

District 1, 2
Certcode 1308-0

**CERTIFICATE OF HIGHWAY MILEAGE
YEAR ENDING FEBRUARY 10, 2020**

Fill out form, make and file copy with the Town Clerk, and mail ORIGINAL, before February 20, 2020 to:
Vermont Agency of Transportation, Division of Policy, Planning and Intermodal Development, Mapping Section
219 N. Main Street, Barre, VT 05641.

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

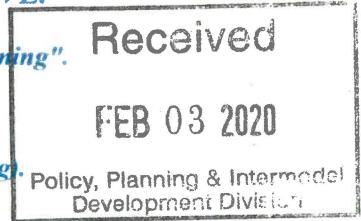
PART I - CHANGES TOTALS - Please fill in and calculate totals.

Town Highways	Previous Mileage	Added Mileage	Subtracted Mileage	Total	Scenic Highways
Class 1	0.000				0.000
Class 2	16.800				0.000
Class 3	48.03				0.000
State Highway	5.846				0.000
Total	70.676				0.000
* Class 1 Lane	0.000				
* Class 4	5.15	.75		5.90	0.000
* Legal Trail	9.96		.75	9.21	

* 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.

1. NEW HIGHWAYS: Please attach Selectmen's "Certificate of Completion and Opening".
2. DISCONTINUED: Please attach SIGNED copy of proceedings (minutes of meeting).
3. RECLASSIFIED/REMEASURED: Please attach SIGNED copy of proceedings (minutes of meeting).
THURBER ROAD (LT6): .75 mi changed from legal trail to class 4.
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:

James L. Sumner
Whitney
Bridley P. P.

T/C/V Clerk Signature:

Patricia Wore

Date Filed: 1-22-2020

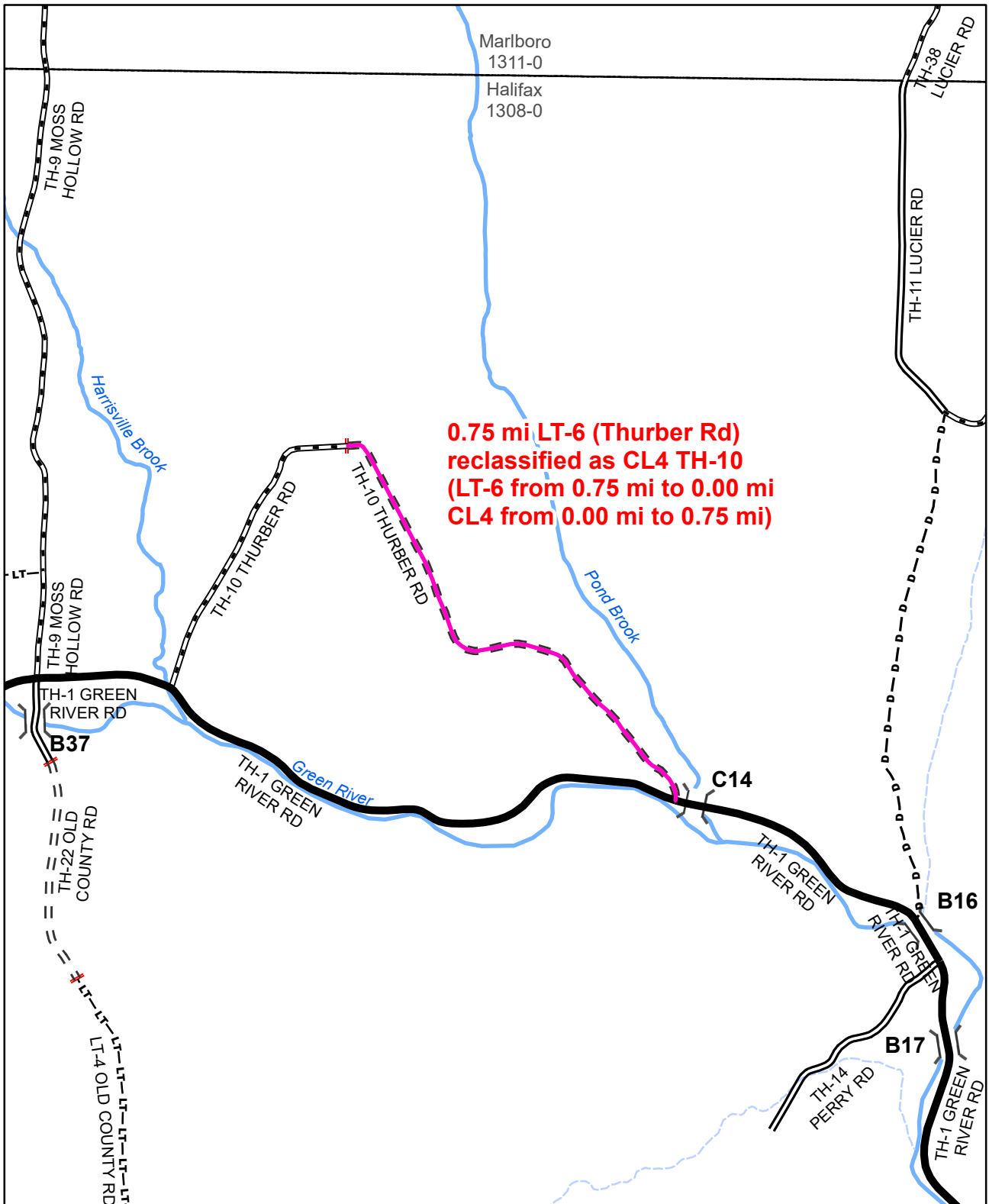
Please sign ORIGINAL and return it for Transportation signature.

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

APPROVED:

E-SIGNED by Johnathan Croft on 2020-08-10 08:42:14 EDT
Representative, Agency of Transportation

