

District 1

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 MANCHESTER in BENNINGTON 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	4,583				0.000
Class 2	15,650		0.28		0.000
Class 3	23.55	0.1	0.31	23.34	0.000
State Highway	16,619		-0.023	16.596	0.000
Total	60.402				0.000
* Class 1 Lane	0.559	0.12			
* Class 4	7.49	0.21	0.20	7.7	0.000
* Legal Trail	0.04		0.04		

* 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.

Adjustments by
S. Moulton
4/19/2016

1. NEW HIGHWAYS: Please attach Selectmen's "Certificate of Completion and Opening":

IRENE WAY 0.1 miles CLASS 3

2. DISCONTINUED: Please attach SIGNED copy of proceedings (minutes of meeting).

SUGARHOUSE LANE 0.075 miles
WILCOX LN 0.235

LEGAL TRAIL 1 -
0.04 m.

3. RECLASSIFIED/REMEASURED: Please attach SIGNED copy of proceedings (minutes of meeting).

0.023 ml State Highway: US-7 Exit 4 spur off Ramp D was removed in 2012

SUGARHOUSE LN - CLASS 3 to 4 0.12 miles

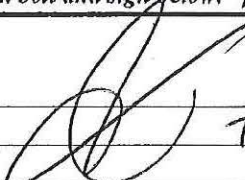
4. SCENIC HIGHWAYS: Please attach a copy of order designating/discontinuing Scenic Highways.

→ see attached sheet for Discontinued adjustments

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

PART III - SIGNATURES - PLEASE SIGN.

Selectmen/ Aldermen/ Trustees Signatures:

 JOHN O'KEEFE
TOWN MANAGER

T/C/V Clerk Signature:



Date Filed:

4-12-16

Please sign ORIGINAL and return it for Transportation signature.

AGENCY OF TRANSPORTATION APPROVAL:

Signed copy will be returned to T/C/V Clerk.

APPROVED:

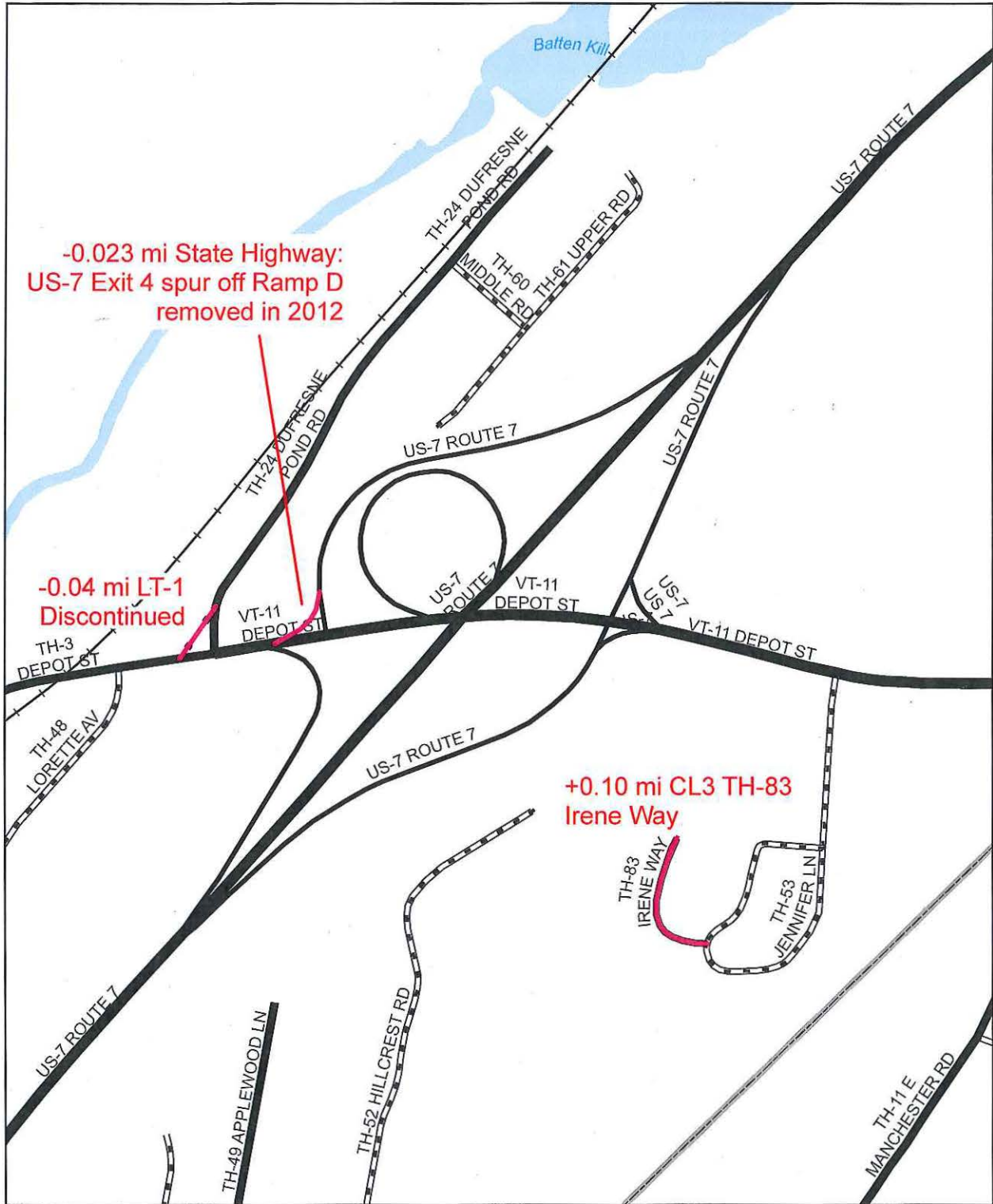

Representative, Agency of Transportation

DATE:

