District 5,8

#### 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 MIDDLESEX

in WASHINGTON 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	15.920				15.920	0.000
Class 3	32.30	.40			32.70	0.000
State Highway	16.940		3		16.940	0.000
Total	65.160				65.560	0.000
Class 1 Lane	0.000					
Class 4	9.43		.40	į.	9.03	0.000
Legal Trail	3.32		P		3.32	

\* Mileage for Class 1 Lane, Class 4, and Legal Trail classifications are NOT included in total. 12.35

#### 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).

.40 mile of McCullough Road was upgraded to Class 3 from 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. [ ]
Selectmen/ Aldern	TURES - PLEASE SIGN.
	re: Sach S.M. uni Date Filed: 1. 12. 16
Please sign ORIGIN.	AL and return it for Transportation signature.
AGENCY OF TRA	NSPORTATION APPROVAL: Signed copy will be returned to T/C/V Clerk.
APPROVED: -	Representative, Agency of Transportation DATE: 5/12/2016

#### **Vermont Statutes Annotated**

JAN 25 2016

Received

## Policy Planning & Intermodal

#### 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.

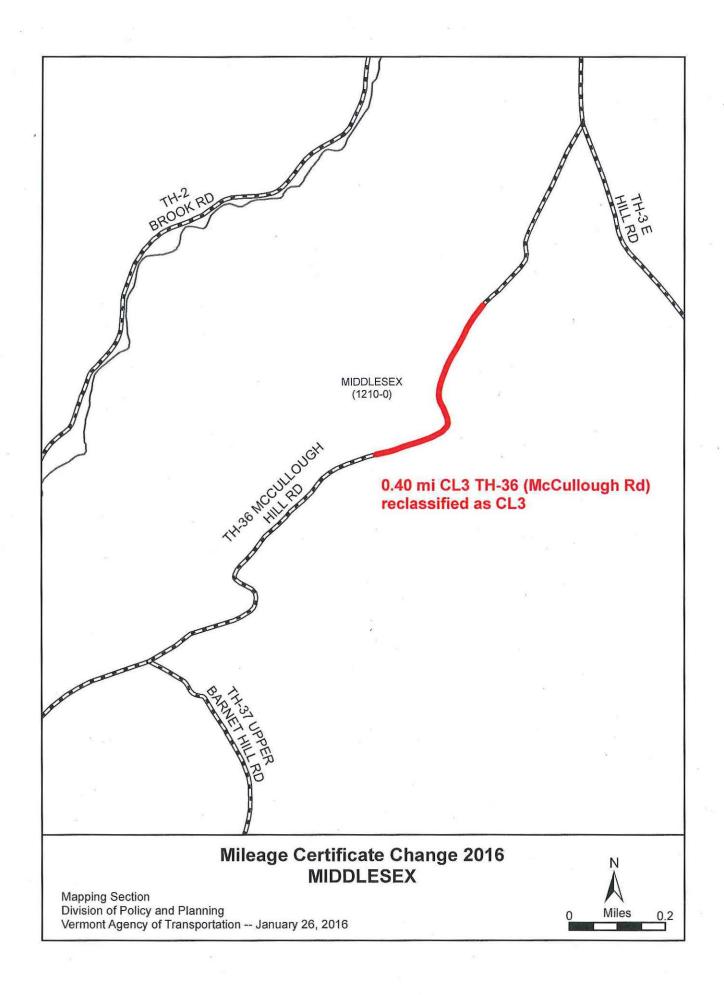
(e) The agency shall not accept any change in mileage until the records required to be filed in the town clerk's office by this section are received by the agency. A request by a municipality to the agency for a change in mileage shall include a description of the affected highway or trail, a copy of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