DATE: August 10, 2020

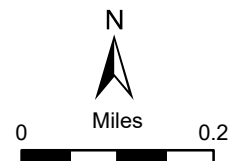


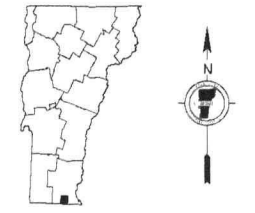
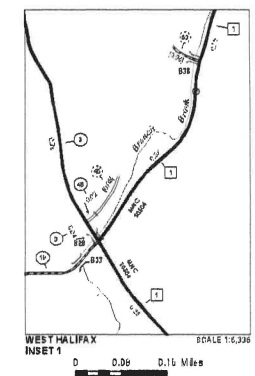
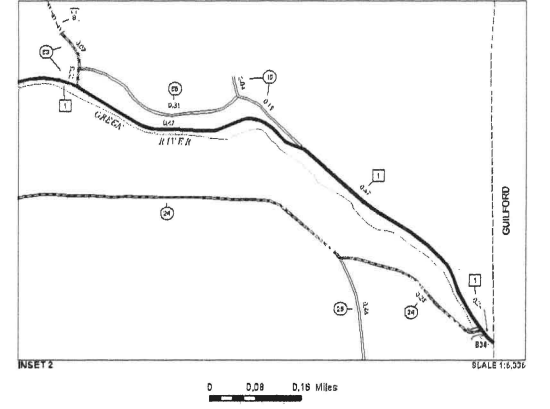
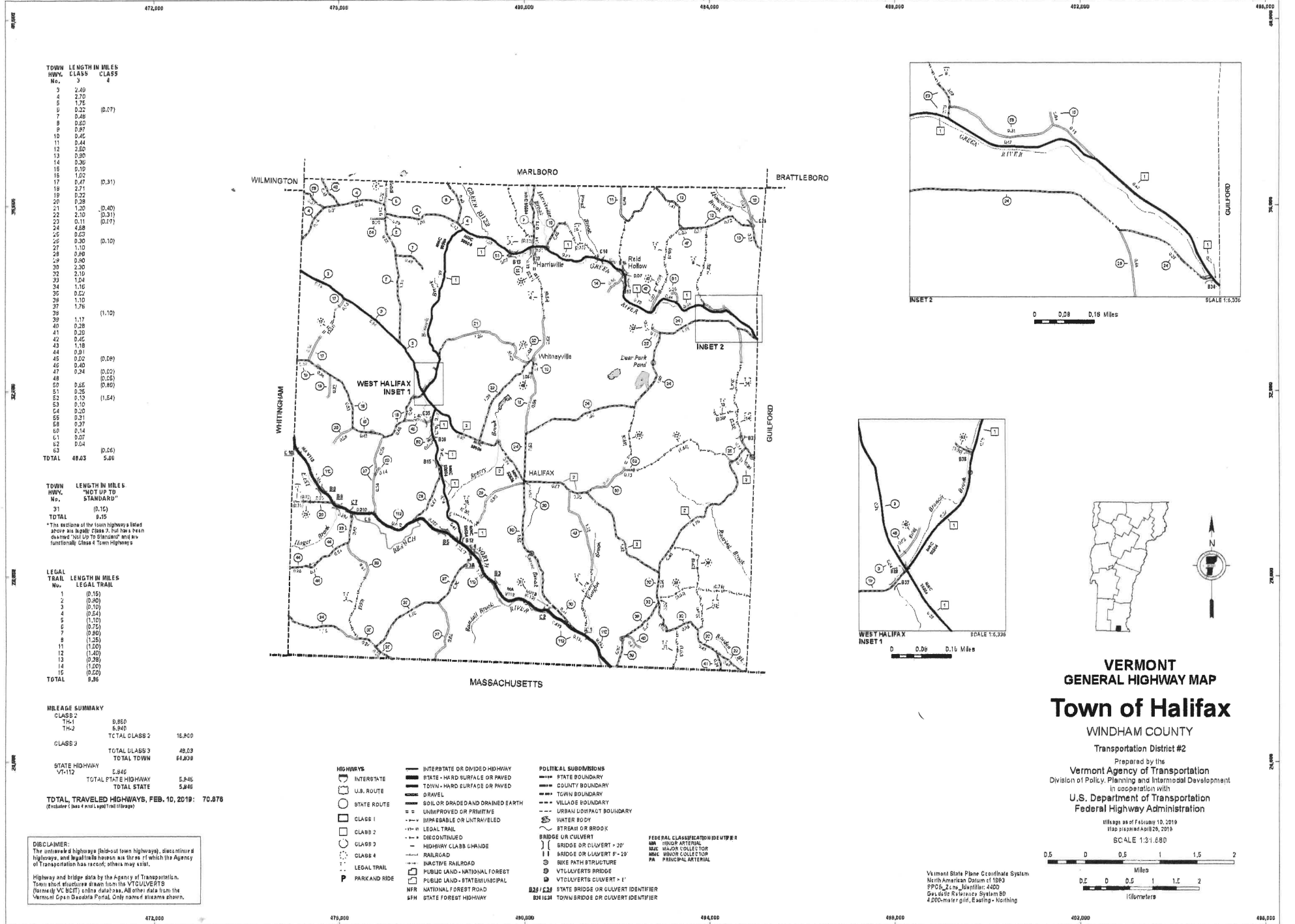
Mileage Certificate Change 2020

HALIFAX

(CERTCODE: 1308-0)

Mapping Section
 Division of Policy, Planning and Intermodal Development
 Vermont Agency of Transportation -- March 19, 2020





TOWN	LENGTH IN MILES
1	2.49
2	2.70
3	1.75
4	0.22 (0.17)
5	0.46
6	0.20
7	0.87
8	0.45
9	0.44
10	2.50
11	0.30
12	0.36
13	0.10
14	1.02
15	0.47 (0.31)
16	2.71
17	0.32
18	0.28
19	1.20 (0.40)
20	2.10 (0.31)
21	0.11 (0.17)
22	4.68
23	0.63
24	0.30 (0.10)
25	1.10
26	0.80
27	0.90
28	2.30
29	2.10
30	1.24
31	1.16
32	0.22
33	1.10
34	1.76
35	1.17 (1.10)
36	0.20
37	0.20
38	0.45
39	1.18
40	0.91 (0.08)
41	0.62
42	0.40
43	0.24 (0.02)
44	0.22 (0.02)
45	0.65 (0.85)
46	0.25
47	0.13 (1.54)
48	0.10
49	0.20
50	0.21
51	0.37
52	0.14
53	0.07
54	0.04
55	0.26 (0.26)
56	0.20
57	5.80
TOTAL	49.03

TOWN	LENGTH IN MILES
1	0.15
2	0.15
3	0.15
4	0.15
5	0.15
6	0.15
7	0.15
8	0.15
9	0.15
10	0.15
11	0.15
12	0.15
13	0.15
14	0.15
15	0.15
TOTAL	0.15

*The sections of the town highway listed above as Class 2, but have been deemed "Not Up to Standard" and are functionally class 4 Town highways.

LEGAL TRAIL	LENGTH IN MILES
1	0.15
2	0.00
3	0.10
4	0.54
5	1.10
6	0.70
7	0.80
8	1.25
9	1.00
10	1.40
11	0.30
12	1.00
13	1.00
14	0.20
15	0.20
TOTAL	9.36

MILEAGE SUMMARY		
CLASS 2		
TH-1	8,850	
TH-2	5,940	
TOTAL CLASS 2		14,790
CLASS 3		
TOTAL CLASS 3		48.03
TOTAL TOWN		64,830
STATE HIGHWAY VT-12	2,840	
TOTAL STATE HIGHWAY		5,840
TOTAL STATE		5,840

TOTAL TRAVELED HIGHWAYS, FEB. 10, 2019: 70,876
(Excludes 1 base 4 and Legal Trail mileage)

DISCLAIMER:
The mileages of highways (freight town highway), state minor highways, and legal trails shown are those of which the Agency of Transportation has records; others may exist.
Highway and bridge data by the Agency of Transportation. Town street structures shown from the VTUOLVERTS (formerly VC BCT) online database. All other data from the Vermont Open Geographic Portal. Only names of 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
 - SOIL OR GRADED AND DRAINED EARTH
 - UNIMPROVED OR PRIMITIVE
 - IMPASSABLE OR UNTRAVELED
 - LEGAL TRAIL
 - DICUTTING
 - HIGHWAY CLASS CHANGING
 - RAILROAD
 - INACTIVE RAILROAD
 - PUBLIC LAND - NATIONAL FOREST
 - PUBLIC LAND - STATE FOREST
 - NATURAL FOREST
 - STATE FOREST
- POLITICAL SUBDIVISIONS**
- STATE BOUNDARY
 - COUNTY BOUNDARY
 - TOWN BOUNDARY
 - VILLAGE BOUNDARY
 - URBAN CONCEPT BOUNDARY
 - WATER BODY
 - STREAM OR BROOK
 - BRIDGE OR CULVERT
 - BRIDGE OR CULVERT - 20'
 - BRIDGE OR CULVERT - 10'
 - BIKE PATH STRUCTURE
 - VT UVERTS BRIDGE
 - STATE BRIDGE OR CULVERT IDENTIFIER
 - TOWN BRIDGE OR CULVERT IDENTIFIER
- FEDERAL CLASSIFICATION IDENTIFIER**
- MA MAJOR ARTERIAL
 - MC MAJOR COLLECTOR
 - MI MINOR COLLECTOR
 - PA PRINCIPAL ARTERIAL

**OFFICE OF THE SELECTBOARD
TOWN OF HALIFAX
P.O. BOX 127
WEST HALIFAX, VT 05358**

January 21, 2020

Vermont Agency of Transportation
Division of Policy, Planning and Intermodal Development
Mapping Section
One National Life Drive
Montpelier, Vermont 05633

Dear Mapping Specialists:

The Town of Halifax hereby submits their completed 2020 Certificate of Highway Mileage, along with the following documentation:

- Selectboard meeting minutes, June 4, 2019
- Public hearing minutes, July 13, 2019
- Findings and Decisions (recorded in the Halifax Town Land Records) Thurber Road reclassification
- Map showing reclassified road section
- List of notified abutters
- Hearing notice
- Cover letter to abutters

If anything further is needed, please notify us at the address above, call 802-368-2590, or email halifaxsecretary@gmail.com.

Sincerely,



Robbin Gabriel
Selectboard admin. asst.

**OFFICE OF THE SELECTBOARD
Town of Halifax, Vermont
SELECTBOARD REGULAR MEETING MINUTES--DRAFT
June 4, 2019**

Call to Order

The meeting was called to order at 7:02 p.m. Selectboard members Lewis Sumner, Mitchell Green, and Bradley Rafus were present, as were Stephan Chait, Patricia Dow, Jason Ashcroft, Ray Combs, Kathleen Mclean, Nancy McCrea, Diana Conway, Sue Kelly, Paula Schultz, Peggy Rafus, Bonnie Brown, Dawn Roske, Joan Courser, Norman Fajans, Marilyn Allen, and Robbin Gabriel.

