

**CERTIFICATE OF HIGHWAY MILEAGE
YEAR ENDING FEBRUARY 10, 2016**

Fill out form, make and file copy with the Town Clerk, and mail ORIGINAL, before February 20, 2016 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 CHARLESTON in ORLEANS 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			-	0.000
Class 2	10.150			10.150	0.000
Class 3	30.51		- 0.15	30.36	0.000
State Highway	13.880	+ 0.030		13.910	0.000
Total	54.540			54.420	0.000
* Class 1 Lane	0.000			-	
* Class 4	9.01		- 0.50	8.51	0.000
* Legal Trail	5.83	+ 0.50		6.33	

* 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.

- NEW HIGHWAYS:** Please attach Selectmen's "Certificate of Completion and Opening".
- DISCONTINUED:** Please attach SIGNED copy of proceedings (minutes of meeting).
-0.15 mi CL3 TH-49 (Citizens Rd) discontinued to private
- RECLASSIFIED/REMEASURED:** Please attach SIGNED copy of proceedings (minutes of meeting).
+0.030 mi approach to VT-5A at intersection with VT-105
0.35 mi CL4 TH-53 (Line Farm Rd) reclassified to LT-10
0.15 mi CL4 TH-58 (Peterson Field Rd) reclassified to LT-12
- 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:

Debra Bennett
[Signature]
[Signature]

T/C/V Clerk Signature:

Jeri L. Gray

Date Filed:

1-14-16

Please sign ORIGINAL and return it for Transportation signature.

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

APPROVED:

[Signature]
Representative, Agency of Transportation

DATE:

5/12/2016

Received

JAN 19 2016

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.

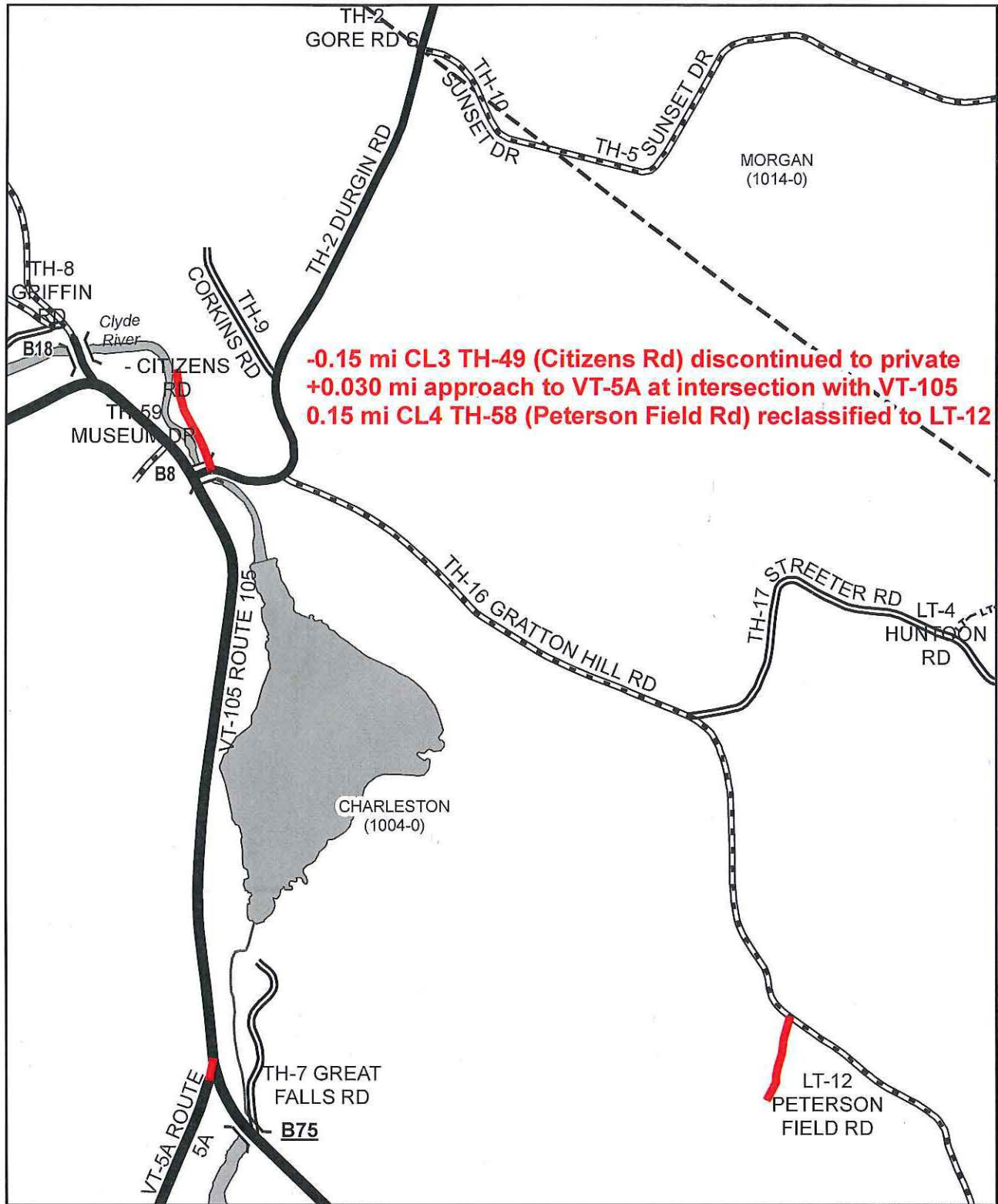
(e) The agency shall not accept any change in mileage until the records required to be filed in the town clerk's office by this section are received by the agency. A request by a municipality to the agency for a change in mileage shall include a description of the affected highway or trail, a copy of 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

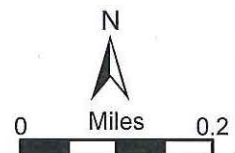
Excerpt of 19 V.S.A. § 305 - *Measurement and inspection* from Vermont Statutes Online located at –
<http://legislature.vermont.gov/statutes/section/19/003/00305>