CERTIFICATE of COMPLETION and OPENING	VTrans Use Only Certificate Year: 2016
of a HIGHWAY for PUBLIC TRAVEL	Highway Class: 3
Deviepe A	Town Highway #: <u>36</u> Mileage: <u>0.40</u>
Sarah Merriman , Town Clerk of the Town of	
(Clerk's Name) (City/Town/Village) (City/Town/Village) (City/Town/Village)	
(City/Town/Vilage Name)	
Pursuant to Title 19, V.S.A., Chapter 7, this is to certify that the following described section of Class	
Highway in the Town of Middlesex was COMPLETED AND C	(1,2,3 or 4) DPENED
(City/Town/Village) (City/Town/Village Name) FOR PUBLIC TRAVEL on December 16, 2015.	
FOR PUBLIC TRAVEL on <u>December 16</u> , <u>2015</u> . (Month-Day) (Year)	
DESCRIPTION OF RIGHT OF WAY: (Include road name and intersecting town highway numbers)	
McCullough Hill Road (TH 36), .45 south of East Hill Road .4 of a mile was upgraded from Class 4 to Class 3, thereb	, v turning
McCullough Hill Road into Class 3 status from end to er	
and as shown on a Highway Map of the <u>Town</u> of <u>Middlesex</u> (City/Town/Village) (City/Town/Village Name)	
dated . , and filed in Book 121 on page 121 of	f the Records of
(Month-Day) the Town of Middlesex by the Town Clerk of said	Томп
(City/Town/Village) (City/Town/Village Name) (City/Town/Village)	(City/Town/Village)
incorporated herein by reference and attested to on said map by saidClerk.	*
Dated at <u>Middlesex</u> , County of <u>Washington</u> and Sta	ite of Vermont,
(City/Town/Village Name) (County Name)	ite of vermoni,
this <u>26</u> day of <u>January</u> , A.D., <u>2016</u> (Date - Day) (Date - Month) (Date - Year)	BOARD
Stero. Ho	OF
(Selectman/Alderman/Trustee Signature) (Selectman/Alderman/Trustee Signature)	SELECTMEN,
(Selectman/Alderman/Trustee Signature) (Selectman/Alderman/Trustee Signature)	— ALDERMAN,
(Selectman/Alderman/Trustee Signature) (Selectman/Alderman/Trustee Signature)	- or TRUSTEES
(Manager/Mayor Signature) and the Manager/Mayor of the City/Town/Village of Middlesex	24
(City/Town/Village Name)	
***************	*****
Middlesex, VERMONT 1/26/2016, (Year)	
THE ABOVE IS A TRUE COPY OF THE DESCRIPTION OF CLASS HIGHWAY COMPI	ETED AND OPENED
FOR PUBLIC TRAVEL, RECORDED IN BOOK 121 ON PAGE 293 OF THE LA	ND RECORDS
OF THE TOWN OF MIDDLESEX ON THE 23" DAY OF Feb	
2016, AT 2:00 O'CLOCK, P.M.	, http://www.andiego.com/andiego
(Date - Year) (Time) (A or P)	· Deal Alla
ATTEST: Mayne V. Mul	is HEST. U.K.
Revision 12/2014 Assf CLERK OF MIDDLES (City/Town/Village) CLERK OF (City/Town/Village Name)	E X, vermont
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# Received

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MAR 10 2016

Policy, Planning & Intermodal Development Division Select Board Members \_X\_\_Peter Hood, Chair \_X \_Mary Just Skinner, \_Vice Chair \_X\_\_William Callnan \_X\_Steve Martin \_X\_\_Liz Scharf <u>MINUTES</u> MIDDLESEX SELECT BOARD Tuesday, December 15, 2015 5:00 PM Middlesex Town Clerk's Office 5 Church Street Middlesex, Vermont 05602 (802) 223-5915

#### MINUTES

Present: Chair Peter Hood, Vice Chair Mary Just Skinner, Members Bill Callnan, Steve Martin and Liz Scharf. Treasurer and Zoning Administrator Cindy Carlson. Members of the Middlesex Budget Committee: George Longenecker, Bill Dorigan, Barry Bolio and Elias Gardner. Road Foreman Paul Cerminara. Wrightsville Recreation Area Manager Colin O'Neil and Wrightsville's Middlesex Representative Jane Dudley. Also, Vic Dwire, Bill Preis, John Lemmon, Danielle Suffredini, Dave Shepard, Scottie and Robert Brower, Don Hirsch, Sue Pelchar, Alicia Darmstadt, Aaron Weed, Susan Clark, Mark Bushnell, Bill Rossmassler and Select Board Assistant Sarah Merriman.

#### Call to Order/Amendments

Peter called the meeting to order at 5:00 PM and welcomed guests, most of whom were present for the McCullough Road Upgrade Public Hearing. There were no amendments.