5/12/2016

MANCHESTER
2016 Cert Changes
 Worksheet
 19-Apr-16

	STATE HIGHWAY		CLASS 3		CLASS 4		LEGAL TRAIL	
			Add	Subtract	Add	Subtract	Subtract	
New	TH-83	Irene Way	0.10					
Discontinuance	TH-68	Little John Rd		-0.02				
	TH-34	Sugarhouse Ln		-0.08				
	TH-50	Wilcox Ln		-0.06		-0.20		
	LT-1	LT-1					-0.04	
Remeasured Reclassified	US-7 Exit 4 spur off Ramp D		-0.023					
	TH-34	Sugarhouse Rd		-0.12	0.12			
		Total	-0.023	0.10	-0.28	0.12	-0.20	-0.04



-0.023 mi State Highway:
US-7 Exit 4 spur off Ramp D
removed in 2012

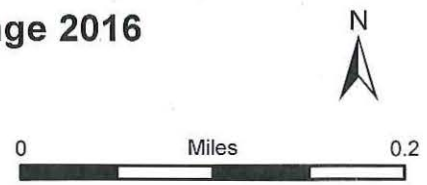
-0.04 mi LT-1
Discontinued

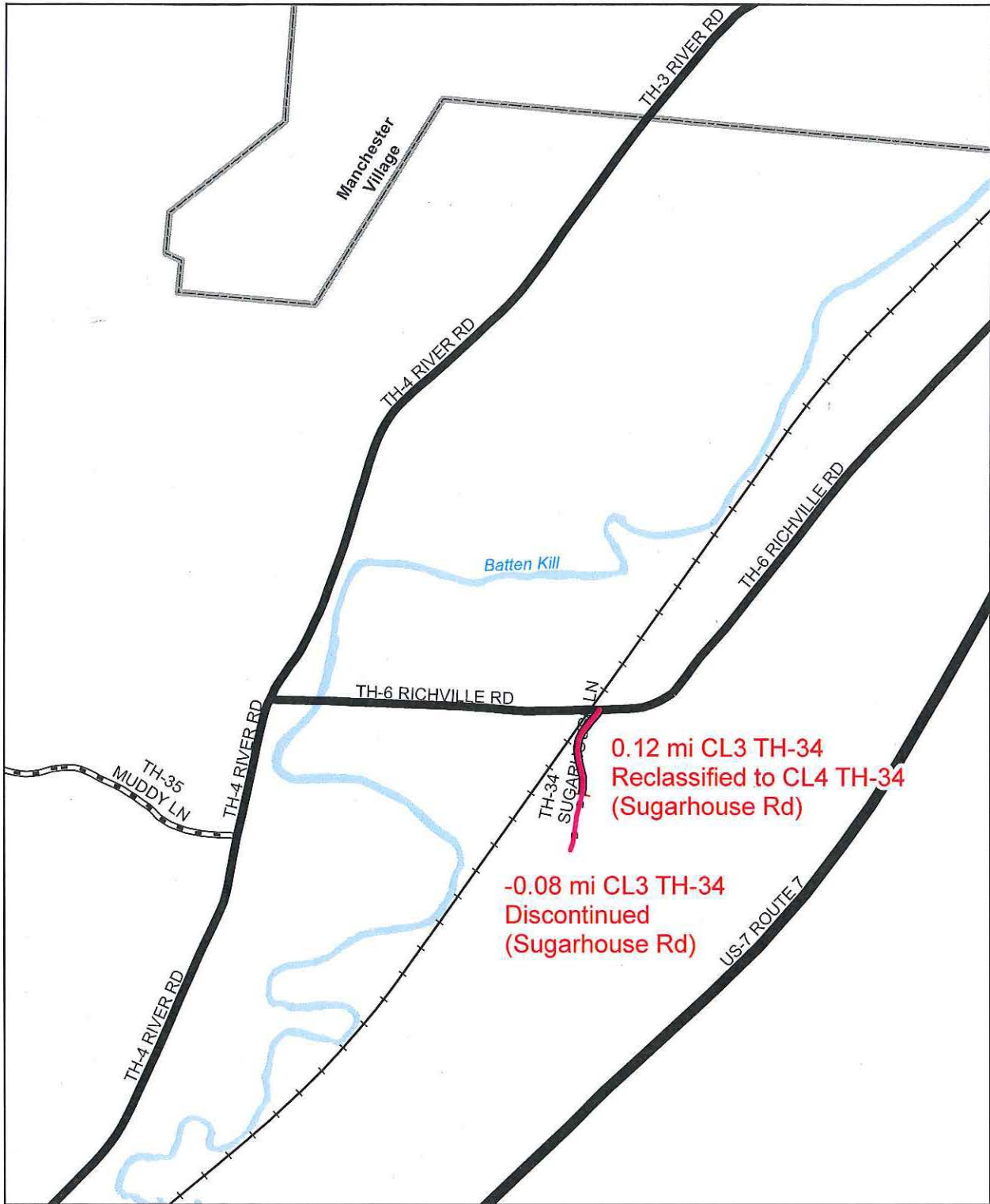
+0.10 mi CL3 TH-83
Irene Way

Mileage Certificate Change 2016
MANCHESTER

(CTUA: 0206)

Mapping Section
Division of Policy, Planning and Intermodal Development
Vermont Agency of Transportation - April 2016