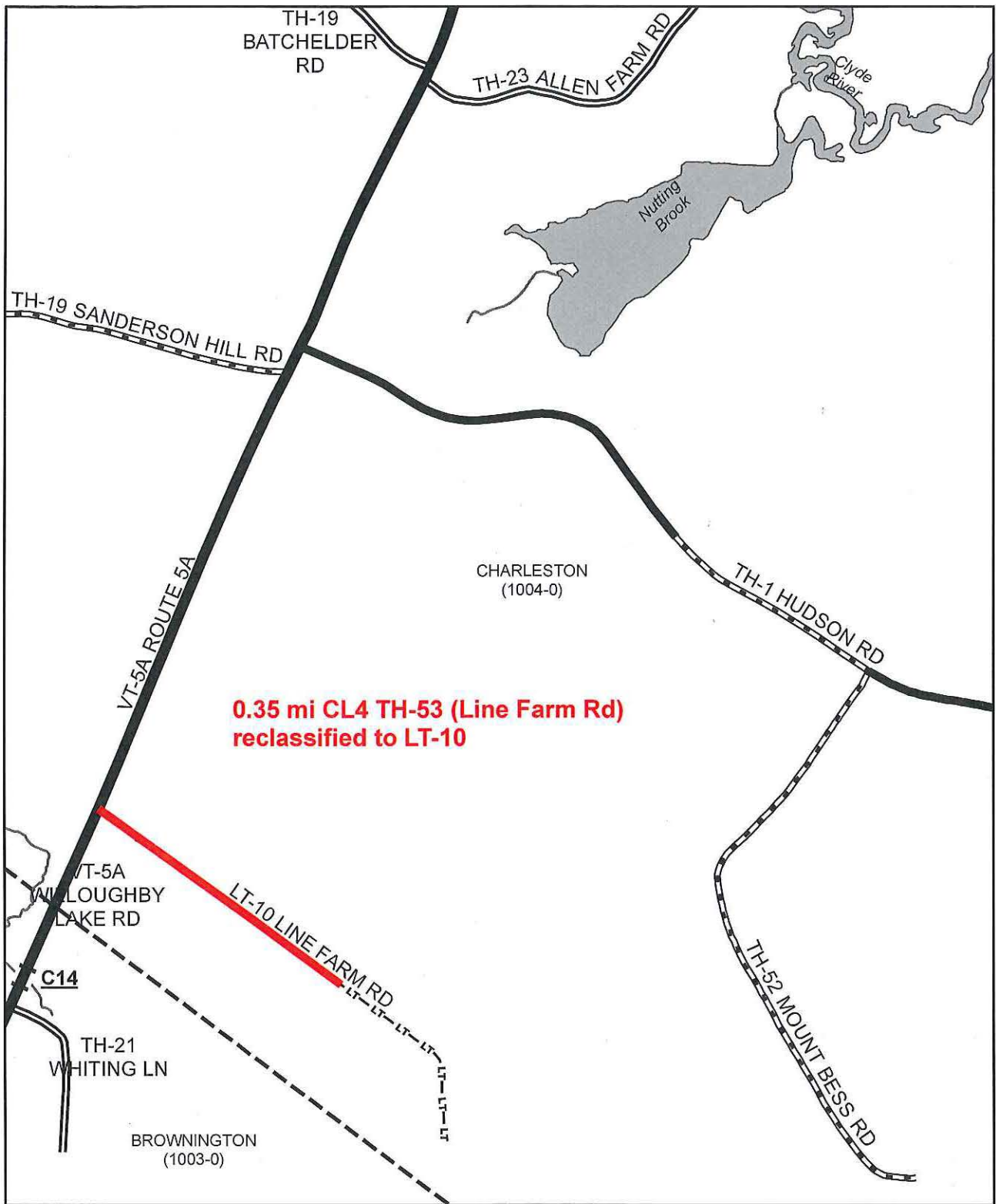
December 2015



**Mileage Certificate Change 2016
CHARLESTON (1004-0)**

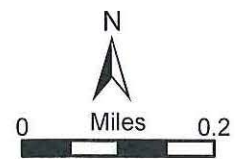
Mapping Section
 Division of Policy and Planning
 Vermont Agency of Transportation -- February 8, 2016



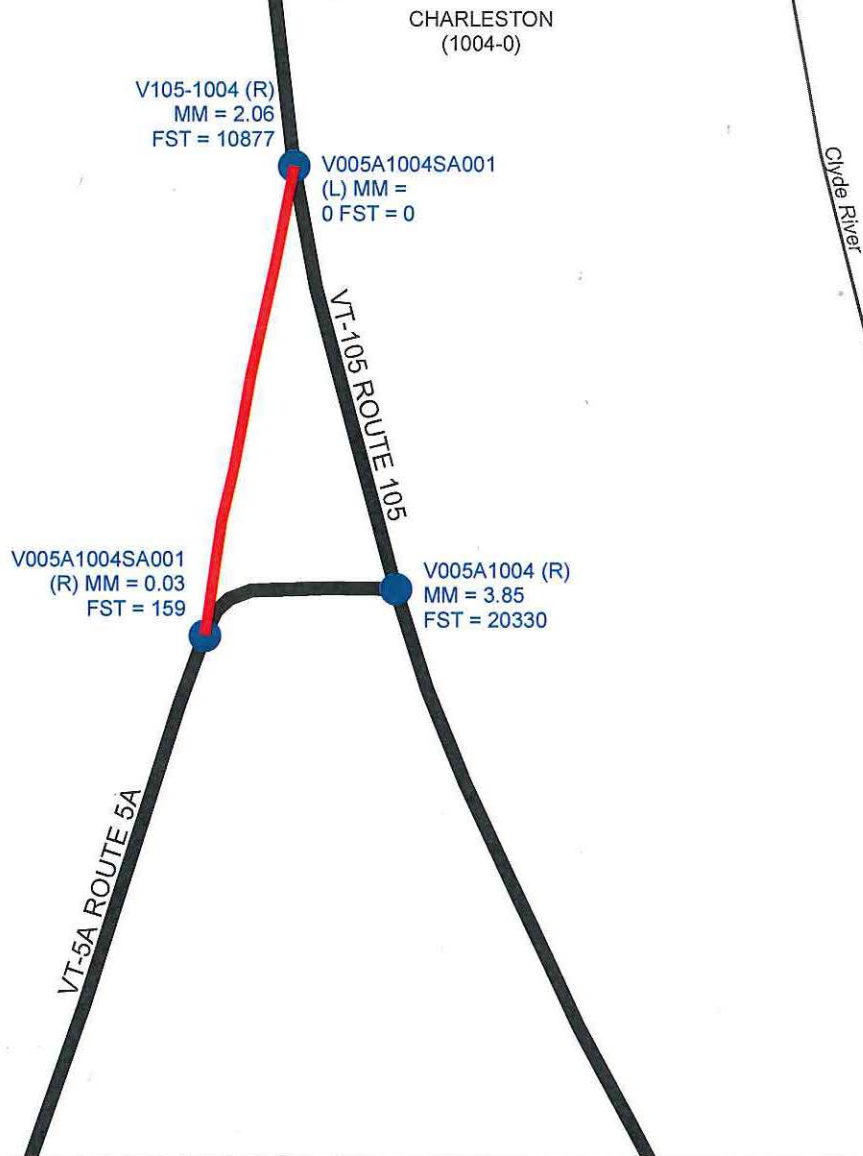


**Mileage Certificate Change 2016
CHARLESTON (1004-0)**

Mapping Section
 Division of Policy and Planning
 Vermont Agency of Transportation -- February 8, 2016