#### McCullough Road Upgrade: Public Hearing

Peter invited public comment on a request to upgrade .4 of a mile of McCullough Road from Class 4 to Class 3 so the entire road can be maintained and opened to through traffic in the winter. Scottie Brower, who circulated an informal petition in favor of the upgrade, said this section of the road has been plowed by neighbors on an as-needed basis, has not been sanded and, as a result, in the winter is unsafe. Dave and Sue Warren, also residents of McCullough Hill Road, spoke in opposition. They said because the road is closed to through traffic in the winter, other Middlesex residents use it to walk recreationally. Dave questioned the taxpayer expense of an upgrade and whether that should be absorbed by the petitioners. Aaron said the town might be setting a dangerous precedent by paying for this upgrade as other residents of Class 4 roads will expect the same.

In response, Peter said he considered this a unique situation because it's such a short segment in an otherwise Class 3 road. He said the town did not plan on expanding the road significantly if it were upgraded aside from some ditching, pruning and sanding. Bill Preis observed that McCullough is also special because it ends at an interstate, unlike other Class 4 roads in town.

John Lemmon noted that he and his wife just bought a McCullough Road house a week ago and were comforted that it was closed to through traffic in the winter so they, too, were opposed. In response, Liz said she doubted that more people would use the road in the winter even with the upgrade because it would still be winding and narrow. Also, for the sake of community, wouldn't it be fairer to spread the traffic more evenly across town?

Susan Clark, who was also opposed, urged the Select Board to install signs on the road warning of the road's dangers in the winter if McCullough were upgraded. Peter agreed that the signage should say, "Dangerous for Winter Travel," or something to that effect. Vic said from what he'd observed, most drivers slid off the road specifically because it wasn't sanded. Bill Callnan noted that upgrades do not have to be permanent; the town has the ability to downgrade a road as well, provided statutory hearings were held. Peter ended the public discussion at 5:50 p.m.

#### McCullough Road Upgrade Approved

The Board discussed the public comments. Bill Callnan said he was confident the town would not set a precedent with the upgrade and Peter said upgrading this section of road wouldn't alter McCullough Hill Road's character. MOTION: Bill moved and Liz seconded a request to upgrade the remaining .4 of a mile of McCullough Hill Road that was still Class 4. The motion passed unanimously.

#### Wrightsville Beach Assessment Increase

Jane said when Wrightsville Recreation Area was established in 1983, the annual assessment on each of the four communities – Middlesex, Worcester, East Montpelier and Montpelier- was capped at 50 cents. She said the beach hit that ceiling six to eight years ago and has been working on a shoestring budget ever since. Colin, the hired manager, even loaned Wrightsville \$2,000 of his own money to buy a mower last summer. Therefore, each representative is asking the select boards of his or her town to raise the ceiling to \$1.50/resident, though the increase for the upcoming year would only be 90 cents if it passes. In the last fiscal year, Middlesex paid \$904 to Wrightsville.

MOTION: Bill moved and Steve seconded raising the Wrightsville assessment ceiling to \$1.50 per Middlesex resident. The motion passed unanimously. The board thanked Jane and Colin for all their hard work maintaining a valuable recreation

#### Approving Purchase and Sale Agreement for Steed Property

MOTION: Bill moved and Liz seconded approving an agreement to purchase 39.9 acres at the end of Notch Road owned by Cynthia Steed that would provide additional land and access to the Town Forest for \$40,000 with \$20,000 coming from the Conservation Fund and \$20,000 from unanticipated revenue due to the sale of the Morse property to DAMSTAT Properties earlier this year. Peter should review the final Purchase and Sale Agreement and consult with the town's attorney before signing. The motion passed unanimously.

#### FY17 Budget Workshop

Peter said he was more or less willing to support the budget even though it exceeded the targeted 2%. He said wages needed to be increased by \$1/hour for town employees and the highway budget couldn't be cut like it was last year. Therefore, he suggested putting \$30,000 from the fund balance toward lowering the tax rate. Bill said once the budget was raised, that laid the foundation for bigger budgets in the future and the fund balance wouldn't be around forever.

The way Bill saw it, personnel costs were responsible for the increase, not just in wages, but in insurance. While he believed that employees should be paid competitive wages, he wondered if the town could operate on a three-and-a-half-person road

crew and he wished the town would get out of the health insurance business. A 4.4% increase in the budget was hard on those with fixed incomes.

Liz noted that every year it seems the highway department does not completely spend its budget. Cindy said that wouldn't happen this year. The board agreed to think more about the budget and vote on it at the next regularly scheduled meeting of January 12, 2016.