Mileage Certificate Change 2016
MANCHESTER

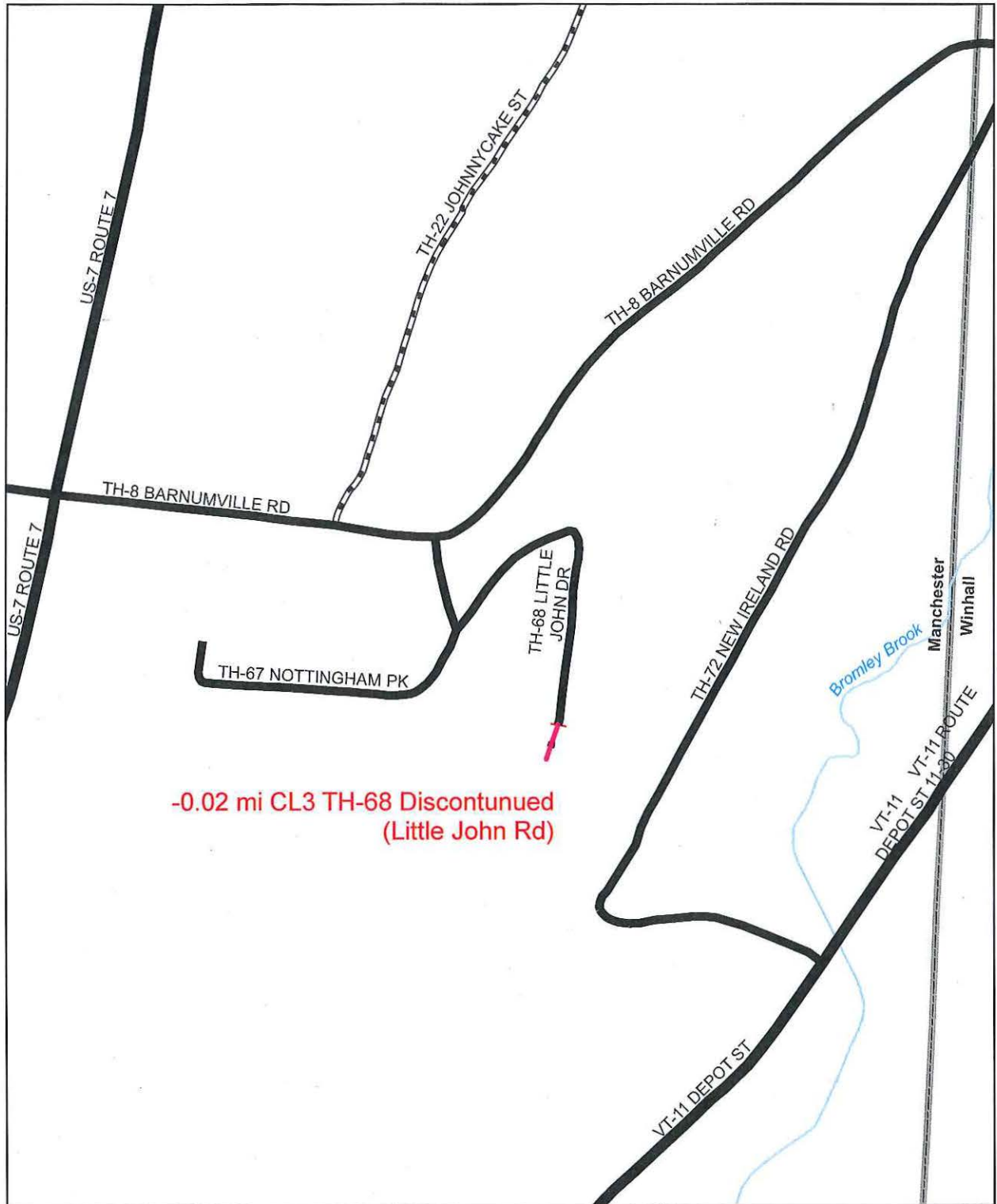
(CTUA: 0206)

Mapping Section
Division of Policy, Planning and Intermodal Development
Vermont Agency of Transportation - April 2016



0 Miles 0.2



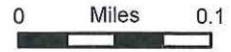


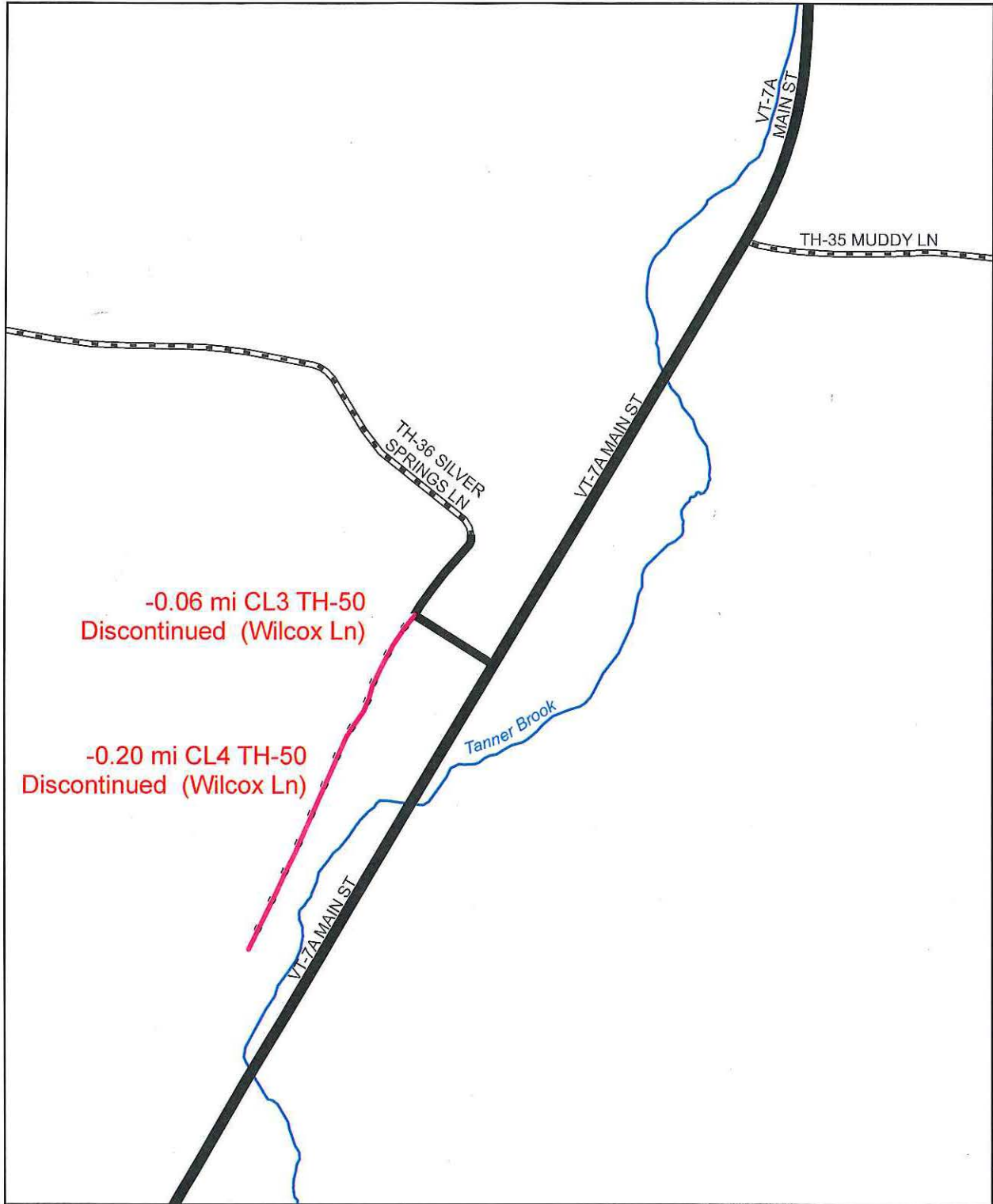
-0.02 mi CL3 TH-68 Discontinued
(Little John Rd)

