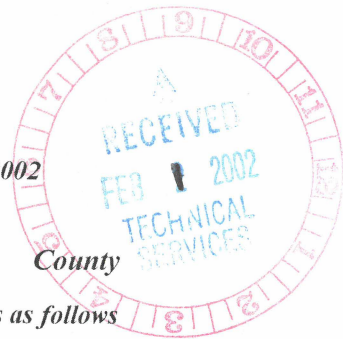


District 1

CERTIFICATE OF HIGHWAY MILEAGE
YEAR ENDING FEBRUARY 10, 2002



Fill out form, make and file copy with the Town Clerk, and mail ORIGINAL, before February 20, 2002 to: VT Agency of Transportation, Technical Services Division, Drawer 33, Montpelier, VT 05633.

We, the Selectmen or Aldermen or Trustees of MANCHESTER in BENNINGTON County

on an oath state that the mileage of highways, according to Title 19, V.S.A, Sec #305, added 1985, is as follows

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

Table with 6 columns: Town Highways, Previous Mileage, Added Mileage, Subtracted Mileage, Total, Scenic Highways. Rows include Class 1, Class 1 Lane, Class 2, Class 3, State Highway, Class 4, and Total. Includes handwritten corrections in blue ink.

\* Class 1 Lane Mileage and Class 4 is NOT included in total.

rounding by Mike Elby 2/5/02

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). a 470' portion of Benson Rd. (TH78)
3. RECLASSIFIED/REMEASURED: Please attach SIGNED copy of proceedings (minutes of meeting).
4. SCENIC HIGHWAYS: Please attach a copy of order designating/discontinuing Scenic Highways.

IF THERE ARE NO CHANGES IN MILEAGE: Check box and sign below. [ ]

PART III - SIGNATURES - PLEASE SIGN.

Selectmen/ Aldermen/ Trustees Signatures:

Handwritten signatures of Sarah A. Spence, Margaret F. Bell, and Carl Mattie.

Clerk Signature:

Handwritten signature of Heidi L. Spence, Clerk.

Date Filed:

January 31, 2002

Please sign ORIGINAL and return it for Transportation signature.

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

APPROVED:

Handwritten signature of Michael Shigute, Representative, Agency of Transportation

DATE:

2/5/02

SELECTBOARD MEETING                      MINUTES                      JANUARY 15, 2001

Attendance: Ivan Beattie, Sally Treat, Michael Kilburn, Wayne Bell, Jeffrey Wilson, Martha Robertson, names per sign in sheet

The meeting was called to order by Chairman Beattie at 7:14 p.m.

MINUTES

**Kilburn moved, Treat seconded, to approve the minutes of January 2, 2001 as submitted. Motion carried 4-0.**

PJ NELSONS - LIQUOR LICENSE APPLICATION

Lew Levin, Jr. was present to answer the Board's questions and address concerns relative to his liquor license application. Beattie read into record letters of recommendation from Sen. Sears and George Allard and Wilson read a memo from Chief Wessner (*memo appended*). Levin also explained that he is the sole owner of the corporation. **Bell moved, Treat seconded, to execute the liquor license for PJ Nelsons. Motion carried 4-0.**

2001 ANNUAL TOWN MEETING WARNING - REVIEW

The Board reviewed the Warning. No changes or additions were offered.

CORRESPONDENCE

Bill Johnson, VT Dept of Taxes, Property Valuation and Review - relative to the State Equalization study. Manchester's Common Level Appraisal is at 94.02%. Wilson informed the Board that Barbara Andrejczak recommended filing an appeal so as to be able to analyze the information. The Vermont Coalition of Municipalities is also recommending that towns appeal and will be assisting some communities in this effort. **Treat moved, Bell seconded, to petition for redetermination of the 2000 Equalized Education Grand List as allowed under Title 32 § 5408, and authorized the chair to execute same. Motion carried 4-0.**

OTHER BUSINESS

The Board discussed the request by Southwestern Vermont Council on Aging to have the Town administer a Healthier Community Grant as brought before them at the last meeting. **Treat moved, Kilburn seconded, to approve the request to administer said grant, with the condition that the grantor condone and authorize such Town administration of the grant. Motion carried 3-1 (Bell opposed).**

**Benson Road discontinuance:** The Board considered the Selectboard's Findings and Order of Discontinuance that Town Counsel had previously reviewed and made changes to. **Bell moved, Treat seconded, to execute the Order of Discontinuance. Motion carried 4-0.**

A Federal grant for \$352,000 has been earmarked for Manchester but still needs to be applied for. There are four components, as recommended by TIC to staff, for which the grant could be used: three would be actual construction projects (North Main Street sidewalk reconstruction, Rt 7A North sidewalk extension to Manchester Mobile Home Park, and Richville Road sidewalk extension) and one study analysis (Rt 11/30 corridor). The Board directed Wilson to develop the required grant application based upon these projects.