Liz left the meeting.

#### **OTHER BUSINESS**

# MOTION: Steve moved and Bill seconded approval of the December 1, 2015, Select Board meeting minutes. The motion passed.

#### MOTION: Mary moved and Bill seconded approval of Red Hen's liquor license renewal. The motion passed.

The Board discussed the CVRPC's request for a "voluntary donation" from communities involved in an upcoming hazard mitigation plan and decided to table the issue until the end of the fiscal year.

Peter signed the VT AOT Grant Agreement for repaving Shady Rill Road.

All orders were signed.

The Board granted Timberline Events permission to use the Town Hall parking lot for a road race on the weekend of June 11, 2016.

Peter adjourned the meeting at 7:02 p.m.

Respectfully submitted,

Sarah Merriman Town Clerk/Select Board Assistant

The Middlesex Select Board:

Peter O. Hood, Chair

Mary Just Skinner, Vice Chair

William Callnan

Steven Martin

Elizabeth Scharf

I attest that the above Middlesex Select Board minutes were approved at a duly warned Select Board meeting of 1/12/2016.

Sarah Merriman, Town Clerk

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

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

Check the box  $\mathbf{M}$  if the information is included as part of the documentation submitted.

- A description of the affected highway or trail A Vt. Stat. Ann. tit. 19, § 305(e)
- Minutes of meetings at which the legislative body took action with respect to the changes  $\nabla$ (include copies of the meeting minutes) Vt. Stat. Ann. tit. 19, § 305(e)
- A current town highway map with the requested deletions and additions sketched on it M Vt. Stat. Ann. tit. 19, § 305(e) See h. Shlighted Anzo
  - Evidence of written notice to adjoining landowners (include a copy of the newspaper notice and a copy of the letter sent to adjoining landowners) Vt. Stat. Ann. tit. 19, § 709
  - A copy of any surveys of the affected highway or trail\* Vt. Stat. Ann. tit. 19, § 305(e) Vt. Stat. Ann. tit. 19, § 704
  - \*Note: A survey shall not be required for class 4 town highways that are legally established prior to February 10, 2006 // and a survey is not needed for Discontinuances.

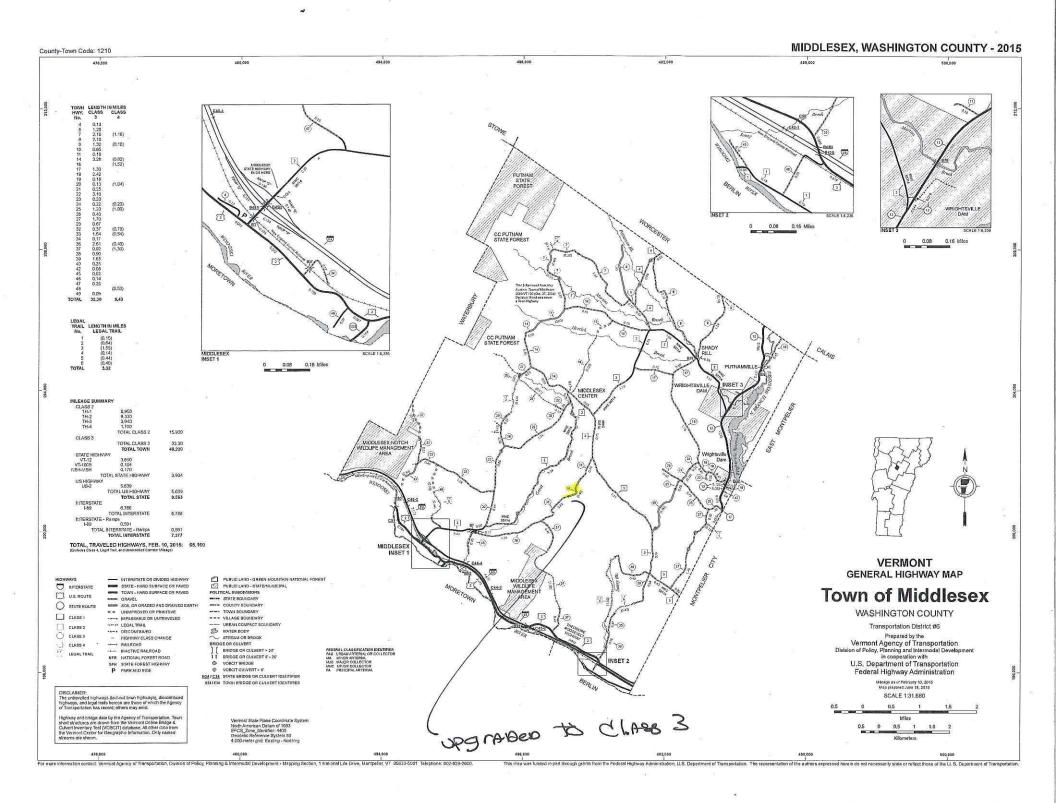
For Class 3 or Class 4 town highway additions A Certificate of Completion and Opening While not required by statute, a Certificate of Completion and Opening form is a helpful document for the record.