Mileage Certificate Change 2016
MANCHESTER

(CTUA: 0206)

Mapping Section
Division of Policy, Planning and Intermodal Development
Vermont Agency of Transportation - April 2016

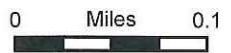


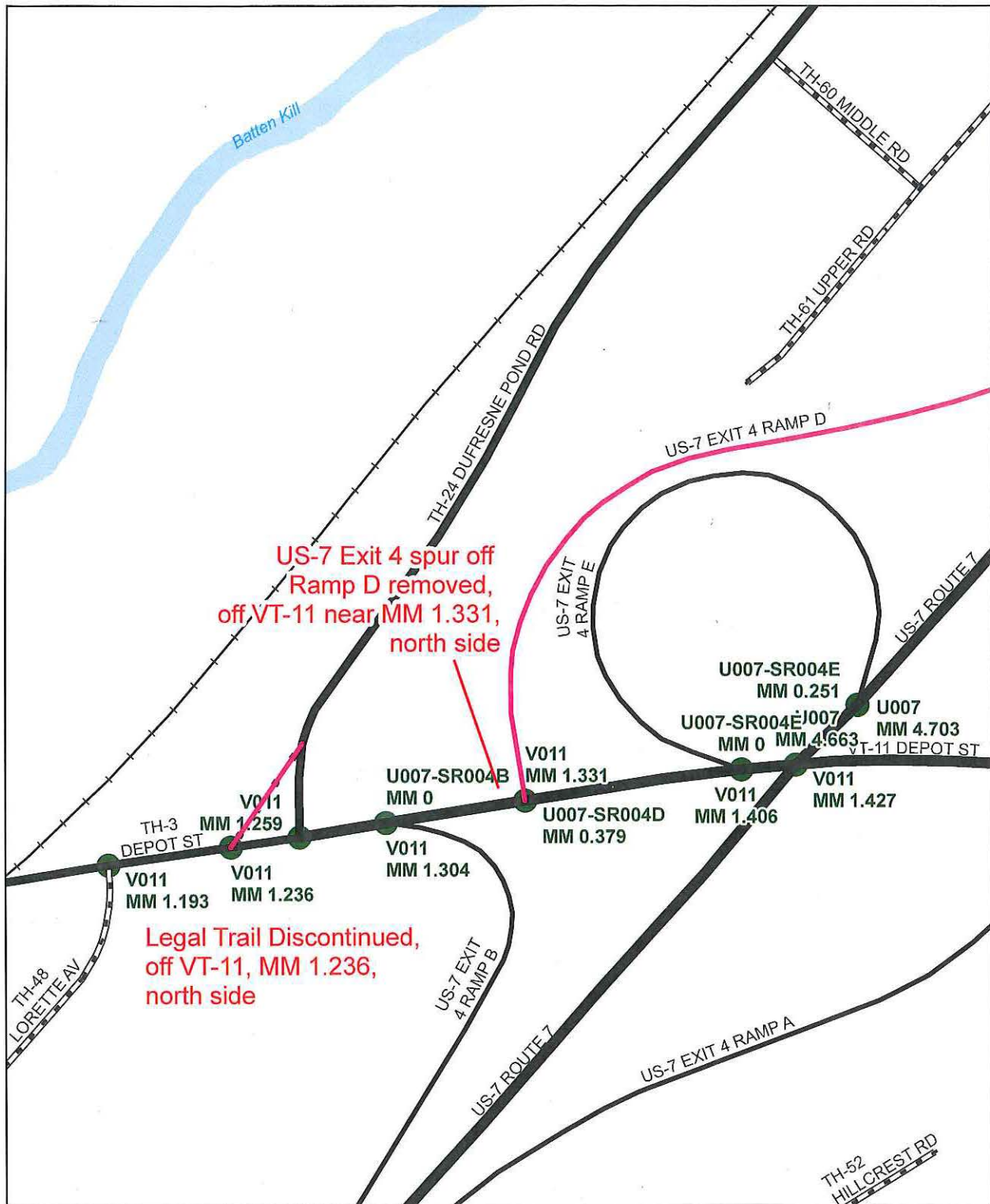


**Mileage Certificate Change 2016
MANCHESTER**

(CTUA: 0206)

Mapping Section
Division of Policy, Planning and Intermodal Development
Vermont Agency of Transportation - April 2016





Mileage Certificate Change 2016 MANCHESTER

(CTCODE: 0206)

Mapping Section
Division of Policy, Planning and Intermodal Development
Vermont Agency of Transportation - April 2016



0 Miles 0.05



District 1

CERTIFICATE OF HIGHWAY MILEAGE
YEAR ENDING FEBRUARY 10, 2016

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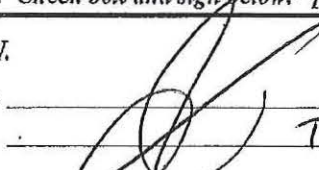
SUGARHOUSE LN - CLASS 3 to 4 0.12 miles

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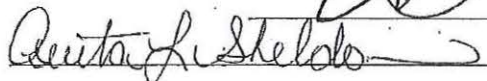
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 JOHN J. KEEFE
TOWN MANAGER

T/C/V Clerk Signature:



Date Filed:

4-12-16

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AGENCY OF TRANSPORTATION APPROVAL:

Signed copy will be returned to T/C/V Clerk.