Changes and/or Additions to Agenda

Lewis Sumner advised that Marilyn Allen wished to be included on the agenda; he also added a discussion on reclassification.

Approval of Previous Meeting Minutes

Mitch Green made a motion to approve the minutes as written. Brad Rafus seconded the motion.

See page 5

Lewis Sumner made a motion to approve the minutes as written. Rafus seconded the motion, which passed.

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New Business

Junk Code Violations

Health Officer Sue Kelly had visited 10070 Jacksonville Stage Road, which was scheduled for the following day, but as Rice was detained elsewhere the inspection will be rescheduled. Kelly also delivered the junk code violation letter to Ken Boyd on Brook Road; Boyd expressed an intention to get into compliance. Sumner said Boyd had come to see him and asked if a time extension was possible. Boyd is working on the cleanup but does not have a lot of money. Rafus said the yard was looking much better, and Kelly mentioned the trash was being housed in the garage. Kelly and Green recommended not giving an open-ended extension; Sumner said Boyd still had several weeks left on the original 30-day notification. The Board will revisit the issue at their next regular meeting.

Sign Line of Credit Resolution

Sumner made a motion to sign the People's Bank line of credit to the town for another year. Green seconded the motion, which passed, 3-0. In discussion prior to the vote, Sumner told Stephan Chait the line of credit was for \$150,000 at 3.10%. Paul Blais asked whether the monies

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Changes and/or Additions to Agenda

Lewis Sumner advised that Marilyn Allen wished to be included on the agenda; he also added a discussion on reclassification.

Approval of Previous Meeting Minutes

Mitch Green made a motion to approve the 5/21/19 regular meeting minutes as written. Brad Rafus seconded the motion, which passed, 3-0.

Lewis Sumner made a motion to approve the 5/23/19 special meeting minutes as written. Rafus seconded the motion, which passed, 3-0.

Green made a motion to approve the 5/28/19 special meeting minutes as written. Rafus seconded the motion, which passed, 3-0.

New Business

Junk Code Violations

Health Officer Sue Kelly reported that she and Constable Andy Rice had visited 10070 Jacksonville Stage Road and met with the tenant. A health inspection was scheduled for the following day, but as Rice was detained elsewhere the inspection will be rescheduled. Kelly also delivered the junk code violation letter to Ken Boyd on Brook Road; Boyd expressed an intention to get into compliance. Sumner said Boyd had come to see him and asked if a time extension was possible. Boyd is working on the cleanup but does not have a lot of money. Rafus said the yard was looking much better, and Kelly mentioned the trash was being housed in the garage. Kelly and Green recommended not giving an open-ended extension; Sumner said Boyd still had several weeks left on the original 30-day notification. The Board will revisit the issue at their next regular meeting.

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would allow the Town to pay expense reports submitted in May. Sumner said this was not borrowing in anticipation of taxes, this was money borrowed last year and not yet repaid. We have another agenda item which will address the winter deficit, he added. Brad Rafus asked whether the line of credit would still have been open had the Town paid it off using the 75% FEMA reimbursement funds the Town has received to date for October 2017 storm damage. Patty Dow said no, the line of credit would have been closed, and we would not have been able to use it for anything other than storm damage expenses. Peggy Rafus asked why the FEMA money hadn't been used to pay off the credit line. Green pointed out that the Town would then have needed to take out another loan. Peggy Rafus was disturbed because the bank made contact with the State to verify that the State portion of disaster reimbursement funds was still forthcoming; Peggy felt that action made it appear she was at fault in her role as EMD. No one is saying that, Dow responded; she explained that verification was a common practice as the bank processed the new loan request. Selectboard members and Patty Dow signed the line of credit documents as required. Sumner and Dow explained to Chait that this loan was simply a 12-month extension of the credit line the Town took out last year.

Discuss Options for Winter Deficit

We had a tough winter and spring, said Sumner. We were over budget by \$60,000 on sand this winter, \$14,500 on salt, and \$40,000 on stone during mud season. In total, the Town's expenditures were approximately \$130,000 over the amounts budgeted. Rafus pointed out the net figure was about \$121,000, as we were \$9,400 under budget on lease payments. Paul Blais asked about unencumbered accounts; Sumner and Rafus told him the deficit figure was a net number, taking into account the full Selectboard and Highway budgets. Sumner confirmed for Chait that the deficit is in FY19, which ends on June 30th. Dow suggested paying essentials only until dollars start coming in. Green asked Dow for an estimate of monies needed until the end of June. Dow did some calculations, came up with a rough figure of \$60,000 in outgoing commitments, and said there should be sufficient income to pay everything due by mid-July. Are you saying the expense reports submitted for the listers at the end of May aren't going to be paid?, asked Blais. Green said tonight's Treasurer's Order, which totals \$16,388, had been signed. I wanted everything on the order so I would have the authority to pay it as money came in, said Dow, but I was hoping you would afford me the luxury of pushing some of it off. Dow said she did not want to see the Town's bank account hit zero balance. If the warnings are signed, said Blais, that's an authorization to pay, not a suggestion. Every year at Town Meeting there is an article that says borrow in anticipation of taxes. Blais went on to say that article was meant to cover this type of situation, and if there was going to be a problem paying municipal officials' expenses, a notification should have been issued. That wasn't done, said Blais, and I'm looking at 1,000 miles in mileage plus hotel expenses. Blais said he thought it was horrible that the cash flow issue was not communicated to folks incurring expenses on their personal accounts; if that's what the Board decides to do, he added, I think I'm going to be stepping down from everything. There was further discussion about making adjustments to the current Selectboard order. I can pay everything on there, said Dow; just keep in mind that come the next order there may not be enough. Green suggested preparing two orders for the next meeting, one with items that must be paid and another with items that could wait. When you sign an order, said Rafus, in my opinion it's ready for payment. Is it yes or is it no?, asked Jason Ashcroft. We sign the order to be paid, explained Green, but there are times when an adjustment is necessary, and we sign to authorize the adjustment, if there is a mistake or a figure is off, for instance. The Board agreed to pay the current order in full, and Sumner suggested the Town could apply for a small loan. Dow thought that wouldn't be necessary.

Dow advised she had talked with legal counsel at VLCT (Vermont League of Cities and Towns), and per statute the Town has three options for dealing with a deficit. The first two possibilities, applying for a bond or adding an article to the Town Meeting warning, are off the table due to timing. The third option permits the Selectboard to add to the tax rate in 5% increments based on the value of the grand list. We are about to set the tax rate, said Dow, and a 10% addition would generate \$129,600. Blais said that's not what the voters approved at Town Meeting and asked whether the Town could borrow in anticipation of taxes. Then, by law, you'd have to raise the taxes to cover the deficit, said Dow and Sumner. Dow calculated that given a 10% increase, a property valued at \$200,000 would see approximately \$200 added to the year's tax bill. Marilyn Allen asked if we couldn't consider cutting some of our huge expenses; specifically leased equipment. Once your lease is up, you have to get more equipment. It doesn't work that way, responded Sumner. Board members explained that if the Town leases a truck for five years, we own the vehicle once the lease is up. Then we'll have the truck for five more years. Green noted that the overall budget has been reduced in the last few years. Are you looking at ways to save money?, asked Allen. We would save the most money, said Rafus, if the Town had its own resources. The cost of trucking material is as much as the cost of the material itself. There's nothing here; the closest place is Dummerston, which was just sold, so we'll be going further. The current major issue is the bad winter, said Green. Allen said private citizens also had a tough winter expense-wise. She would like to hear that in working to resolve the deficit the Selectboard is looking at ways to cut expenses. Rafus suggested postponing this year's paving project. We budgeted \$160,000 for paving, he said, and we have \$50,000 budgeted for bridges but do not have a project planned for this year. We could use about \$15,000 of that to shim a section of Green River Road. Dow agreed that plan would allow the Town to cover the FY19 deficit without increasing taxes. Last year, Rafus added, we did a two-year paving project in one year, so we would still be pretty much on schedule. Rafus told Ray Combs that the lower end of Green River Road was the planned paving project for FY20. Blais asked if a paving project was even realistic, given what the Town must do to comply with the Clean Water Act. If we meet the State's Act 64 requirements over the next five years the budget will increase by \$100,000 responded Rafus. Blais thought postponing the paving was a good idea; it would free up manpower and resources, and allow taxpayers on fixed incomes to plan for anticipated future taxes. Sumner said gravel banks are running out of resources and businesses are reluctant to attempt to open new pits because applying for Act 250 permits is an expensive gamble.