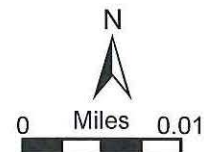


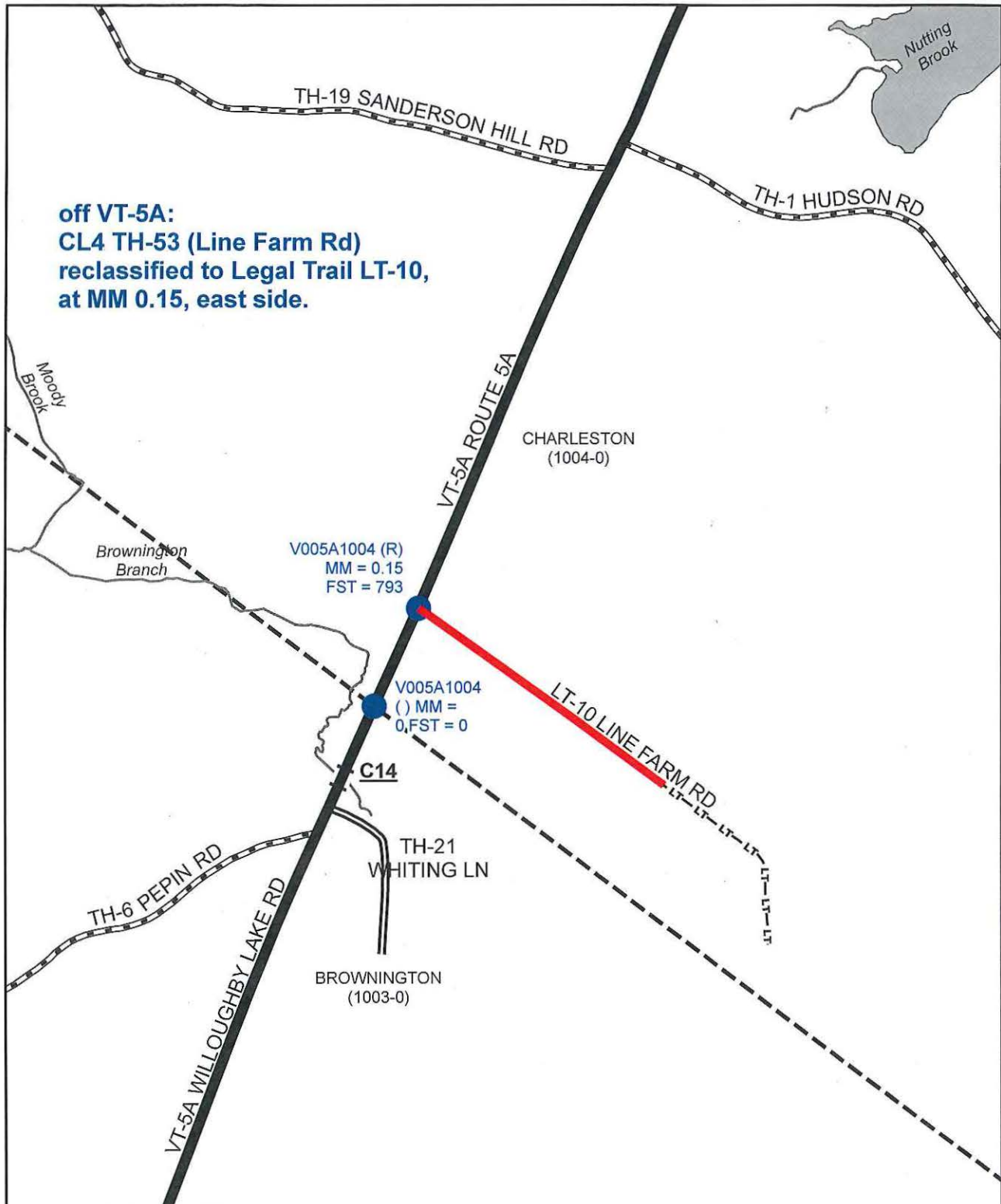
**VT-5A new approach:
at VT-105 MM 2.060, west side
at VT-5A MM 3.850, north side**



**Mileage Certificate Change 2016
CHARLESTON (1004-0)**

Mapping Section
Division of Policy and Planning
Vermont Agency of Transportation -- February 8, 2016

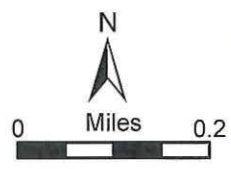




**off VT-5A:
CL4 TH-53 (Line Farm Rd)
reclassified to Legal Trail LT-10,
at MM 0.15, east side.**

**Mileage Certificate Change 2016
CHARLESTON (1004-0)**

Mapping Section
Division of Policy and Planning
Vermont Agency of Transportation -- May 2, 2016





802.272.4156
ANR Lands Division

October 14, 2015

Town of Charleston Selectboard
c/o Town Clerk
5063 Vt. Rte. 105
Charleston, Vermont 05872

Dear Board Members:

We are in receipt of the notice pursuant to the requirements of Title 19 V.S.A. that you propose to discontinue Town Highway #49, also known as Citizens Road. The Department of Forests, Parks & Recreation has reviewed the proposal and finds that this road provides access to Clyde River. We believe that downgrading the road to a legal trail would be preferable. For your information, it has been the policy of this Department to encourage towns to continue ownership of highway rights-of-way where they are of sufficient length or location to be of value to recreational users. Such existing rights-of-way can be valuable recreation resources for our growing population.

With the passage of H. 83 in the 1991 Legislature, the laws regarding Class 4 roads and trails give much more strength to towns in their ability to preserve these rights-of-way. Title 19 V.S.A. 711 states in part:

"...the selectmen may order that the petitioner bear the cost of upgrading a class 4 town highway to the class 3 town highway standards established in 19 V.S.A. 302(a) (3)(B). Nothing in this section shall be construed to require a town to maintain a class 4 highway or to upgrade a highway from class 4 to class 3."

Enclosed is a copy of the "Town Policy on Class 4 Roads and Trails," issued by the Vermont Trails and Greenways Council. In addition, you will find a copy of the Department's policy on road discontinuance. You may want to consider a similar policy in Charleston. Having such a policy will help to ensure that you will not be required to maintain Class 4 roads or trails or upgrade them to Class 3.

This Department will not be represented at your meeting on October 29th, 2015 but we ask that this letter and attachments be entered into the proceedings. We also request that local trail organizations such as snowmobile clubs be notified of the proposed discontinuance.

Thank you for contacting us on this matter. We always appreciate the opportunity to comment on these important recreation resources.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Mike Fraysier".