APPROVED:

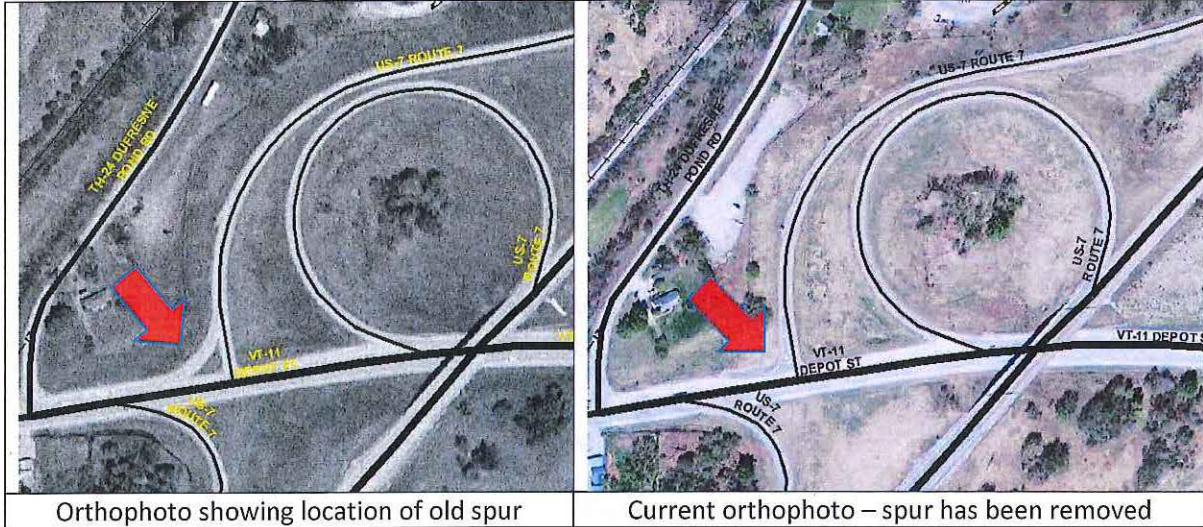
Representative, Agency of Transportation

DATE:

MANCHESTER

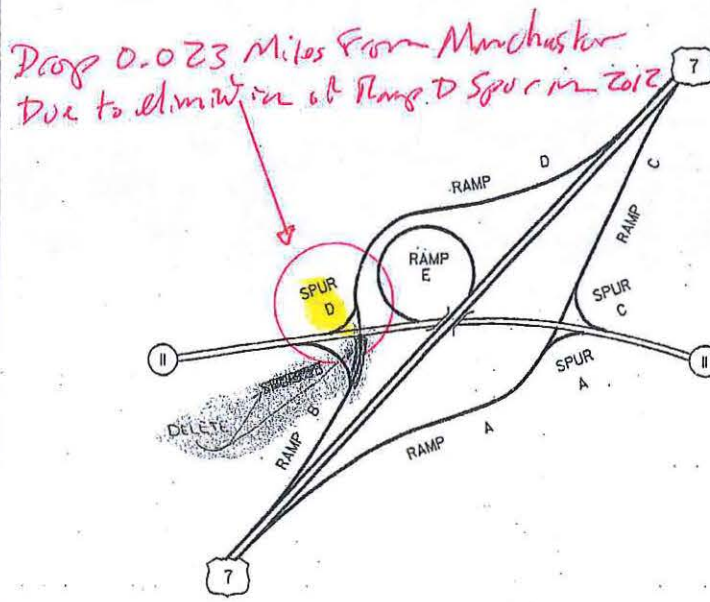
2016 Certificate of Mileage Change

-0.023 miles State Highway: US-7 Exit 4 spur off Ramp D was removed in 2012



(see page 2 for interchange diagram)

MANCHESTER INTERCHANGE
NO. 4



BRIDGE DESCRIPTIONS

22-1-11 48'C.A.P. S.S.B.1990
RDY. 24' 280'L.G.
WTW. 12.5 50'FT.

21-1-E 48'C.A.P. S.S.B.1990
RDY. 24' 280'L.G.
WTW. 12.5 50'FT.

RAMPS	MILEAGE	SPUR	TRAFFIC			
			1980	1982	1984	1988
RAMP A	0.367	A 0.017	0	0	0	0
RAMP B	0.214	DELETE	0	0	0	0
RAMP C	0.254	C 0.056	0	0	0	0
RAMP D CHANGE	0.379	D 0.023	0	0	0	0
RAMP E	0.251		0	0	0	0
RAMP RAMP TOTAL	1.465	0.076				
RAMP SPUR TOTAL	1.505	0.076				
TOTAL MILES	1.581					

TOWN 06	SHEET
MANCHESTER	IIA/40
DIST. I	DATE: DEC. 1992

BRIDGE MILEAGE CHANGE

Moulton, Sara

From: Moulton, Sara
Sent: Tuesday, April 12, 2016 1:33 PM
To: 'O'KEEFE, JOHN'
Subject: RE: Manchester Certificate of Highway Mileage
Attachments: Manchester_MileageChange.pdf

The spur off Ramp D in US-7 Interchange 4 was removed in 2012 (see attached for more illustration).
Sara Moulton

From: O'KEEFE, JOHN [mailto:j.okeefe@manchester-vt.gov]
Sent: Monday, April 11, 2016 2:47 PM
To: Moulton, Sara <Sara.Moulton@vermont.gov>
Subject: Re: Manchester Certificate of Highway Mileage

we have all that. i'll put it together and email it off today or tomorrow at the latest.

we actually did the discontinuance correctly (i am not statewide if it is always done right).

what is the 0.023 mileage subtraction on the form? can you remind me again?

