2017) / Economic Development—Future Efforts.** Charlie stated that he would like the board to entertain scheduling a special meeting to discuss this issue at length now that there has been a response from VCRD (see above).
- c. **Stanion Court Case Status.** The town has received a response from the Stanions confirming that they are interested in discussing a potential settlement in the matter before the DRB regarding the fence. Discussion took place regarding the issue at hand, as well as the broader implications of zoning and the town's obligation to enforce the existing bylaws which were approved by the voters. Colin disagreed that the town was obligated to do so, suggesting the board should instead drop the issue and apologize. The majority of the board confirmed their desire to enter into talks. Charlie will follow up with Mr. Merriman regarding the next steps and reaching out to the Stanions.
- d. **Vacant Building Ordinance proposal.** Carry over
- e. **Fire/EMS radios.** Carry over
- f. **T.H. 33, Request for Discontinuance.** The site visit was conducted on October 24th. While both ends of the Class IV road are clear, with middle of the right (located on the Locher parcel) is indiscernible.. Discussion was had. Charlie read the applicable statute(s) regarding the process of discontinuing roads, noting that he felt the board should consult with the town attorney to ensure their interpretation of state statute and process is correct Darren motioned to deny the request for discontinuance, pending consultation/confirmation of process with Charlie Merriman, seconded by Jacob and passed by unanimous roll call vote.
- g. **Planning Commission Appointment.** Charlie nominated Kenneth Miller to fill the Planning Commission vacancy for the remainder of 3 year term to expire in March 2018. Kenny was appointed by unanimous roll call vote. Charlie will reach out to those who also expressed interest in the seat to express thanks for their interest and encourage them to remain involved as future seats become open.

8:29 Colin was disconnected from meeting, phone connection restored at 8:31

- h. **Neary Road (T.H. 9) Request for Discontinuance.** The site visit was completed on November 2nd Unlike TH 33 It is clear where the road is and that it only accesses one parcel with no other landowner or dwelling sites needing access through this road. Charlie motioned to discontinue Town Highway no. 9 commonly known as "Neary Road" Darren seconded the motion and this passed 3-1 by roll call vote of: Darren-yea, Jacob-yea, Colin-nay, Charlie-yea.

- i. **Aegis Renewable Energy Solar Proposal.** Chris Lamonica has submitted a proposed sales agreement, spreadsheet of expenditures, and a breakdown of savings. Charlie suggested that everyone take some time to review all the information and come back prepared to the next meeting. Charlie will reach out to Chris to let him know that the board is reviewing their proposal. Colin stated he met with Chris after the last meeting to further discuss this proposal. Charlie suggested that the board should perhaps invite Chris back to a later meeting after the review process.
- j. **Proposed Amendments to Zoning Bylaws.** Charlie has not gotten a response from Barry yet. Carry over.

7. New Business

- a. **Overweight Truck Permits.** None
- b. **Liquor/Tobacco Licenses.** None

8. Open Mail / Sign Orders / Administrative Matters. Franklin County Regional Commerce has requested funds for membership dues Darren will look into this. VASA has submitted a survey for the town to complete, Charlie will fill it out and send back to them. All orders were signed at this time.

Darren motioned to end the meeting seconded by Jacob and the board adjourned at 8:47p.m.

Respectfully Submitted,
Elizabeth Reighley

COPY



MONTGOMERY

FOUNDED 1780

Town of Montgomery - P.O. Box 356
Montgomery Center, VT 05471
802-326-4719
www.montgomeryvt.us

October 10th 2017

Josephine and Joseph Lisaius
16 Eastman Way Dr.
Burlington, VT 05401

Dear Josephine and Joseph,

You are receiving this letter as you are an interested party to a request for discontinuance of Town Highway (TH) 9 in the town of Montgomery. Pursuant to 19 VSA 708, the Selectboard received a formal request by "a person who is a landowner in a town, desiring to have an unidentified corridor which passes through or abuts his or her land discontinued or altered".

Having received the application for discontinuance in writing, the board has scheduled a time and date for examining the premises and hearing the persons interested. The hearing is scheduled for **Thursday November 2nd at 2:00pm, and will be held at the intersection of North Hill Road (TH 7) and Neary Road (TH 9)**. At this time an inspection of the corridor will be conducted and testimony heard.

Pursuant to 19 VSA 709, all persons owning or interested in lands through which the highway may pass, or abut must be informed of the time when the board will inspect the site and receive testimony. This letter serves at that notice.

Please contact the Town Clerk at 802.326.4719 with any questions regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Charlie Hancock".

Charlie Hancock
Chairman, Montgomery Selectboard

Cc: Montgomery Planning Commission; Montgomery Selectboard