Mike Fraysier
ANR Lands Director

Enclosures

Cc: Trails Coordinator, VAST; FPR – St. Johnsbury Stewardship Forester, Louis Bushey; Planning Office, AOT,
Northern Forest Canoe Trail



Received

OCT 21 2015

VTrans Highway Division
Project Delivery Bureau

Alley, Kerry

From: Croft, Johnathan
Sent: Friday, December 11, 2015 3:02 PM
To: Alley, Kerry
Cc: Moulton, Sara
Subject: Charleston Mileage Certificate addition

Good afternoon Kerry,

Please add 0.030 miles of State Highway to the Charleston Mileage Certificate, for the addition of an approach to VT-5A at the intersection of VT-105. The geometry and mileage has been added to the RDS and RTLOGPTS are all set. The FAIDN is 500190200253 to help you locate this arc.

This just needs to be noted on the Mileage Certificate and then any town highway map work, which can happen later.

Thanks,

Johnathan Croft
VTrans Mapping Section
(802) 828-2600

johnathan.croft@vermont.gov – please note the updated email address

Town of Charleston

5063 Vt. Rte. 105
W Charleston VT 05872
Phone No: (802) 895-2814
Fax No: (802) 895-2814
townofcharlestonvt@comcast.net
www.charlestonvt.org

December 17, 2015

Jonathan Croft
VTrans Mapping Section
Div of Policy, Planning and Intermodal Development
1 National Life Drive
Montpelier, VT 05633-5001

Dear Jonathan:

Please find enclosed a decision order regarding Charleston town highways #49, #53, and #58, along with changes indicated on Charleston highway map and mileage table.

Please contact me if you have any questions about this. Thank you and happy holidays.

Best Regards,



Colleen Kellogg

Asst. Town Clerk & Treasurer

Received

DEC 21 2015

**VTrans Highway Division
Project Delivery Bureau**

Town of Charleston

5063 Vt. Rte. 105
W Charleston VT 05872
Phone No: (802) 895-2814
Fax No: (802) 895-2814
townofcharlestonvt@comcast.net
www.charlestonvt.org

Order and Report

Of Selectboard, Town of Charleston

Pursuant to V.S.A. Title 19; a public hearing was held on October 29, 2015 at 7:00pm at the Charleston Town Clerk's Office with regard to taking action as described below to reclassify the following town highways located entirely within the Town of Charleston:

- (1) Discontinuing, or "throwing up," the entire 0.15 length of TH #49 known as Citizens Road, beginning at Durgin Road in West Charleston Village. Said discontinuance results in a .15 mile long private road with no town right-of-way.
- (2) Downgrading a portion of Town Highway #53, known as Line Farm Road, specifically the .35 mile section beginning at VT Route 5A, from a Class 4 Highway to a Legal Trail. Said action results in a 0.7 mile long section of Legal Trail.
- (3) Downgrading the entire 0.15 mile section of TH58, known as Peterson Field Road, beginning at Gratton Hill Road, from a Class 4 Highway to a Legal Trail. Said action results in a 0.15 mile section of legal Trail.

Resolved that if the Selectboard determines that the public good, safety, necessity and convenience of the inhabitants of the Town of Charleston requires that said highways be downgraded, these three actions will be so ordered.

Prior notice as required by law was duly provided by certified mail to all adjoining landowners and interested parties on September 28, 2015:

- On Citizens Road: Great Bay Hydro
- On Line Farm Road: Raymond & Pamela Helenek; Dennis Sample & Norma Gregory; Three Town Farms LLC.
- On Peterson Field Road: James Gratton
- VT Commissioner of Forests, Parks & Recreation

Notice was hand-delivered to the Charleston Planning Commission on the same day. Also on September 28, 2015, notice was further provided by posting at the Charleston Town Clerk, East & West Charleston Post Offices, Scampy's Deli, and notice was published in the Chronicle, the newspaper of record as designated by the Charleston Selectboard, on September 30, 2015.

After notification, it was brought to the Selectboard's attention that Charleston Town tax maps showed only one landowner on that Citizens Road, Great Bay Hydro Corp, but that in fact Vermont Electric Cooperative (VEC) owns the footprint of their substation along Citizens Road. VEC informed the Town Clerk's office by email on October 15th that they had received notification of the proposed action.

Selectboard Chair Dean Bennett opened the October 29th hearing by stating that these proposals have been made to help the town avoid putting money into roads with no residences and of little use to the majority of taxpayers. In the case of Citizens Road, the board had been approached by one of the utilities interested in limiting access on the road.

Road Foreman Bernie Pepin expressed difficulty maintaining winter plow access on Citizens Road and interest in removing the road from the plow route. Mark Hinton of Great Bay Hydro Corps said his company was neutral and was discussing continued paddler access with Vermont ANR and Northern Forest Canoe Trail. Ken Tripp of VEC said his company was fairly neutral but concerned by the vandalism occurring around the substation, and was willing to maintain the road. Vermont ANR submitted a letter requesting legal trail status to maintain public access, and the Northern Forest Canoe Trail (NFCT) submitted a letter advocating for continued river access with no preference about the legal status of the road. The Selectboard agreed that more time was needed to enable those who came forward with an interest in Citizens Road—Great Bay, Agency of Natural Resources, NFCT, and Vermont Electric Coop (VEC)—to chart out a mutually agreeable position regarding Citizens Road.

Dennis Sample stated he leaned toward throwing up Line Farm Road, including concerns about unauthorized ATV use. Mr. Bennett said the board proposed Legal Trail status rather than discontinuance because the road is used by multiple landowners. Landowner Raymond Helenek did not attend but contacted the Clerk earlier that day to ask that the road kept as is.

Regarding the proposal on Peterson Field Road, Rudy Gratton said his family would like to keep the road as Class 4 to get town help in the event of culvert failure. His son pays a fair amount of taxes and feels the road is not any worse to maintain than some other Class 4 roads.

The Selectboard agreed to take up the matter of all three proposals at their next regular business meeting on Thursday, November 12, 2015, and the matter of a board vote on action regarding the three roads was included on the publicly-noticed meeting agenda. Members of the Selectboard conducted site visits to all three sites, pursuant to statute.

At the November 12th Selectboard meeting:

Regarding the proposal to downgrade Line Farm Road to a Legal Trail, Dennis Sample and Robert Barber (representing Three Town Farms LLC) stated they would like Line Farm Road thrown up.

Regarding the matter of Line Farm Road, it is the judgement of the Selectboard that the necessity and convenience of current and future landowners abutting this shared road advise that the town maintain a right-of-way to ensure access to multiple affected properties.

It is therefore the decision of the Town of Charleston Selectboard that the 0.35 mile Class 4 section of TH #53, known as Line Farm Road, beginning at VT Route 5A and extending 0.35 miles to where the highway becomes Town Legal Trail #10, shall be downgraded to a Legal Trail, resulting in a 0.7 mile Legal Trail, known as Legal Trail #10, beginning at VT Route 5A and extending 0.7 miles to its end, maintaining the town right-of-way at the present width.