On Mon, Apr 11, 2016 at 1:49 PM, Moulton, Sara <Sara.Moulton@vermont.gov> wrote:

It would be appropriate to include the discontinuances that occurred in 2015.

Be sure to include documentation that demonstrates that the town followed the discontinuance process as defined in V.S.A. Title 19, § 709. Notice and hearing

<http://www.leg.state.vt.us/statutes/sections.cfm?Title=19&Chapter=007>

Specifically, we need:

- a copy of the minutes of meetings at which the legislative body took action with respect to the discontinuance
- a copy of the notice that was sent to the abutting landowners via certified mail,
- a copy of the notice that was sent to the local newspaper including the name of the newspaper, and
- a copy of the minutes of the site visit.

Sara Moulton

From: O'KEEFE, JOHN <j.okeefe@manchester-vt.gov>

Sent: Monday, April 11, 2016 12:03 PM

To: Moulton, Sara

Subject: Re: Manchester Certificate of Highway Mileage

Great. We did discontinue some roads in November of 2015. That should be on the new form, right?

On Mon, Apr 11, 2016 at 11:22 AM, Moulton, Sara <Sara.Moulton@vermont.gov> wrote:

I've double-checked with my supervisor who says that it will be ok for the Town Manager to sign the Certificate.

Sara

From: O'KEEFE, JOHN [mailto:j.okeefe@manchester-vt.gov]

Sent: Monday, April 11, 2016 11:17 AM

To: Moulton, Sara <Sara.Moulton@vermont.gov>

Cc: a.sheldon@manchester-vt.gov

Subject: Re: Manchester Certificate of Highway Mileage

I don't have a signed copy.

In some cases the Town Manager can sign documents like this. Is that possible? Otherwise, it will have to wait until May.

On Mon, Apr 11, 2016 at 10:42 AM, Moulton, Sara <Sara.Moulton@vermont.gov> wrote:

It looks like the original hardcopy of the Certificate that was sent in January was sent to the Selectboard Chair via the Selectboard Clerk (see attached). The follow up letter sent in mid-March would have been sent to the same address. Is there a chance the Selectboard might have it?

Sara Moulton

From: O'KEEFE, JOHN [mailto:j.okeefe@manchester-vt.gov]
Sent: Monday, April 11, 2016 10:22 AM
To: Moulton, Sara <Sara.Moulton@vermont.gov>
Subject: Re: Manchester Certificate of Highway Mileage

Sara, sorry for the delay. I think this got lost. Did you send this to Linda Spence via email before? Linda passed away - Anita Sheldon is our new clerk at a.sheldon@manchester-vt.gov.

Because of spring break, we aren't meeting again until May 3. Is that too late?

On Mon, Apr 11, 2016 at 10:18 AM, Moulton, Sara <Sara.Moulton@vermont.gov> wrote:

Attached is a copy of the 2016 Certificate of Highway Mileage which was sent to the town in early January. We are at a point where we would like to close the 2016 Certificate Process by the end of the week and would like to incorporate the changes that were preloaded. Where is the town in the process of signing the Certificate?

Please let me know if you have any questions.

Sara Moulton, GISP

Mapping & GIS Specialist, Mapping Section

Division of Policy, Planning and Intermodal Development

Vermont Agency of Transportation (VTrans)

Tel: [802-828-2109](tel:802-828-2109)

--

John P. O'Keefe, Town Manager
Town of Manchester, Vermont
6039 Main Street
Manchester Center, VT 05255

P: [\(802\) 362-1313](tel:(802)362-1313), option 2
F: [\(802\) 362-1314](tel:(802)362-1314)
E: j.okeefe@manchester-vt.gov

Check out the Town of Manchester at our website<<http://www.manchester-vt.gov>>
, Facebook<<http://www.facebook.com/pages/Town-of-Manchester-VT/168221003188149>> and
Twitter <http://twitter.com/Manchester_VT>.

--

John P. O'Keefe, Town Manager
Town of Manchester, Vermont
6039 Main Street
Manchester Center, VT 05255

P: [\(802\) 362-1313](tel:(802)362-1313), option 2
F: [\(802\) 362-1314](tel:(802)362-1314)
E: j.okeefe@manchester-vt.gov

Check out the Town of Manchester at our website<<http://www.manchester-vt.gov>>
, Facebook<<http://www.facebook.com/pages/Town-of-Manchester-VT/168221003188149>> and
Twitter <http://twitter.com/Manchester_VT>.

--

John P. O'Keefe, Town Manager
Town of Manchester, Vermont
6039 Main Street
Manchester Center, VT 05255

P: [\(802\) 362-1313](tel:(802)362-1313), option 2
F: [\(802\) 362-1314](tel:(802)362-1314)
E: j.okeefe@manchester-vt.gov

Check out the Town of Manchester at our website<<http://www.manchester-vt.gov>>

Alley, Kerry

From: Croft, Johnathan
Sent: Thursday, October 15, 2015 3:01 PM
To: Alley, Kerry
Cc: Moulton, Sara
Subject: Mileage Certificate upate - Manchester US-7 Ramp at Exit 4