Grant money is available to help municipalities implement "traffic calming devices" as developed by VAOT. One device is a speed "hump" which could be used on Memorial Ave. in response to the School Board's request to slow traffic on that street. The Board authorized Wilson to pursue the grant for said project.

At the time of the meeting, Wilson had not received a response from David Manz (VT Dept of Health) who did the initial evaluation of the Rescue Squad and to whom the Rescue Squad submitted its Improvement Plan. Wilson will update the Board if there is any new information.

The Board will meet on January 25, 2001 at 5:00 p.m. to execute the Annual Town Meeting Warning.

Meeting adjourned at 8:25 p.m.

Clerk

Janet A. Hunt

TOWN OF MANCHESTER  
STATE OF VERMONT

SELECTBOARD'S FINDINGS AND ORDER OF DISCONTINUANCE

The Select Board of the Town of Manchester initiated proceedings pursuant to 19V.S.A. § 708 *et seq.* to consider whether a section of Town Highway 78, known as Benson Road, described in Schedule A attached, (the "Road"), should be discontinued.

The Select Board held an inspection of the Road on November 21, 2000, and then immediately thereafter convened a public hearing to consider testimony on the question of whether to discontinue the Road.

After consideration of public comments at the hearing, and based upon an inspection of the premises, the Select Board makes the following findings and conclusions, and issues the following order.

FINDINGS

1. The Road is surrounded on both sides by lands owned by Jeffrey O. Nyweide.
2. Mr. Nyweide's residence is located at or near the termination of the Road and is the only residence served by the Road. The Road is not necessary to provide a means of ingress or egress to any other residence or public facility.
3. There exists on other nearby lands of Mr. Nyweide a suitable location for a "turnaround" for town highway maintenance vehicles, and Mr. Nyweide has agreed to donate a suitable easement to construct an alternative "turnaround" suited to municipal purposes.
4. Mr. Nyweide favors the discontinuance of the Road.

CONCLUSIONS

Based on the foregoing Findings, the Select Board concludes that the public good, necessity and convenience of the residents requires that the Road be discontinued. The discontinuance is appropriate based on the Road's location within the lands of Mr. Nyweide and its use primarily as access to his residence. Maintenance of the remaining portions of Town Highway 78 will not be impacted because a "turnaround" for town highway maintenance vehicles will be located on other lands of Mr. Nyweide.

THEREFORE, it is ORDERED that the Road as described on Schedule A shall be discontinued, and fee simple title to the Road shall revert to Jeffrey O. Nyweide, effective April 30, 2001, subject to the the following conditions:

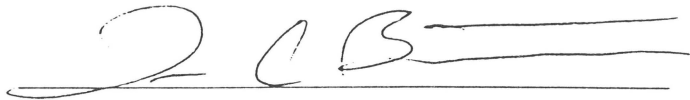
A. Receipt by the Town Manager, on or before April 30, 2001, of a payment of \$500.00 by Jeffrey O. Nyweide to be applied to the costs of construction of a new "turnaround" for town highway maintenance vehicles.

B. Tender to the Town for recording, on or before April 30, 2001, of an easement in the customary Vermont form of a warranty deed, by Jeffrey O. Nyweide to the Town of Manchester for the location of a "turnaround" on other lands owned by him, in form satisfactory to the Town of Manchester's legal counsel and engineers.

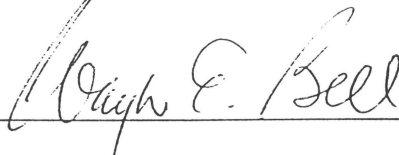
If either of the foregoing conditions are not satisfied, time being of the essence, the Selectboard may make such further order as they find necessary, consistent with law. Recording of the easement with signed acceptance by the Town, on or before April 30, 2001, shall be conclusive proof that the conditions have been satisfied.

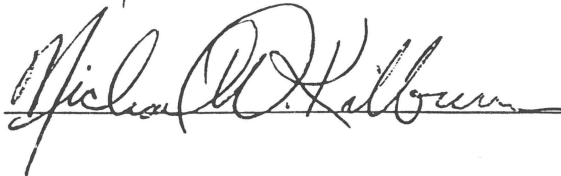
Dated: January 15th, 2001.

TOWN OF MANCHESTER SELECT BOARD

  
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## SCHEDULE A

Being that portion of Town Highway 78, known as Benson Road, commencing at the point where lands of Jeffrey O. Nyweide border both sides of the highway, thence in a general easterly direction through lands of Nyweide to the point of termination of the town highway on lands of Nyweide. The right of way is up to three rods in width. The segment of highway herein described is depicted on the annexed, annotated copy of Tax Map #6, marked "Portion of Highway 78 to be Discontinued."