Regarding the proposal to discontinue Citizens Road, Mark Hinton reports that Great Bay Hydro Corps would favor keeping the road as Class 3 or discontinuing entirely, in which case they are willing to maintain the road and will add it to their plow route. He has spoken with Ken Tripp of VEC, who favors discontinuance to protect against vandalism and accommodate future plans to rebuild the substation. He reports that Great Bay is committed to maintaining recreational river access and in fact must do so per their federal operation agreement. He states that Great Bay Hydro has a good reputation for conservation and public access at all of their facilities.

Regarding the matter of Citizens Road, it is the judgement of the Selectboard that Great Bay is willing and has the capacity to maintain the road, and that removing the town's obligation for year-round maintenance serves the public good. Further, it is the judgement of the Selectboard that the necessity and convenience of taxpayers, residents and the public does not require maintaining a town right-of-way along this road owned by utility companies and containing no residences, rather it is our judgement that the public good is best served by discontinuing the road and enabling the utility companies to reduce vandalism and make the needed facility enhancements to continue to serve the many residents supplied by the infrastructure located along Citizens Road. The board is confident in the commitment of Great Bay Hydro Corps to maintain recreational access to the Clyde River, and are confident that such access will be of a higher quality and better-maintained compared to what happens by accident along a public road, so the board is satisfied that the concerns raised by Vermont ANR and Northern Forest Canoe trail have been met and do not require the town to maintain a right-of-way.

It is therefore the decision of the Town of Charleston Selectboard that the entire 0.15 mile length of TH #49 known as Citizens Road, beginning at Durgin Road in West Charleston Village shall be discontinued, with shared ownership of the right-of-way belonging to the two adjoining landowners, Great Bay Hydro and Vermont Electric Coop, per statute (Title 19, Section 775).

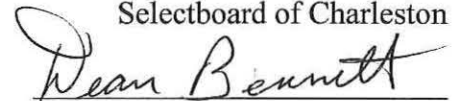
Regarding the matter of Peterson Field Rd, it is the judgement of the Selectboard that the road has little value to town taxpayers and residents as a public right-of-way, as it provides dead-end access to a farm field owned by a single landowner, and contains no residence. Further, the continuation of the road as a Class 4 Highway represents a potential financial burden by obligating the town to potential maintenance costs in repairing the road and two undersized and

poor condition culverts installed on the road. A site inspection of the property revealed that a livestock fence is installed across the road.

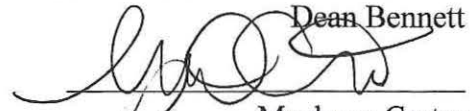
It is therefore the decision of the Town of Charleston Selectboard that the entire 0.15 mile section of TH58, known as Peterson Field Road, beginning at Gratton Hill Road, be downgraded from a Class 4 Highway to a Legal Trail. By this decision, the Selectboard designates said right-of-way as Charleston Legal Trail #12, maintaining the town right-of-way at the present width.

Dated at Charleston in the County of Orleans and State of Vermont, this 10th day of December 2015.

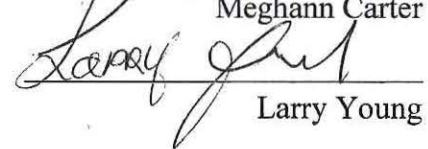
Selectboard of Charleston



Dean Bennett



Meghann Carter

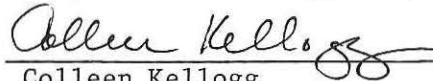


Larry Young

Pursuant to Title 19, V.S.A., section 740, you may appeal this decision to the Superior Court of the county in which the property is situated in accordance with Rule 74 of the Vermont Rules of the Civil Procedure. Said appeal is commenced by filing a notice of appeal with the Town Clerk within 30 days of the day this decision was mailed to you by the Town Clerk. (Monday, December 14, 2015)

Attest:

I hereby certify that on December 14, 2015, I mailed by first class certified mail a copy of the foregoing Order and Report to each adjoining landowner and interested party in the matter



Colleen Kellogg
Asst. Town Clerk

Charleston Vermont Town Clerk's Office

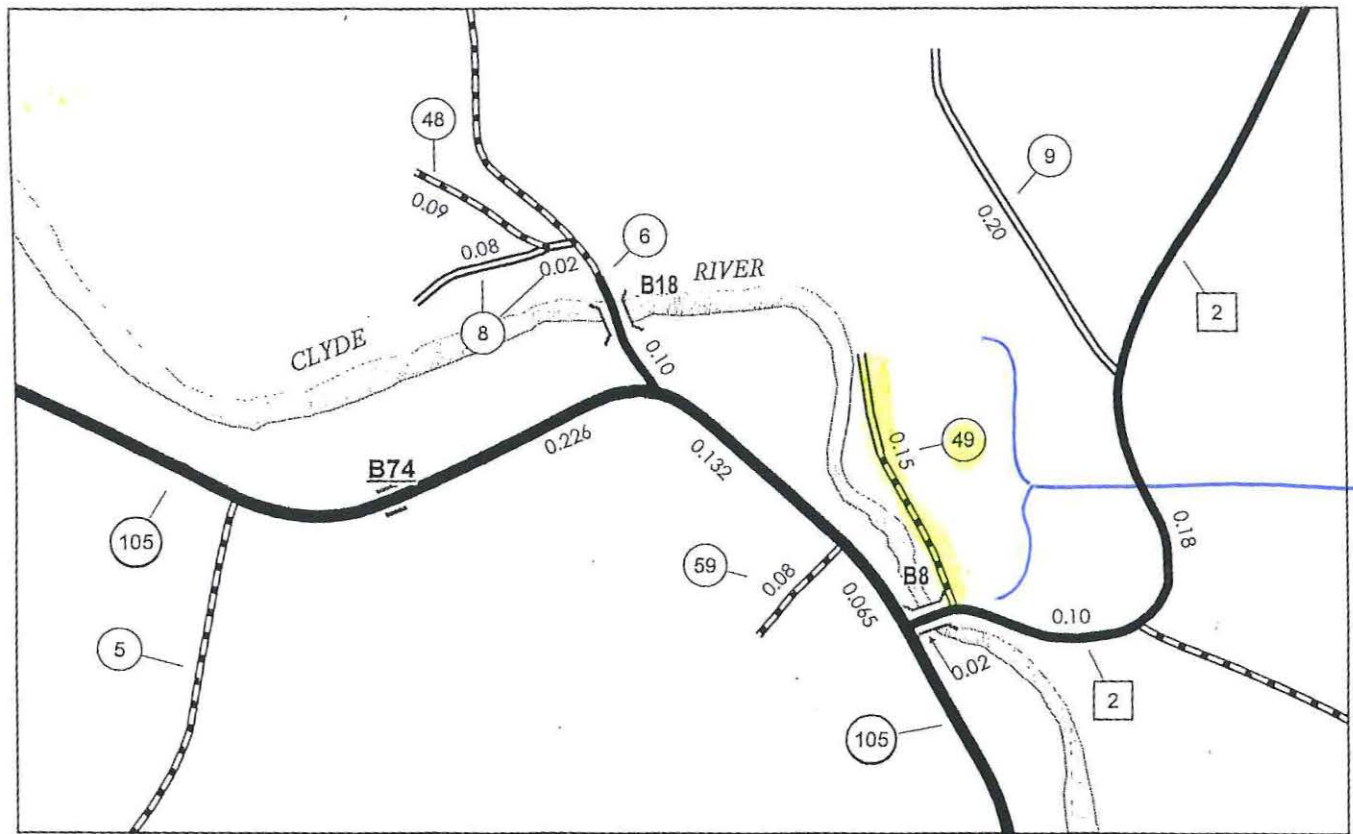
December 14 20 2015

12 o'clock 05 minutes P M

Received for record and recorded at
Book: 76 Page: 511 of
Charleston Land Records.