Discussion turned to costs associated with the Town doing its own trucking of materials versus having sand and gravel trucked in by others. Allen said the changing climate meant we could expect more rough winters and mud seasons in the future. She advocated for a long-term plan involving mapping problem sections of Jacksonville Stage Road and building them up. She said sharp rocks that had been added to fill muddy sections were causing flat tires and should be covered with gravel. She said that on Easter Sunday no one could reach the highway crew members; people couldn't go to concerts, had to cancel medical appointments, and she (Allen) couldn't go on a plane on Monday. We had a State grant about five years ago, responded Rafus, and I recommended we pave Jacksonville Stage Road up to the Center. The Selectboard turned it down; they did not want it paved. Rafus said a large part of the problem on Jacksonville Stage was the increase in traffic in recent years. General conversation moved to the spring mud season just past, and the damage done by large trucks on the soft, muddy road. Paula Schultz, who lives at the corner of Old County and Tucker Roads, said the upper section of Old County Road is all washed out, and hadn't been graded. Deer Park Road has been graded and it's beautiful she

added. Once again, it comes down to material, said Rafus. I have 10,000 yards of gravel, and it would take 15-16,000 yards just to do Jacksonville Stage. The Town needs to find some land and have its own material source. Rafus confirmed for Norm Fajans that the option of postponing this year's paving was being considered. Blais remarked on the very difficult mud season the Town endured this year. He thanked the highway department for its efforts during April and May.

Allen brought the conversation back to her distress over Easter weekend. We felt completely forgotten, she said; was the Town on a four-day week during mud season? Yes, toward the end of it, said Rafus. That's a real problem for us, said Allen. I had to walk through the mud with my suitcase to catch a flight, and had to cancel a doctor's appointment. I couldn't talk to anybody; you guys were having a nice weekend for three days. I don't go anywhere, Peggy Rafus interjected. We don't get Christmas, we don't get Easter, we don't get Thanksgiving. So don't say we were having a good time. We put 686 yards of stone down on Jacksonville Stage Road, said Brad Rafus. We usually budget for 700 yards. He told Combs they put 39 loads of stone on Stage Road over five days. Is there a way we can make it better next year?, asked Allen. You can improve the road, but where is the material and money going to come from?, answered Rafus. He recalled that six or seven years ago Allen had supported the decision to cut the highway crew hours from 45 to 40 a week. That's 1,300 hours a year, across a five-man crew, that they're not working on the roads, he said.

Kathy Mclean asked if we crush our own gravel and if that is what was used in front of her house. We've had at least six flats, she said. Rafus told Mclean we do crush gravel, but the stone used on Stowe Mountain Road is quarry stone. It will be scarified and gravel will be layered over the stone. Mclean also wanted to know if the Town considered contracting material trucking. Rafus said we have bid requests out now; bids will be opened at the next Selectboard meeting and will include quotes for materials trucked in as well as materials picked up by Town trucks.

Stephan Chait announced that the Town of Halifax, Green River Watershed Alliance, Halifax Conservation Commission, and Windham Regional Commission are hosting a meeting on June 13, 2019, 6:00 p.m., at the Community Hall. Road foremen from Halifax, Guilford, and Marlboro, and representatives from the State, will be discussing the impact of Act 64 (Clean Water Act) and the difficulties it presents for towns. Chait offered flyers and encouraged people to attend, learn, and participate in the discussion. We need to have the community involved, Rafus said; it's going to seriously affect your taxes down the road. Bonnie Brown was concerned that the State has created another unfunded mandate. Every Road Commissioner in Vermont must be going through the same thing, she said. Brown suggested Road Commissioners should communicate about the common problem, and perhaps involve Regional Commissions and legislators, in an effort to get the new laws modified so the requirements were more realistic.

Patty Dow reminded the meeting of the need to come to a decision on how to handle the FY19 deficit. *Green made a motion to use \$100,000 from the Town's FY20 paving budget, and \$50,000 from the FY20 bridge budget, to cover the FY19 deficit. Rafus seconded the motion, which passed, 3-0.*

Community Hall as Emergency Shelter

Bonnie Brown requested a discussion on the proposal to use the Community Hall as an emergency shelter. A conversation between Brown, Peggy Rafus, and Nancy McCrea followed, addressing concerns that the Hall was not suitable as a shelter. Peggy Rafus made it clear that

there was no formal proposal to utilize the Community Hall; the idea had simply come up as a suggestion for a secondary shelter option, and the possibility of providing the Hall with a generator was also mentioned. Peggy said she needed to interact with the Red Cross before she had answers to questions.

Reclassification

Sumner had a letter from Tristan Roberts stating that if the Town decided to discontinue a portion of Thurber Road, he would like the entire trail section to be discontinued. I met with him (Roberts) this morning, said Rafus, and inspected the underground electrical conduit. It was satisfactory and I told him he could bury it again. Rafus explained to Jason Ashcroft that a portion of Thurber Road is designated town trail which one property owner (Roberts) has been using all the way through. A trail is not designed for vehicles; it's a town right of way for recreational vehicles. The Town has told that owner to not to perform maintenance in the town right of way. The other landowners (Nancy McCrea and Diana Conway), have asked that the section of Thurber between their driveway and the McCrea/Roberts property boundary be discontinued. Several people expressed opinions on whether roads should be discontinued, how trails should be used, and the importance of public rights of way in emergency situations. Sumner said all these things would be discussed in the public hearing. He recommended having Town Attorney Bob Fisher write the legal notice on the matter to assure proper wording. Nancy McCrea noted that when she had requested discontinuance she also offered a right of way to the town for emergency use. Peggy Rafus asked that the Town Attorney clarify the allowed use of town trails. *Green made a motion to hold a hearing to consider the trail portion of Thurber Road between the Roberts/McCrea property line and Green River Road intersection (eastern end of Thurber) for reclassification to Class 4 or discontinuance. Sumner seconded the motion, which passed, 2-0-1, with Rafus opposed. Green made a motion to consider the approximately 600 foot section of Thurber Road between the McCrea driveway and the McCrea/Roberts property line for discontinuance. Sumner seconded the motion, which passed 2-0-1, with Rafus opposed.* Given the many questions from attendees about permitted uses for trails and frontage requirements for building, the Selectboard agreed to request information from the Town Attorney.

Old Business

None.

Other Business

None.

Hearing of Visitors

Stephan Chait told the Board that the Resilient Roads meeting in Guilford last May achieved good attendance through a concerted effort to notify people by making phone calls and talking to individuals in advance. He asked that the Selectboard assist in the notifying as many citizens as possible to make them aware of the June 13th meeting at the Community Hall.

Brad Rafus asked for the Board's thoughts on pursuing the two pending Act 64 projects (Pennel Hill and Reed Hill). The projects both have June 30th deadlines, and the highway crew has a full

workload performing regular spring road maintenance. He told Sumner Pennel Hill still has to be ditched and stone laid down. That will take about a week, while the Reed Hill project will be longer. Sumner advised finishing Pennel Hill, and Green recommended requesting an extension of the deadline for Reed Hill. Chait will check with WRC's Emily Davis regarding changing the required completion date. What would happen if the Town did not comply with Act 64?, asked Peggy Rafus. We wouldn't get our \$141,000-a-year State Aid money, said Brad Rafus, and it might disqualify us for structures grants. Green suggested the Town could withhold State Education payments. This isn't something the Town is saying must be done, said Peggy Rafus; it's something that is a State mandate. Bonnie Brown and Chait both mentioned the possibility of a waiver process on some of Act 64's required projects.

Selectboard's Order to Treasurer for Payment

The Selectboard's Order to the Treasurer was reviewed and signed.

Correspondence

Correspondence was reviewed and filed. Two driveway permits were signed. The Selectboard received a communication from the Fire Department; they want to install a water supply off the bridge on Randy Pike's Sprague Road property. The State will pay 75% and the Town or Fire Department will pay 25%. Sumner signed the request.

Executive Session

None held.

Adjournment

The meeting was adjourned at 9:13 p.m.