X

will come Atter 1.26.16 S. B. meil

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

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



## MIDDLESEX PUBLIC NOTICE

Pursuant to V.S.A. 19 §709, notice is hereby given that the Middlesex Select Board will hold a public hearing at 5 p.m., Tuesday, December 15, 2015, in the Middlesex Town Clerk's Office, 5 Church Street, Middlesex, to consider upgrading .40 of a mile of McCullough Hill Road from Class IV to Class III.

- Sarah Merriman,

Middlesex Town Clerk/Select Board Assistant November 12, 2015

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Special Services Director Barry Town Midda and Bern Town Midda and Bern Town Midda and Bern Town Midda and Director Barry School TW Maber (18 Ref Bern Town Midda and Bern Town Midda a	Employment - General 2010 BARRE TOWN MIDDLE ELEMENTAR'S CHOOL Immediate Opening 1.0 FTE PARA-EDUCATOR Seeks special education classroom support para- education for students in Grades K-4, Experience with behavior support is students, performed, latter, example, and brack targets targets, and targets targets, and brack targets targets, and t	Employment - Ceneral 2010 Reserv (MORDEL Exercise Classifier In the provide optimizer to permanent the time position. Expension and re- dender, we will know the interposi- tion optimizer of the interposition and permission (Respective) and Exativity, Market Hours are Monday. Wetendardy, and Forder evening and Exativity, Market Scatter and Vetender Wetender, and Forder evening and Exativity, Market Scatter and Vetender Wetender, Broterd Exatter Scatter Broterd Banco Blunceckaning.com	MIDDLESEX PLANNING COMMISSION The Middlese Planning Commission will meet at 5:30 pm, December 5, 2016, in the Middlese Chena Office at 5 Childh Birni, bir December 18th. This will replace the topdat meeting scheduled for December 18th. Employment - General 2010	MORTGAGEES NOTICE OF FORECLOSURE SALE OF REAL PROPERTY UNDER 12 V.S.A. sec 4552 et seq. As detectly by Covia Viont in Margue Extensio Registration Senters, file, as comines for Creating Francial Group LLG is
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pregnant and parcenting women and their children in a method work with the soft and conveyed tablet to all their children in a method is a parcenting women and their children in a method is method in the soft and conveyed tablet to all their children in the soft and conveyed tablet to all the soft and conveyed tablet tabl	Legismonte II Immedia: STORE N Our growing employee own applications for a Store Mu Condidates must postesis entry, and strong managemes Store Phanger Is required. P All applicants incersteding please forward resumes to	b Difference, the Opening CANAGER HANAGER HANAGER HANAGER HANDBURG	residential treatment setting. Shifai include evening, avake overnight, and weekend hours. Ideal for those with alternative schedules and night owis! Minimum of Bachelors degree in human sorvices related field and experience providing care to young children; shifai ya data data publich, needed, Looking for a candidate that is a quick problem-solver and able to work independently during non-relational hours. Experience working in residemial texturent setting proteined. Valid divers' license required. Shift differential offered. Care of a population to avail and provide the shift of the setting proteined. Valid divers' license required. Shift differential offered. Care of populations to avail and event of the setting protein the solution. Sarting \$14-316/br - shift differential hours. Sub positions also available. To apply please send resume and cover letter along to. Jamie Tourangeau, 1RR Manage, PO Bac 4009, Burlington, VT 05 406- 4009 far (2013 66-1619) result. Jamiel Tourangeau, 1RR Manage, PO Bac 4009, Burlington, VT 05 406- 4009 far (2013 66-1619) result.	Terms of sale: Sale prehises will be sold and consynd subject 0 all first, encountrance, unpaid task, to tide, municipal tens and assessments, if <i>Lary</i> , which this periodeneo ever the saled motinges above distributed paid in cash, certified of tech, bank to sale check at the time and place of the sale by the porthaser. The balance of the partials place is allowed and in cash, certified of tech, bank to sale of tech partials place is allowed and in cash, certified of tech, bank to sale of tech partials beck within thing (30) styles after the date of sale. The motigopier is article for evelower the partials and y time pion to be sale by paying the full amount deu under the motigope, including the sale. DATED : October 23, 2015 Dyr. <i>Int</i> : Valeida A. Fronzy, Esq. Valeida A. Fronzy, Esq. Bandini and Miching, PC Constant and Allonge, To Sale Formingting, CT 69322 (600) 605-1021