Attest: _____

Town Clerk



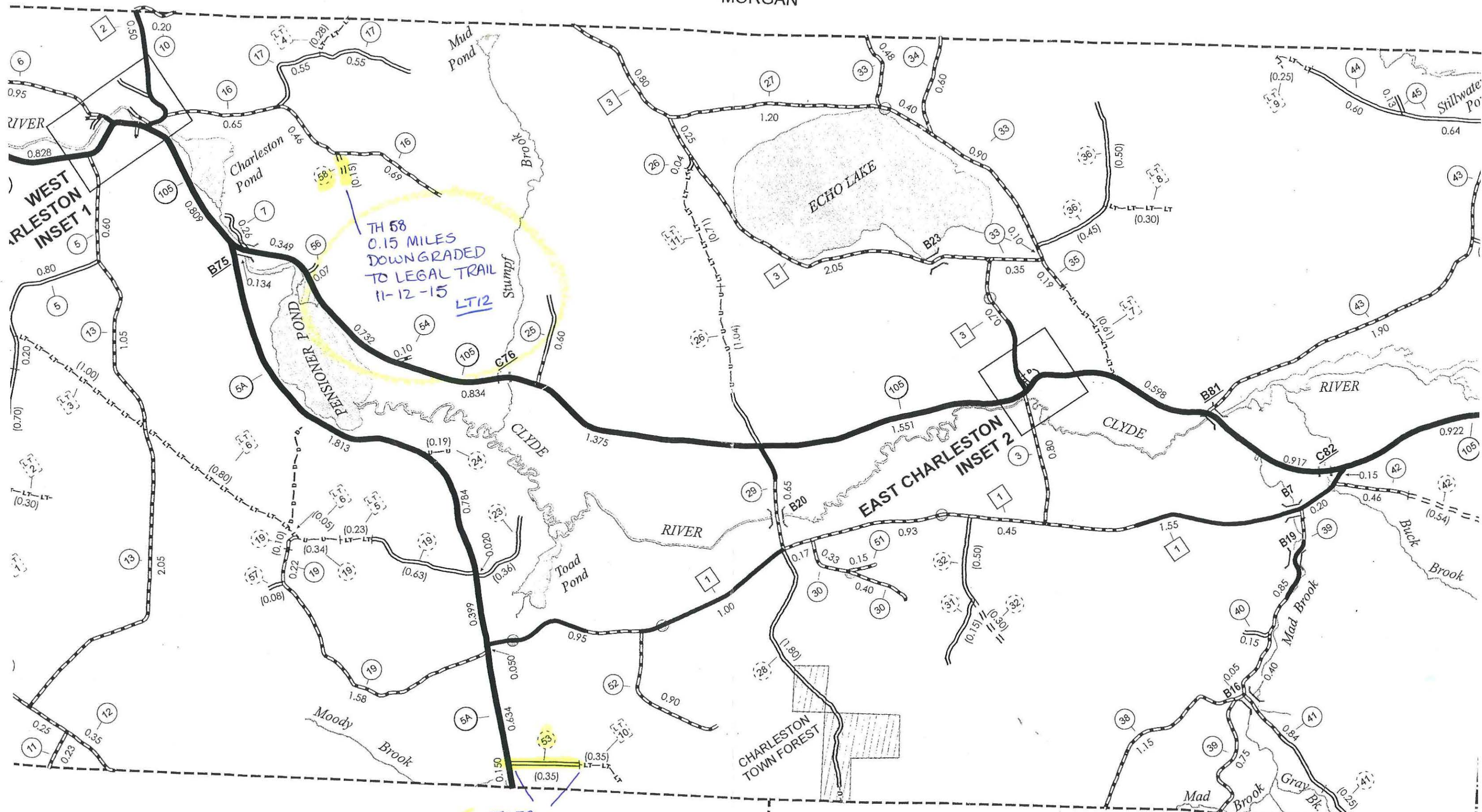
WEST CHARLESTON
INSET 1

SCALE 1:6,336



TH49
0.15 miles
Discontinued per
Selectboard decision
11/12/2015
Attest:
Dean Bennett
Chair,
Charleston Selectboard

MORGAN



BROWNINGTON

TH 53
 0.35 MILES
 DOWNGRADED TO LEGAL TRAIL
 PER SELECTBOARD DECISION 11-12-2015

WESTMORE

ATTEST: DEAN BENNETT 12/10/15
 CHAIR, CHARLESTON SELECTBOARD

TOWN HWY. No.	LENGTH IN MILES	
	CLASS 3	CLASS 4
3	0.80	
5	2.12	(0.87)
6	1.05	
7	0.26	
8	0.10	
9	0.20	
10	0.20	
11	0.23	
12	1.10	
13	3.10	
16	1.80	
17	1.10	
19	1.80	(1.07)
23		(0.36)
24		(0.19)
25	0.60	
26	0.04	(1.04)
27	1.20	
28		(1.80)
29	0.65	
30	0.73	
31		(0.15)
32		(0.80)
33	2.23	
34	0.60	
35	0.19	
36		(0.95)
38	1.15	
39	2.05	
40	0.15	
41	0.84	(0.25)
42	0.46	(0.54)
43	2.75	
44	0.60	
45	0.77	
46		(0.35)
47	0.10	
48	0.09	
49	0.15 DISCONTINUED	
51	0.15	
52	0.90	
53		(0.35) ADDED TO LT 10
54	0.10	
56	0.07	
57		(0.08)
58		(0.15) LEGAL TRAIL 12
59	0.08	
TOTAL	30.51	8.95

LEGAL TRAIL No.	LENGTH IN MILES LEGAL TRAIL
1	(0.95)
2	(0.30)
3	(1.00)
4	(0.28)
5	(0.23)
6	(0.85)
7	(0.61)
8	(0.30)
9	(0.25)
10	(0.35) 0.7
11	(0.71)
TOTAL	5.83
12	(0.15)

TOWN HWY. No.	LENGTH IN MILES "NOT UP TO STANDARD"
5	(0.06)
TOTAL	0.06

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

PER SELECTBOARD
DECISION 11-12-2015
TOWN OF CHARLESTON

Town of Charleston

**Hearing: Proposed Reclassification of Charleston Highways
7:00pm, Thursday, October 29, 2015
Town Clerk's Office**

Hearing called to order at 7:00pm by Selectboard Chair Dean Bennett.