Respectfully submitted,
Robbin Gabriel
Selectboard Secretary

OFFICE OF THE SELECTBOARD
Town of Halifax, Vermont
SELECTBOARD PUBLIC HEARING MINUTES
July 13, 2019

At 9:00 a.m. on Saturday, July 13, 2019, Selectboard members Lewis Sumner, Mitchell Green, and Bradley Rafus met with interested citizens and traveled to inspect the Class 4 and legal trail portions of Thurber Road, which are under consideration for reclassification. Nancy McCrea, Diana Conway, Tristan Roberts, Robert Fisher, Rick Contino, Daniel Lavoie, Rick Gay, Peggy Rafus, Stephan Chait, Cara Cheyette, and Norman Fajans were present for the site visit.

PUBLIC HEARING

Selectboard Chair Lewis Sumner opened the public hearing on the reclassification of Thurber Road at 10:34 a.m., immediately following the site visit. Selectboard members Mitchell Green and Bradley Rafus were present, as were Town Attorney Robert Fisher, Linda Lyon, Everett Wilson, Andrezza Fischer, Thomas Fischer, Rick Contino, Esq., Tristan Roberts, Nancy McCrea, Diana Conway, Daniel Lavoie, Janet Eldridge-Taylor, Paul Taylor, Norman Fajans, Rick Gay, Stephan Chait, Cara Cheyette, and Robbin Gabriel.

Sumner read the hearing notice for the record, as follows:

“Notice is hereby given pursuant to Title 19 Vermont Statutes Annotated, Chapter 7, as amended, that the Halifax Selectboard, on its own Motion which Motion passed at the June 4, 2019 Selectboard meeting will consider reclassification or discontinuance of the following sections of Thurber Road: (1) Thurber Road: From the intersection of the McCrea driveway (formerly Luther Ray premises’ driveway) easterly approximately 600 feet to the boundary line of lands of McCrea and the lands of Roberts; (2) Thurber Road: From the boundary line of the lands of McCrea and lands of Roberts easterly and southerly approximately .75 miles to its intersection with Green River Road. The aforementioned road and the sections proposed to be reclassified or discontinued will be outlined and highlighted on a map to be posted at the Selectboard Meeting Room, 246 Branch Road, West Halifax, Vermont. Further reference may be had to said map. All abutters and interested persons will be notified in accordance with Title 19 V.S.A. Chapter 7. Therefore, the Selectboard will meet at the Town Office Meeting Room, 246 Branch Road, West Halifax, on Saturday, July 13, 2019 at 9:00 A.M. to conduct a site inspection of the above road sections, then reconvene at the Town Office Meeting Room on July 13, 2019, immediately following the site visit. to conduct a hearing on the question of reclassifying or discontinuing the two sections of Thurber Road outlined above. The Selectboard will then determine whether the public good, necessity and convenience of the inhabitants of Halifax require these changes. The purpose of the hearing shall be to hear all persons interested in said public highway and the reclassification or discontinuance thereof.”

Attorney Fisher asked the Board how it wished to proceed, suggesting that those wishing to speak might raise their hands, identify themselves, and state their position and reasons for or against the reclassification or discontinuance of these sections of road. All agreed with this process, and Fisher told Chait that attendees could ask questions, though it might make sense to have everyone’s testimony on record first. Fisher then invited interested parties to speak.

Cara Cheyette: For the record, is it correct that discontinuance means the road reverts to private property, so the public would only have access to the extent that landowners permit?

Fisher verified Cheyette's statement, and explained Thurber Road's existing status for the benefit of those present. From Green River Road (western intersection) to the McCrea driveway is Class 3; from there to the McCrea/Roberts property line we believe it is Class 4, and from the McCrea/Roberts property line to (eastern intersection with) Green River Road is legal town trail. The Selectboard will consider reclassifying the Class 4 and legal trail sections of Thurber; their options range from discontinuing those sections in full to—on the other extreme—reclassifying it all as Class 3. As stated in the warning, the three factors the Board considers in making a reclassification determination are the public good, public necessity, and public convenience.

Linda Lyon: I live on Green River Road, said Lyon, and would like to see this access kept open for both public and private reasons. She and her husband, Everett Wilson, train dogs for people with disabilities, and Thurber is the closest, safest place to exercise the dogs. Lyon also referred to the Halifax Town Plan, quoting specifically from Land Use Policies text: "To encourage the continued use of town trails for recreational and resource management purposes." Under Recreation Policies: "Maintain the existing physical condition of town trails to promote their use for recreational purposes. Existing town trails provide essentially the town's only opportunities for public outdoor recreation. They also serve as important corridors through back country areas for hiking, biking, snowshoeing, cross-country skiing, snowmobiling, and hunting." Last, Lyon quoted from the Town Plan's Recreation Recommendations section: (1) "The town should consider expanding recreation facilities to include more trails, major preserves, and areas open to landowners and residents of Halifax;" and (2) "Appoint a committee to explore policies regarding off-road vehicles on town trails and how these affect water quality, conservation, trail quality, and public maintenance expenses." Lyon stated that the voters' approval of the Town Plan indicates their approval of keeping town trails open to the public rather than privatizing them. That's especially important in Halifax, said Lyon. We don't have a town forest, state parks, or public lands.

Dan Lavoie (Moss Hollow Road): Lavoie requested clarification on who can use legal trails. Is it just for walking, or are ATVs, snowmobiles allowed? He said he's gone down Thurber trail, and suddenly felt he was in Tristan Roberts' front yard; he doesn't want to do something illegal.

It is a public right-of-way, responded Fisher; legally anyone can go down the trail, unless the Selectboard passes a trail policy that limits the use of ATVs, motorbikes, or snowmobiles, which it has the authority to do. To my knowledge the town does not have such a policy, so yes, it's legal to ride an ATV down the trail.

Lavoie suggested the financial impact of a classification change should be considered. If the status is changed, does it cost the town money, or does the town lose money from the State?

Class 3 roads receive a certain amount of money from the State, answered Fisher. Class 3 roads need to be maintained for a typical pleasure car year round. Rafus and Sumner said that Class 3 roads get money per mile from the State. Class 4 roads do not get anything; neither do legal trails. There is no duty to maintain legal trails. Towns may do some maintenance on Class 4, such as culvert cleaning. The Selectboard has the authority to permit abutting landowners to improve sections of Class 4 roads and trails. Brad Rafus added that under the new Road and

trying to keep that open, especially since Irene, and that the whole area has been upgraded. It would be a shame to let that go to waste now, and maybe never open it up again if we need it.

Nancy McCrea: I think the Town Plan also talks about supporting agriculture, and lists that as important. There's a lot of talk about people wanting to hike it. We've been there a year as of yesterday; we've never seen anybody up there hiking. Our driveway is long, and maybe we don't see them, or maybe they are mis-remembering when they walked it. This morning at 7:30 our horses alerted that somebody was out there walking around; people who are in this room now. People don't use that trail. I know people here are talking about wanting to use it, and wanting to hang onto it, but the reality is that it's not used. We pay taxes on that section of land; we would like to go across. You talk about the good, the necessity, and the convenience of the public at large; I don't see how keeping that open meets those three criteria. We've been going to a lot of the Selectboard meetings, and it's rare that there are more than four people in attendance, unless people are complaining about mud season, or here to keep open a road that nobody's using. I'm struck by the amount of roads that the town already has to maintain, and I'm struck by the requirements of Act 64, and I believe maybe sometimes Act 250, though I could be wrong about that. I don't know how the town is going to be able to go forward to keep up what they have. I have a personal interest in what's being discussed here today, but I don't know why the town isn't closing as many as possible, to save people from being taxed heavily. Basically our taxes pay roads and schools; I know there's other things, but that's the bulk of it. My understanding from the Selectboard meetings I've attended is that things are only going to get more stringent, the requirements more plentiful, and that the resources just aren't available to do what's necessary. The reality is the road doesn't go anywhere. Tristan has access from Green River up to his house, and the Rays accessed the way we are. It's a pretty little walk, but people do not come and use it. If anybody says they're using it, I just question it. And I'd like the road to end where it abuts our property; I'm not trying to interfere with Tristan's use of what he abuts. But I'd like our section closed. Thank you.