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### TOWN OF MIDDLESEX

Office of:

Town Clerk Treasurer Select Board Listers Board of Civil Authority Zoning Administrator Planning Commission Board of Abatement 5 Church Street Middlesex, Vermont 05602 Tel. (802) 223-5915 middlesxtwnclrk@comcast.net Fax: (802) 223-1298

November 12, 2015

Andre and Linda Burnier 89 McCullough Hill Road Middlesex, Vermont 05602

Dear Andre and Linda:

You are being sent this notice via regular and certified mail as required under V.S.A. 19 § 709 because the portion of McCullough Hill Road that might be upgraded potentially abuts your property. Attached is a snapshot of the 2015 official Agency of Transportation map for the Town of Middlesex showing the .40 mile in question. If you have any questions, please don't hesitate to call the Town Clerk's Office at 223-5915.

CC. Dustin Chessmant Sonly Vie Dusye potter PAT Freems Robert + Scottie 18-04

Sarah Merriman Town Clerk/Select Board Assistant

#### MIDDLESEX PUBLIC NOTICE

Pursuant to V.S.A. 19 §709, notice is hereby given that the Middlesex Select Board will hold a public hearing at 5 p.m., Tuesday, December 15, 2015, in the Middlesex Town Clerk's Office, 5 Church Street, Middlesex, to consider upgrading .40 of a mile of McCullough Hill Road from Class IV to Class III.

- Sarah Merriman, Middlesex Town Clerk/Select Board Assistant November 12, 2015



### **TOWN OF MIDDLESEX**

Office of: Town Clerk/Treasurer Selectboard Listers Zoning Administrator , Planning Commission Conservation Commission School District Treasurer 5 Church St. Middlesex, Vt. 05602 Tel. (802) 223-5915 Fax (802) 223-1298 Email: middlesxtwnclrk@comcast.net

#### CERTIFICATION

I, Sarah Merriman, Town Clerk and Select Board Assistant for the Town of Middlesex, Vermont, hereby certify the following:

- That at a regularly scheduled meeting of the Middlesex Select Board on November 10, 2015, as part of a duly-warned Agenda item, the Board voted to hold a public hearing on December 15, 2015 to hear testimony re: upgrading .4 mile of McCullough Hill Road (TH36) from Class 4 to Class 3.
- That on November 12, 2015, public notice of the hearing (attached) was published in three places around town: Rumney Memorial School, the Town Clerk's Office and Middlesex Town Hall. In addition, notice of the hearing was posted on the home page of the town's website: middlesexvermont.org, and in a legal ad published in the Times Argus on Friday, November 13, 2015. (Please see attached.)
- That on November 12, 2015, certified letters of the notice and upcoming hearing were mailed to the following abutting landowners: Andre and Linda Burnier, Vic Dwyer, Patrick Freeman, Dustin Cressman and Emily Potter, and Robert and Scottie Brower. (Please see copies of returned receipts attached.)
- That between November 12 and December 15, 2015, all members of the Middlesex Select Board inspected the area of road to be upgraded.
- That on December 15, 2015, the Select Board took testimony from members of the public regarding the McCullough Hill Road upgrade. The Board closed public comment, discussed the issue and voted unanimously to upgrade the .4 mile of McCullough Hill Road. (Please see attached minutes.)
- That on January 19, 2016, certified letters were mailed to the above abutting landowners apprising them of the upgrade to .4 of a mile of McCullough Hill Road.

I so attest:

Sarah Merriman, Middlesex Town Clerk and Select Board Assistant. January 19, 2016