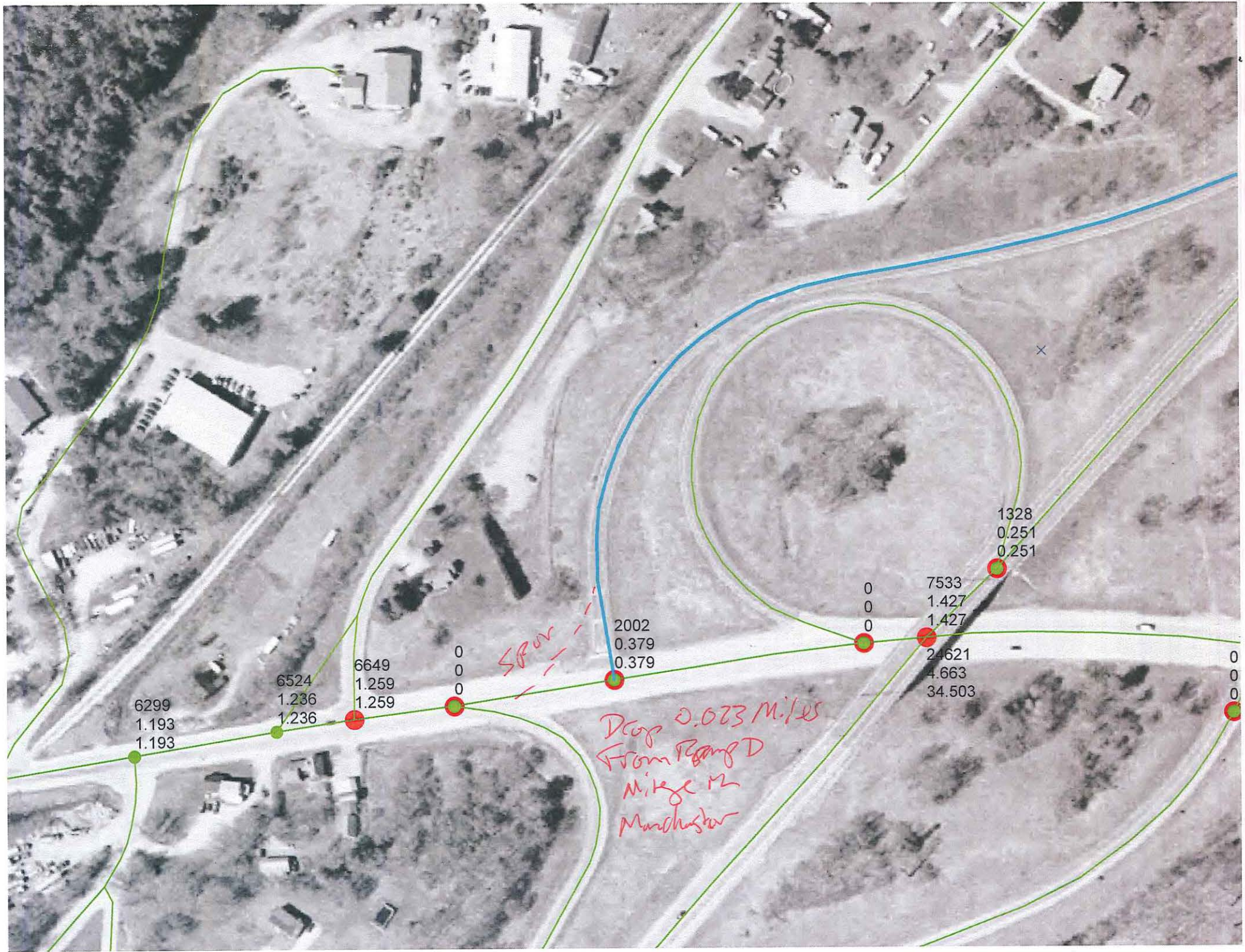
Good afternoon Kerry,

Please add an update of -0.023 miles for Ramp D at Exit 4 in Manchester. Spur D was eliminated in 2012, but the mileage was fused to Ramp D and was never dropped from the Certificates. To get the mileage and LRS in synch, it is necessary to drop the spur mileage of 0.023 and have the ramp mileage go from 0.402 to 0.379 miles. The RDS and Mileage Anno have been updated, just the Mileage Certificate needs to have the change noted.

Thanks,

Johnathan Croft
VTrans Mapping Section
(802) 828-2600

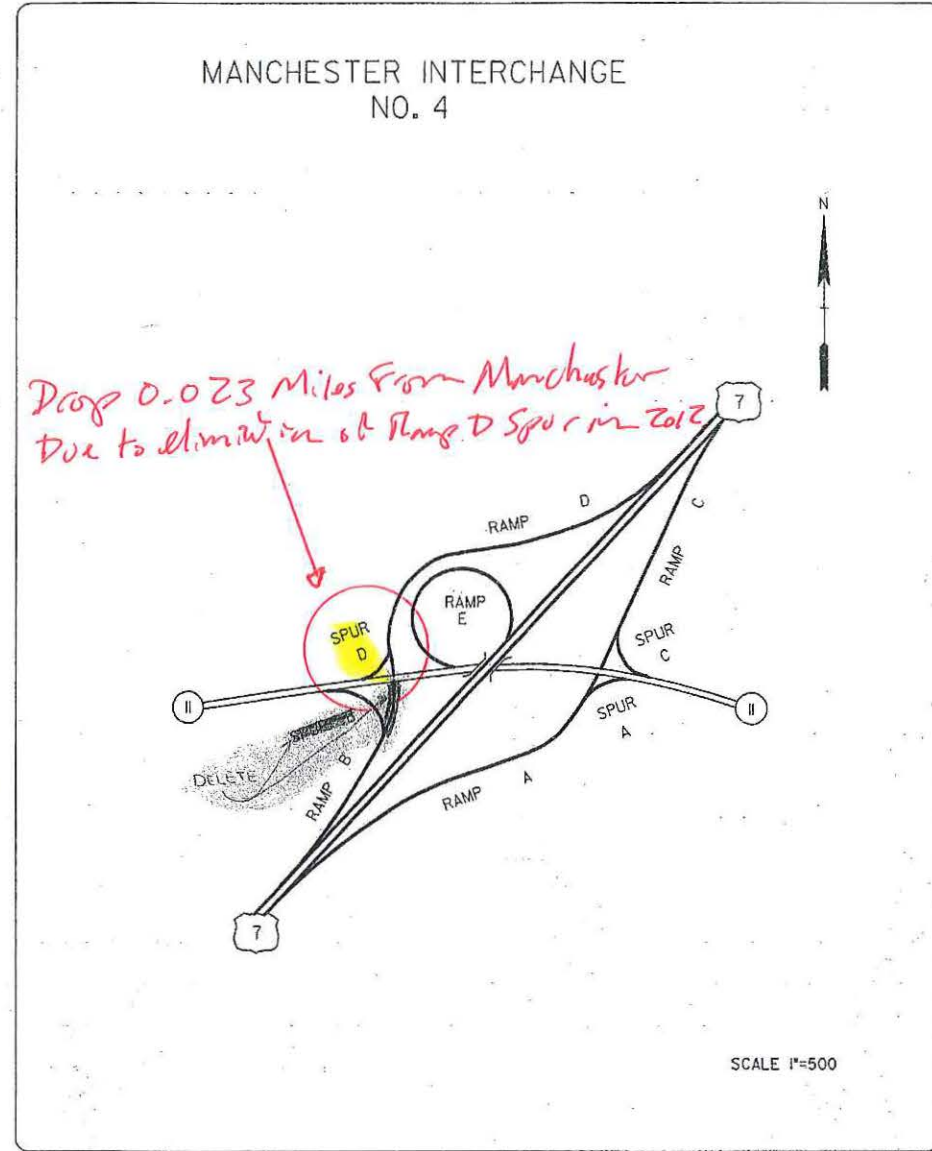
johnathan.croft@vermont.gov – please note the updated email address