Stephan Chait: I have more of a question. One of the topics that has come up at Selectboard meetings is setting a precedent, and having uniform policies across the entire town. If a road is discontinued, has that been done in the town before, and what sort of precedent does it set, because there are a number of other roads that used to go places that are now trails. Vaughn Road, where I live, is one of them. It used to go down to Route 112 and now it terminates at a property and the trail continues, but the road does not. What precedent is there for closing a Class 4 and a trail in the town, and from a legal point of view what kind of standard does that set if somebody else comes in and says I'd like to close this part of the road?

The standard is the same regardless; it's public good, necessity, convenience, responded Fisher. That gets applied any time, and whether it's the Board making a motion to reclassify or alter a road, or lay out a new road across property, the town can either do that on a Selectboard motion, or it can be petitioned by five percent of the voters. Fisher and Board members recalled several Halifax roads that have been discontinued, including Winchester Road, which once extended into Marlboro, Chase Hill, and Sodom Road. Regarding precedent, if the road (Thurber) were to be discontinued today, that doesn't mean other roads have to be discontinued in the future, said Fisher. It's on a case-by-case basis; circumstances differ.

There are two neighbors who have competing interests here, said Chait. It's a tough issue to try and resolve, and now the town is being asked in some way to resolve it. The concern I have is,

Bridge Standards Class 4 road requirements have changed a little; culverts have to be up to specification, and run-off water must be controlled, possibly with ditches or waterbars. Rafus verified, for Cara Cheyette, that the section of Thurber Road between the McCrea driveway and the McCrea/Roberts property line is Class 4. There are a few culverts in that section, he said, and he agreed that reclassifying the section as trail would eliminate the maintenance requirement. If, fifty years from now, the town wanted to use that as a throughway, the town would have to purchase that back if it were discontinued, said Cheyette. That's correct, said Fisher. He explained that per statute a Class 4 road is a highway, while a trail is not a highway. State and local zoning laws say you must have frontage on a town highway in order to build. That may have a financial impact on the town, depending on how the listers assess the property. There could be a difference in parcel value with frontage on a Class 4 road versus a trail, given the ability to build based on zoning. In this particular circumstance I don't think that makes a difference, as the Roberts property has frontage on Green River Road, and the McCrea property has frontage on the Class 3 portion of Thurber Road.

Paul Taylor (Josh Road): It would be nice if there were a win-win solution to the problem, but I'm not seeing it. If the section from McCrea to Roberts (property line) were thrown up, I can see where that would benefit the McCrea household, but Roberts would lose the most direct access to a Class 3 road, so he strikes me as the loser in that proposition.

Tom Fischer: We have a house on Perry Road. I'm against closing it (Thurber Road), because the original homeowners told us after the Irene storm, when Green River Road was flooded out, they used Thurber for access from the outside for a month or so. If something were to happen to Green River Road, that would be a way we could access a supermarket, a hospital, etc. I would urge you not to have that closed.

Peggy Rafus: For clarification, I'd like to have the Selectboard state how much of that Class 4 section of road was used for Irene, because it's my understanding that during Irene they used the field, and only used about a hundred feet for emergency access. Part of the Class 4 section was muddy and washed out during the storm, said Brad Rafus, so vehicles traveled across the field. Later the previous owners (the Rays) built the washed-out portion up again. Tristan Roberts recalled that early in the storm people were using the full Class 4 section, but as it became impassable the field was used to access the trail portion of Thurber. That fall Roberts received permission from the Selectboard to restore the Class 4 section with gravel, and the Rays did the work.

Diana Conway: Nancy (McCrea) and I own that property together (the former Ray parcel), and we pay taxes. We moved there for the peace and quiet, and for the pasture, which is one of the prize agricultural spots in the region. We bought it thinking it was a trail, but since we moved it seems like maybe our neighbor is encouraging people to take leisure cars through there, and also I feel that landowner is even encouraging delivery trucks to go up through there, and it hasn't felt private any more. Also, if that whole thing is reclassified as Class 4, that neighbor would benefit from having more road frontage, and then I'm concerned there will be more building down there, and then there will be more traffic coming through our farm.

Janet Taylor (Josh Road): For years, I think people know I'm concerned about having more trails in town, and about being able to hike different parts of the town, so I would be in favor of

when you say public good and convenience, that's an issue that covers the whole town, and it seems the Selectboard needs to have the perspective of protecting and having beneficial use of the town's resources. Giving up a right-of-way and turning it into private property, it seems the town is giving up something, independent of the two parties on either side.

Rick Gay: It seems like if we change that road to a town trail there wouldn't be any more expense. Is there that much work you have to do on that (the Class 4 section)? I empathize with having a dead-end road; when we had mud season and nobody could come by my house, it was great.

In recent years, Rafus answered, the State is pushing more responsibility for Class 4 roads onto the town. We just signed our Bridge and Road Standards at the last Selectboard meeting, and there is literature in that on what we have to do for Class 4 roads that was never there before. Looking down the road ten years, I think it will get worse.

Norm Fajans: I agree with Rick. I haven't heard from Tristan yet, how he feels about everything. It would seem to me the town does not want to give up rights of way, especially with what happened in Irene. Don't say it's a hundred year event and it can't happen again, because the weather is changing. That was, obviously, a good right-of-way to have so we could use it. I would hate to see the town give up any of those rights of way and go back to private ownership. Mr. Roberts has been out there ten years, has been using this access; to me, it would seem unfair to basically take an access away for the benefit of somebody else. Going out there (on the site inspection) it seems the best access for emergency vehicles would be coming through the present Class 4 road, rather than coming up from the other direction, because it's flat, and closer to the fire house. I understand what Bradley is saying about Class 4 roads costing us money. Don't throw it up, but turn it all into town trail; nobody would lose. The town would have right of way for emergency use, Mr. Roberts would have access both ways; that, to me, would seem to be the simplest solution.

Dan Lavoie: I understand both sides of it, but at the same time, the McCreas would not be able to extend their pasture to the other side, with electric fencing.

They can, responded Norm Fajans. They can walk a horse across the road, you can put a water pipe under the road, put in a frost-free hydrant, and put up a 10' x 20' run-in shed pretty inexpensively if you need shelter. Or you can haul the water in big tanks, and fill a tank over there. Just for the convenience of not having to lead a horse across the road, and thereby restricting my access if I want to go walk that road doesn't seem fair. We also have goats, said Diana Conway. From a legal perspective, advised Fisher, any landowner can approach the Selectboard for a permit to work within the town right of way. For instance, if you wanted to put a culvert or electric line under the town road, you come to the town for what I call an 11-11 permit. My point is, from a legal standpoint, the Board can grant access to put in conduit or a waterline. Fajans thought a water line could be put across the road during summer months; livestock would not use the pasture in the winter.

Peggy Rafus: Can a landowner put a gate on a trail?

Not unless the town were to designate it as a pent road, replied Fisher. That allows the town to say it can be gated, but the gates can be opened; they can't be locked. Does the town have the

ability to stop wheeled access on a trail?, asked Peggy Rafus. It does, said Fisher. Anything to do with the trails and the highways is in the province of the Selectboard. To my knowledge, Halifax does not have a town trail policy. Some towns have trail policies that say we want trails to be hiking or biking trails, but not for ATVs. They may designate certain trails for ATV use and others for hiking. Are requirements for putting in culverts and cutting trees (in the right of way) on trails the same as on a regular road?, asked Peggy Rafus. On a town trail there is no duty of maintenance on the town side of it, said Fisher. It's still a public right of way so if anyone on a town trail is going to be putting in culverts or doing work, they need the Selectboard's authority, which usually means coming to a Selectboard meeting and asking permission. If it's a town trail, it is up to the Selectboard to say whether the culvert needs to meet the State's specifications or not.

Where does the liability fall?, asked Brad Rafus. If the landowner puts in a five-inch culvert and a car falls into that culvert, is the liability going to be with the town or with the landowner? Or what if the landowner is working in the right of way and injures himself? Fisher explained that if the town has given a landowner permission to work in the town right of way and the landowner gets hurt, liability is on the town. He told Rafus that if the town grants permission for a landowner to work within the right of way the town can require that person to carry insurance, and to sign a hold-harmless agreement.

Tristan Roberts: On the question of liability on a town trail; is it any different for a Class 4 road? If, for instance, a landowner put in a culvert and a car fell through, or the landowner spilled some oil while working on the road and someone slipped, compare and contrast those situations on a town trail versus a Class 4. Fisher explained that there is a separate section of the ordinance pertaining to bridges and culverts; there's an argument that can be made that even though the town doesn't have to maintain Class 4 roads it has to maintain bridges and culverts. That argument has not held a lot of water, especially recently; the courts have not required maintenance on old stone bridges. Referring to the oil spill example, Fisher said he thought there were the same liability issues on both town trails and Class 4 roads. In both cases you are trying to figure out who is at fault, the landowner or the town. Fisher also pointed out that the town and the state have sovereign immunity in liability situations involving public highways.