Attending: Dean Bennett, Larry Young, Meghann Carter, Bernie Pepin, Rudy Gratton, Dennis Sample, Mark Hinton (Great Bay Hydro), Ken Tripp (VEC), and Colleen Kellogg

Dean Bennett reviewed the three road reclassification proposals under consideration:

- Citizens Rd – Discontinue to become a private road
- Line Farm Rd – Downgrade from Class 4 to Legal Trail
- Peterson Field Rd – Downgrade from Class 4 to Legal Trail

These are roads with no houses, and the town can end up putting a lot of money into roads that have very little use to the rest of the taxpayers. Downgrading the roads would reduce the town's obligation to maintain the roads and reduce expenses. Class 4 roads are minimally maintained—in emergencies the town may, for example, replace a culvert like on Line Farm Rd. Legal Trails remain town rights-of-way but are not maintained at all. In the case of private roads, the town gives up the right-of-way and maintenance falls to the landowner.

Mark Hinton of Great Bay Hydro said his company is basically neutral—would probably like Citizens Rd to stay as is. There is another landowner there, VEC, so they'd have to work out a right of way. They're also talking to the Northern Forest Canoe Trail (NFCT) and Agency of Natural Resources (ANR) who are interested in keeping boat and fishing access.

Ken Tripp, Substation Manager, for VEC said his company is fairly neutral. There has been vandalism, like shooting out lights. They are willing to work with ANR, Great Bay Hydro, and the Town. They have plans to build a new substation in the 2017-2018 timeframe and wonder what if any setbacks would be required if the road became a legal trail.

D.Bennett said the proposal is to discontinue the road entirely. It would become a private road.

M.Hinton said there are two landowners and wondered who would own the private road.

K.Tripp said VEC is willing to plow and maintain the road and needs the town decision to not limit future construction. He asked about gating the road and allowing a walkway. Discussion of parking lot, substation relocation, oil containment in consideration of the river. He requested more time to work with Great Bay and other interested agencies on a proposal that meets everyone's needs.

(Continued)

D. Bennett indicated the board could delay a decision until the landowners work it out. The board agreed to hear the group's proposal at the November 12th Selectboard meeting. Mr. Trip and Mr. Hinton agreed to this date.

There was a question about whether or not a gate can be installed on a legal trail. Mr. Bennett said the answer was yes, but it cannot be locked. A trail must remain open to foot traffic.

D. Sample asked about his ability to truck firewood and neighbor Helenek's ability to truck manure, and who would be liable for injury on Line Farm Rd. The board indicated that abutting landowners are the only ones allowed to drive motor vehicles on a trail. They were unsure of liability.

Rudy Gratton pointed out that with a trail, the town retains a right-of-way.

D. Sample said he was leaning toward discontinuing the road and being done with it, but is not exactly sure abutter Helenek's point of view. Mr. Bennett said that discontinuing the road would be problematic because so many landowners use it.

R. Gratton would like to keep Peterson Field Rd as Class 4. There is a big culvert on the road and if there were ever a washout he would want the town's help to fix it. His son pays a fair amount of taxes. When the family bought land in 1970, he had to prove that it was a town road. He doesn't feel that it's any worse to maintain than some other Class 4 roads.

D. Bennett said the board is trying to lessen the load for Class 4 roads. They get lot of demand for repairs from people who live on Class 4 roads, and maybe they need it more than a farm road. He also agreed that Peterson Field Rd has not required much town maintenance.

Letters received prior to the hearing were reviewed: (1) from the Agency of Natural Resources requesting that Citizens Road be downgraded to a legal trail; and (2) from the Northern Forest Canoe Trail advocating for continuance of paddler passage.

The board thanked all for attending. The hearing was adjourned at 7:46 pm.

**Town of Charleston
Selectboard Meeting 11/12/15**

MINUTES

A meeting of the town Selectboard was held November 12, 2015. Attending: Dean Bennett, Larry Young, Meghann Carter, Bernie Pepin, Tom Jensen, Diana Marckwardt, Mark Hinton, Dennis Sample, Robert Barber and Colleen Kellogg.

THESE MINUTES ARE UNOFFICIAL UNTIL APPROVED AT THE NEXT MEETING

Meeting called to order at 7:00pm. Minutes of the October 22nd meeting were accepted as written.

ONGOING BUSINESS

Solar Subcommittee

Diana Marckwardt and Tom Jensen request Selectboard approval to revise the town's USDA grant application to include solar panels only—an equipment grant is simpler than a construction project. They submitted a state 'project review' stating that no further permitting or Act 250 would be needed. They report that the VEC queue for net metering projects is full for 2016, but recommend that the town apply for a Certificate of Public Good (CPG) to get in line for 2017. They presented proposals from installers: Aegis \$335,690 for 119kW array; Building Energy (Derby UU Church installer) \$270,000 for 100,000kW; and still waiting for Solar Tech. All are reputable and UU Church has had a good experience. They request Selectboard decision about which installer to name, and assured the board that specific information will be ready for voter review at Town Meeting. Dean suggests the town go with the low bidder as the installer can change later. Meghann moved to submit the USDA grant application for panels only and name the low-bidder, Building Energy, as the installer on the CPG application, seconded by Dean and approved.

Road Reclassification

- Line Farm Rd – Robert Barber, representing Three Town Farms, and Dennis Sample stated that the abutting owners would like Line Farm Rd thrown up. Barber says he has other access to the property. Abutting landowner Ray Helenek did not attend but submitted a like request in writing. Meghann noted there is a livestock fence across the road. Dean stated that the proposal was to downgrade the road to a legal trail. Throwing up the road completely is different, and ownership reverts to the original deeded owner. Larry raised concerns about rights-of-way for future property owners if discontinued. Meghann suggests designating as legal trail for now; it could always be revisited later. Larry moved to downgrade Line Farm Rd to a legal trail, seconded by Meghann and approved.
- Citizens Rd – Mark Hinton of Great Bay Hydro says his company would like to see the road remain Class 3 or discontinue to a private road. He has spoken with Ken Trip of VEC, who favors discontinuing the road entirely. VEC wants to reduce vandalism (broken insulators, lights shot out) and plans to rebuild/expand the substation. Even if owned solely by Great Bay Hydro, VEC's easement allows them complete access to powerlines and infrastructure. Dean asked if they had addressed ANR and NFCT concerns about maintaining recreational river access. Mark reports that his company maintains the access, as public recreational access is required per their federal operating agreement. Dean moved to discontinue Citizens

and turn it into a private road under the ownership designated by statute, seconded by Larry and approved. Colleen will draft the decision for Board review and inform all parties of ownership and effective date. Dean believes it is effective immediately, and the town will cease all maintenance.