Cara Cheyette: I was in a similar, mirror-image issue last year; I wanted to preserve the privacy and quiet of my road, and in some ways it was sort of a dispute between two neighbors. One wanted to improve the road, and I was trying to hold it back. So I understand, everyone in this room is a taxpayer, and the people who are advocating for one or the other are taxpayers and members of the public. But there is a difference between the private interests and the public interest in a way. I get how somebody would want to hold tight to that privacy and quiet, but there's this giving up of public property for private purposes. I was talking with Nancy and Diana on the walk; I understand the difference between horses and goats, and cows, but I was thinking, Tracy Reed is a dairy farmer, and he lives across Reed Hill Road, and walks his cows across Reed Hill Road, and up Hall Road. I was thinking, what if Tracy wanted to make that sort of a private pathway? Part of the wonder and beauty of living in Halifax is that sometimes I'm parked while the cows are passing. He walks them across Reed Hill Road, which is a major town road. There is something troubling about giving it up for private convenience. In the case of Hall Road, the argument was we've got two competing private interests, and the public good, as I understand the Board's decision, was the opportunity to get some funding back from the State by improving the road. I would ask that the Board articulate where the benefit to the town would be

in discontinuing this (Thurber Road), and, to the extent possible, to think clearly from the perspective of the town and not how to help two neighbors who may not see eye to eye resolve a private dispute. Cheyette went on to say she thought, from reading Selectboard meeting minutes, that Brad Rafus had dissented during the vote to hold the hearing; she asked why he might have had reservations about holding the hearing. I didn't object to the hearing, replied Rafus; I objected to some of wording on how we were pursuing the issue. Personally, I would like to see one classification from the Class 3 part (on Thurber) to Green River Road, either one or the other, not a little piece this, a little piece that. That was my objection.

Tristan Roberts: That's my position, that the trail/road in question should be considered one piece. I don't have to make this decision; I respect that the road crew, Foreman, and Selectboard do a lot of work on these roads, have a lot of regulations to consider. I'm grateful that's someone's job, and I don't have to do it. If it were up to me, I would keep it open, as one classification. There seems to be a theme that there are competing priorities here, and I'd just like to say I don't see it that way. If I were painting a picture of how I see this road, and the daily level of traffic that comes through, and horses (I keep goats and sheep sometimes and have pasture on two sides of the road); I have a bucolic picture in my mind of everyone being able to farm easily, neighbors understanding each other and can cross roads easily, whether it's livestock, emergency access, or people coming through. I've been on the land since 2005. When I first moved there the land was pretty vacant; same way with the Rays; it's been vacant since Luther Ray died. The vacancy invites people looking to have their fun, drive their mud bikes, drink their drinks, have their campfires. Since I've lived there I know on a first name basis the people who run through, walk their dogs, people like Dan who come through on their ATVs. And Dan (addressing Lavoie), you're kind of my friend, you're welcome to come through, I like to see you guys. That's my vision of the road; it's a public amenity. If I could just snap my fingers and have a private drive that was my own and didn't have to deal with the town—it has some benefits to it, but overall having that public access for emergencies, looking at it as a flat, closer connector to emergency services—I see a benefit to that for myself, for neighbors, and for the town. The vision that I hear from Nancy and Diana, of a quiet road where they can take their horses across the road easily, where not that many people come through, delivery trucks get lost occasionally; we try to flag them down and redirect them but you know how GPS is in this town. I don't think our visions are that different, and I'm happy to turn this into a problem-solving discussion; what's the best way to make everyone's vision come to fruition more easily—I've heard some ideas around gating, water; we could have a barn-raising—put up a loafing shed. But I think there are a lot of shared values here that I want to go on record as being in favor of; that's why I favor treating the road as one piece.

Hearing no further comment, Fisher asked Sumner if he wanted to close the hearing. The public hearing closed at 11:33 a.m.

Fisher advised those present that the Board would either deliberate today, after the hearing closure, or at another time. Within 60 days the Board will issue a written decision on the question of Thurber Road reclassification. Is that deliberation in executive session?, asked Chait. It's a deliberative session; a little different from an executive session, but closed to the public, answered Fisher. Peggy Rafus said she would like to see the documentation for the classification of the beginning of the road (the Class 4 section). Fisher said he had not researched that; the Board could do so if they chose during deliberation, but depending on what the Board wishes to do it could be a moot issue. Mitch Green said the Board's decision on reclassification should

clarify that. No matter what it is now, going forward we'll have clear classification and we'll make sure that is properly filed.

Green made a motion to enter deliberative session, including Town Attorney Robert Fisher and Gabriel. Sumner seconded the motion, which passed, 3-0. The Board entered deliberative session at 11:35 a.m. and exited at 12:02 p.m., and the meeting closed.

Respectfully submitted,
Robbin Gabriel
Selectboard Secretary

STATE OF VERMONT
TOWN OF HALIFAX

FINDINGS AND DECISION ON RECLASSIFICATION OF THURBER ROAD

WHEREAS, at Halifax, Vermont, on the 4th day of June, 2019, the Selectboard of the Town of Halifax, on its own Motion, did vote to propose that pursuant to Title 19 Vermont Statutes Annotated, Chapter 7, as amended, that Thurber Road be reclassified or discontinued from the intersection of the McCrea driveway (formerly Luther Ray premises) easterly through lands of Roberts to Green River Road. The Selectboard voted to consider for reclassification or discontinuance the following sections: (1) Thurber Road: From the intersection of the McCrea driveway (formerly Luther Ray premises' driveway) easterly approximately 600 feet to the boundary line of lands of McCrea and the lands of Roberts; (2) Thurber Road: From the boundary line of the lands of McCrea and lands of Roberts easterly and southerly approximately .75 miles to its intersection with Green River Road.

WHEREFORE, the Selectboard did order and appoint that on the 13th day of July, 2019, at 9:00 a.m. it would meet at the Halifax Town Offices and proceed to the site and then immediately following the site visit it would meet at the Halifax Selectboard Meeting Room in Halifax, Vermont for the purpose of hearing all persons interested in said public highway and its possible reclassification and/or discontinuance, and for the purpose of examining the premises affected thereby, and did give notice thereof to the statutory parties and to those set forth in Exhibit "A" attached hereto all being persons who own or are interested in the lands on which said proposed road now lies or abutting on said roadway at their last known addresses; and did give notice thereof to the voters of the Town of Halifax by posting notices on June 10, 2019 in the public places within the Town, and did give notice to the voters of the Town of Halifax by causing a notice to be published in the Brattleboro Reformer, a

newspaper with a circulation in Halifax, Vermont on June 13, 2019, and did leave a copy of such notice with the Halifax Town Clerk.

AND, afterwards, on July 13, 2019, the Selectboard did examine said premises, and did hold a public hearing on July 13, 2019 at 10:30 a.m. at the Halifax Meeting Room at which time individuals were given the opportunity to appear and give testimony regarding said road. There were no claims for damages. Testimony was received by numerous persons interested in the reclassification of the road in question and other roads at issue.

AND, the Selectboard determined that the present status of the public highway is as follows:

1. That the roadway is a Class 3 Town Road for a distance of .45 miles from the more westerly intersection of Thurber Road with Green River Road to the McCrea driveway. The Roadway is then a Class 4 Road for a distance of .1275 miles from the McCrea driveway to the boundary line between said McCrea property and the property now or formerly of Tristan Roberts. The roadway is a Town Trail from the boundary between McCrea and Robert easterly to the easterly intersection of Thurber Road with Green River Road.
2. From the McCrea driveway to the McCrea/Roberts boundary line, the roadway descends gently and has a good rough gravel base. Evidence of vehicular travel was clear based on tire tracks. From the McCrea/Robert boundary line to the Roberts homestead group of buildings, the roadway is generally flat with a good gravel base and sufficient ditches on each side of the road. There is evidence of brush having been cleared between the roadway and the adjacent parallel stone walls which line the roadway. The culverts in this section of roadway are smaller

diameter plastic culverts which do not meet the minimum standards for town highway culverts. From the Roberts homestead, the roadway descends moderately down to Green River Road. This section of the roadway is well maintained and contains a good gravel base with more finished road gravel on the surface. Culverts and ditches appeared to be satisfactory. This section of roadway is more open to the sun as compared to the more wooded section of the flatter section above the Roberts homestead.

3. From testimony at the public hearing, it was determined that this section of highway and trail is used by the landowners on a routine and frequent basis. The roadway was used as an alternate detour after Tropical Storm, "Irene." There was testimony that residents use this road for hiking and for walking as it is a quiet, wooded section of public roadway with little to no traffic. Except for the abutting landowners, there is little traffic on this section of roadway and the roadway does not serve as any short cut to other roads or highways of the town.

After due discussion and deliberation and after review of the premises with the adjoining landowners, the Selectboard is of the opinion and so votes that the public good, necessity and convenience of the inhabitants requires that the road be reclassified to a CLASS FOUR (4) Town Highway all the way from the McCrea driveway easterly to the easterly intersection of Thurber Road with Green River Road, said distance being reclassified being approximately 3,736 feet.

The said Selectboard determines and votes that no damage was sustained by any person owning or interested in lands through which said proposed highway runs or abuts.

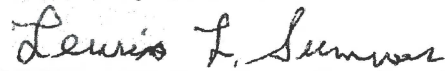
The reclassification of the aforementioned road fosters the public good, necessity and convenience of the inhabitants of the Town for the following reasons. First, the connectivity of the road as an alternate route during times of flooding supports the public good, public necessity and convenience of the inhabitants of the Town. This benefit proved true in 2011 during the aftermath of Tropical Storm, "Irene." Second, the Town Plan encourages the continued use of town trails for recreation and resource management purposes. It is clear that reclassifying the roadway to a Class Four (4) town highway will continue to support the recreational goals outlined in the Town Plan. Residents testified as to walking and training dogs along this section of road, of snowmobiling and four-wheeling along this section of road, and there is ample evidence of resource management as both properties show signs of having been logged in recent history. Third, the option of discontinuing the roadway or a portion thereof was found not to be in the public good for the reason that such a discontinuance would create two dead end roadways without connectivity. Fourth, the Board finds connectivity to be important for future development of the Town. By reclassifying to a Class Four (4) town highway, the Town maintains the ability of abutting landowners to develop their lands by having road frontage on a town highway which is necessary for any zoning permit to be issued for the abutting property. The reclassification permits the Town to maintain its grand list insofar as the ability to develop the abutting lands is maintained and thus property values are thereby sustained. Last, by reclassifying to Class Four (4), the Town maintains the public good of having available public lands upon which to recreate while causing little to no inconvenience to the abutting landowners. The McCreas's interest of having horses and goats pasture on the other side of the road can be accomplished through simple means of requesting of the Selectboard a permit to cross the road with water lines and/or power lines, thus making the other side of the road workable for farm purposes. The road experiences little traffic, so walking animals across the roadway is unlikely to cause public inconvenience.

THEREFORE, it is ORDERED by the Selectboard that Thurber Road shall be a Class FOUR

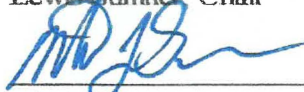
(4) Town Highway from the intersection of the McCrea Driveway with Thurber Road easterly a distance of 3,736 feet to the intersection of Thurber Road with Green River Road..

Dated at Halifax, Vermont this 20th day of August, 2019.

Selectboard, Town of Halifax



Lewis Sumner, Chair



Mitchell Green



Bradley Rafis

EXHIBIT A--Halifax: Thurber Road Reclassification--Abutter list

	Name	Name 2	Street	Town	State	Zip
THR.0449	CONWAY, DIANA RUTH; MCCREA, NANCY ANNE	MATISI, CATHERINE ROSE	PO BOX 134	WEST HALIFAX	VT	05358
OCN.4988	BEZMALINOVIC PETER J TRUST	BEZMALINOVIC CHRISTINE TRUST	23 RICHLER DR	EAST NORTHPORT	NY	11731
THR.1015	ROBERTS TRISTAN		1015 THURBER ROAD	HALIFAX	VT	05301
MSH.0040	CARPENTER KENNETH F TRUST		PO BOX 1280	BRATTLEBORO	VT	05302
MSH.0350	LAVOIE DANIEL C & MICHELLE A	DUFOUR JR BETRAND R & KRISTIN L	12 EDGEWOOD DRIVE	ENFIELD	CT	06082
SOM.0078	BAKER JOHNATHAN	BAKER PAMELA ANNE	PO BOX 51	WEST HALIFAX	VT	05358
MSH.0745	JENCKES FOUNDATION INC		2124 BUTTERFIELD ROAD	BRATTLEBORO	VT	05301-7996
MSH.0746	DRALEAUS KENNETH D & VICKI M		P.O. BOX 437	MARLBORO	VT	05344-0437
MSH.079B	MARLBORO COLLEGE CORPORATION OF		PO BOX A	MARLBORO	VT	05344
LUC.0528	LEINING RICHARD B & LILIAN M	JUDITH L KOOB	1631 HARRISON AVE	SALT LAKE CITY	UT	84105
THM.1105	MCNEICE BRIAN T	JENNIFER M RAMSTETTER	1105 THOMAS HILL RD.	BRATTLEBORO	VT	05301
PER.0208	FISCHER THOMAS G & ANDREZZA M		22 BOONTON AVE	BOONTON,	NJ	07005
PER.0048	ROGERS SUSAN N		48 PERRY RD	BRATTLEBORO	VT	05301
GRR.2496	GENTILE THOMAS F	ELIJAH THEA C LIFE ESTATE	1037 WESTEN AVE	BRATTLEBORO	VT	05301

**OFFICE OF THE SELECTBOARD
TOWN OF HALIFAX
P.O. BOX 127
WEST HALIFAX, VT 05358**

June 12, 2019

Re: Thurber Road Reclassification

You are receiving the enclosed site inspection and public hearing notice because you own land abutting the parcels affected by a possible reclassification. There is no requirement to attend the hearing, but all abutters and interested parties present will have the opportunity to comment during the proceeding.

Sincerely,

A handwritten signature in blue ink that reads "Robbin L Gabriel". The signature is written in a cursive style.

Robbin Gabriel
Selectboard secretary

**Notice of Hearing and Site Visit
Reclassification of Road**

Notice is hereby given pursuant to Title 19 Vermont Statutes Annotated, Chapter 7, as amended, that the Halifax Selectboard, on its own Motion which Motion passed at the June 4, 2019 Selectboard meeting will consider reclassification or discontinuance of the following sections of Thurber Road: (1) Thurber Road: From the intersection of the McCrea driveway (formerly Luther Ray premises' driveway) easterly approximately 600 feet to the boundary line of lands of McCrea and the lands of Roberts; (2) Thurber Road: From the boundary line of the lands of McCrea and lands of Roberts easterly and southerly approximately .75 miles to its intersection with Green River Road.

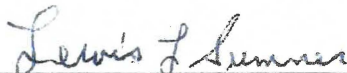
The aforementioned road and the sections proposed to be reclassified or discontinued will be outlined and highlighted on a map to be posted at the Selectboard Meeting Room, 246 Branch Road, West Halifax, Vermont. Further reference may be had to said map. All abutters and interested persons will be notified in accordance with Title 19 V.S.A. Chapter 7.

THEREFORE, the Selectboard will meet at the Town Office Meeting Room, 246 Branch Road, West Halifax, on Saturday, July 13, 2019 at 9:00 A.M. to conduct a site inspection of the above road sections, then reconvene at the Town Office Meeting Room on July 13, 2019, immediately following the site visit. to conduct a hearing on the question of reclassifying or discontinuing the two sections of Thurber Road outlined above. The Selectboard will then determine whether the public good, necessity and convenience of the inhabitants of Halifax require these changes.


The purpose of the hearing shall be to hear all persons interested in said public highway and the reclassification or discontinuance thereof.

Dated at Halifax, Vermont this 10th day of June, 2019.

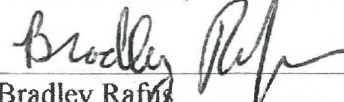
SELECTBOARD, TOWN OF HALIFAX



Lewis Sumner, Chair



Mitchell Green, Vice Chair



Bradley Rafiq

MARLBORO