- Peterson Field Rd – Board noted there is a livestock fence across the road. As there is only one abutting owner, the road does not have much public value. Larry move to change it to a legal trail, seconded by Dean and approved.

Animal Control

Colleen reports that State Police Officer Callie Field contacted the town to let us know that Marsha Descheneau's training does not make her an animal control officer. She has no authority without being appointed or elected by the town. For the record, Dean stated that the Selectboard has not authorized her to conduct any animal control activities, and if she takes action she acts entirely alone. On a related note, Larry said he's spoken with Second Constable Jonathan Bruce, who plans to have law enforcement certification in time for town meeting.

NEW BUSINESS

Dean presented an estimate from Worth's for gutters and topers for the town garage to consider for 2016. This would prevent the need to shovel the roof. Larry moved to table the discussion until next year's budget is known.

ROAD FOREMAN'S REPORT

Bernie reports that the town has made purchase agreements on truck, excavator and low-bed trailer. The trailer has been picked up and added to insurance and will be registered Monday. The excavator is at the dealer to have the bucket installed. Sheldon Trucks has looked at the crack developing on the Mack hood, and will take full responsibility for fixing it. The grader has been out on some roads, and roads in general are in pretty good shape. He is concerned about the failing bridge on Hudson; fears we'll lose it without some emergency repair. Robert Barber reports that Town Farm Rd needs work; he's never seen it so bad.

Based on Highway work logs, Colleen presented a tally of labor, materials and equipment expenses for work on Class 4 roads during 2015 totaling more than \$9,000. After exceeding the \$7,500 budget, further Class 4 work is unlikely for this year.

Colleen provided brief updates on the following: return of FEMA funds to close out disaster 4022 is still waiting on FEMA processing. The Townwide Hazard Mitigation Plan was been submitted to FEMA for final approval but can take a couple months. She continues to monitor the status of Hazard Mitigation Project assistance requests, including grants for Hudson Rd, Cole Rd and an emergency shelter generator. She will gather information about posting weight restrictions with DMV to help the Board decide if action is needed.

Meghann announced that NorthWoods will host a workshop on Hazard Mitigation planning and state ERAF funds associated with FEMA funding on Wednesday, November 18th. Meghann and Colleen will attend.

Bills and orders were approved for payment.

Larry called for executive session at 8:06 to discuss a personnel issue. Session ended at 8:15 with no action taken.

Meeting adjourned at 8:15pm. The next meeting is December 10, 2015 at 7:00 pm. The December 24th meeting will be cancelled.

Selectboard, Town of Charleston

MINUTES APPROVED @ 12/10/15 MTG

Comment sought on Silvio Conte plan

available and accessible to the public at the administrative office of each facility listed below.

<u>School & Phone #</u>	<u>Address</u>
Brighton Elementary 723-4373	Island Pond, VT
Charleston Elementary 895-2915	W. Charleston, VT
Coventry Village 754-6464	Coventry, VT
Derby Elementary 873-3162	Derby Line, VT
Holland Elementary 895-4455	Holland, VT
Jay/Westfield Joint Elem. 988-4042	Jay, VT
Lowell Graded 744-6641	Lowell, VT
Newport City Elementary 334-2455	Newport, VT
Newport Town Elementary 334-5201	Newport Center, VT
North Country UHS / NCCC 334-7921	Newport, VT
North Country Junior UHS 766-2276	Derby, VT
North Country S.U. 334-5847	Newport, VT
Troy School 988-2565	North Troy, VT



URL: <http://healthvermont.gov/regs/index.aspx>.

FOR COPIES: David Englander, Department of Health Commissioner's Office, Suite 301, Vermont Department of Health, 108 Cherry Street, Burlington, VT 05402. Tel.: 802-863-7280. Fax: 802-951-1275. E-mail: david.english@vermont.gov.

Rules Governing Medication-Assisted Therapy for Opioid Dependence for: 1. Office-Based Opioid Treatment (OBOT) Providers Prescribing Buprenorphine, 2. Opioid Treatment Providers (OTP) - State Regulations.

Vermont Proposed Rule: 15P049

AGENCY: Human Services, Department of Health

CONCISE SUMMARY: This rule establishes minimum requirements for qualified and authorized office-based physicians to prescribe, and in limited circumstances, dispense buprenorphine to individuals requiring and seeking treatment for opioid dependence. The rule also establishes Vermont-specific requirements for Opioid Treatment Programs that are in addition to the regulatory requirements of 42 CFR, Part 8. This rule will enable expanded capacity for treatment of opioid dependence. It amends a current rule and is a complete strike-out.

FOR FURTHER INFORMATION, CONTACT: Dawn Philibert, Department of Health, 108 Cherry Street, Burlington, VT 05402. Tel.: 802-863-7321. Fax: 802-951-1275.

E-mail: dawn.philibert@vermont.gov

URL: <http://healthvermont.gov/regs/index.aspx>.

FOR COPIES: David Englander, Department of Health Commissioner's Office, Suite 301, Vermont Department of Health, 108 Cherry Street, Burlington, VT 05402. Tel.: 802-863-7280. Fax: 802-951-1275. E-mail: david.english@vermont.gov.

The North Troy Cemetery is doing their fall cleanup starting October 1st, 2015. Any flowers, etc., left in the cemetery after October 10th will be discarded. **Beginning Spring 2015, the North Troy Cemetery will not allow any artificial flowers.**

Charleston Select Board NOTICE OF PROPOSED HIGHWAY RECLASSIFICATION

- Discontinue Citizens Road
 - Reclassify Line Farm Road and Peterson Field Road to legal trails
- A public hearing will be held **Thursday, October 29, 2015, at 7 p.m.**, at the Town Clerk's office to hear testimony.

In the meantime a husband called 911

five years ago, another man died of a heart attack

where ambulance services are too slow to keep a crew ready to go around the clock, he said.

**Town of Charleston Selectboard
Notice of Proposed Highway Reclassification
Notice Date: 9/28/2015**

Citizens Rd TH49

Proposed change: Discontinue this Class 3 highway

Line Farm Rd TH53

Proposed change: Reclassify the .35mile Class 4 highway section to a Legal Trail
(the rest of the road is already a legal trail)

Peterson Field Rd TH58

Proposed change: Reclassify from Class 4 highway to Legal Trail

The Selectboard will hold a public hearing on Thurs, October 29, 2015 at 7pm
at the Town Clerk's Office for the purpose of receiving testimony from any interested party
regarding these changes. You may also submit testimony in writing ahead of time—to be
reviewed at the hearing. Please contact the Selectboard if you have any questions or concerns.

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