- (27-1D) 48" C.A.P. S.S. 1990
RDY. 24' 280'L.G.
WTWY. 12.6 SO.FT.
- (27-1E) 48" C.A.P. S.S. 1990
RDY. 24' 280'L.G.
WTWY. 12.6 SO.FT.

Year	Material	Widths & Depths	Grades	Accidents
2000	NH 9812(1)S 0.367 2000 24" Bit. Conc.	16' SURFACE 24' ROADBED 5' PLANT MIX 24" CRUSHED STONE	1° 00" 8° 00"	
1990	FO19-2(14) CONT. I 0.367 1990 3" BIT. CONC.			
1990	FO19-2(14) CONT. I 0.264 1990 3" BIT. CONC.			
1990	FO19-2(14) CONT. I 0.251 1990 3" BIT. CONC.			

Ramp	Diagram
RAMP A	
RAMP B	
RAMP C	
RAMP D	
RAMP E	
RAMP	
RAMP	
RAMP	



RAMPS	MILEAGE	SPUR	TRAFFIC
RAMP A	0.367	A 0.017	1980 0, 1982 0, 1984 0, 1988 0
RAMP B	0.244	B 0.036	1980 0, 1982 0, 1984 0, 1988 0
RAMP C	0.264	C 0.036	1980 0, 1982 0, 1984 0, 1988 0
RAMP D	0.379	D 0.023	1980 0, 1982 0, 1984 0, 1988 0
RAMP E	0.251	E 0.023	1980 0, 1982 0, 1984 0, 1988 0
RAMP TOTAL	1.505	0.135	
RAMP SPUR TOTAL	1.505	0.135	
TOTAL MILES	1.501	0.135	

TOWN 06	SHEET
MANCHESTER	11A/40
DIST. I	DATE: DEC. 1992

1994 MILEAGE CHANGE

SELECTBOARD ORDER
TOWN OF MANCHESTER

WHEREAS, notice was provided, as required by Title 19 V.S.A. Chapter 7, that the Town of Manchester proposed to discontinue all or a portion of Legal Trail 1 and the following highways in the Town of Manchester: Sugarhouse Lane, Wilcox Lane, and Little John Road; and,

WHEREAS, the Selectboard conducted inspections of the aforementioned trail and highways on October 20, 2015, beginning at approximately 5:00 PM; and,

WHEREAS, the Selectboard held a publicly warned meeting on October 20, 2015, beginning at 7:00 PM in order to receive testimony from the public and abutters; now therefore:

BE IT RESOLVED, that the Selectboard, after inspecting the trail and highways, and after receiving and considering testimony, find that the public good, necessity and convenience of the inhabitants of the Town of Manchester require the following actions, which Selectboard hereby orders:

TH-34
0.12 mi

THAT SUGARHOUSE LANE be reclassified from a Class 3 highway to a Class 4 highway from the intersection of Richville Road extending for a distance of approximately 640 feet to and including a culvert and seasonal stream that runs east to west under the roadway; and furthermore, that the Town of Manchester shall continue to own a three-rod right of way measured from the existing centerline of highway; and

THAT the owners of parcels 08-01-14, 08-01-014.01 and 08-01-05 shall be allowed to remove snow, ice and debris from the Class 4 portion of SUGARHOUSE LANE; and furthermore, owners of said parcels may, at the sole discretion of the Director of Public Works, make certain improvements to SUGARHOUSE LANE including grading, applying materials and resurfacing, removing brush, and removing dead or diseased trees; provided however, that no new access shall be granted from the Class 4 highway without permission from the Director of Public Works; and,

TH-34
0.08 mi

THAT the remaining portion of SUGARHOUSE LANE, from just south of the culvert and seasonal stream to its termination at the boundary of parcel 08-01-14, approximately 400 feet, shall be discontinued as a public highway;

TH-50
CL3 0.06 mi
NUTS CL4 0.20 mi

THAT WILCOX LANE shall be discontinued as a public highway from the southern edge of the intersection with Silver Springs Lane in a southerly direction to its terminus, a distance of approximately 1240 feet; and,

TH-68
CL3 0.02 mi

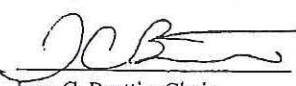
THAT LITTLE JOHN ROAD shall be discontinued as a public highway from the end of the paved way at the turnaround in a southerly direction along the unpaved, wooded right of way to the terminus of the right of way, a distance of approximately 126 feet; and

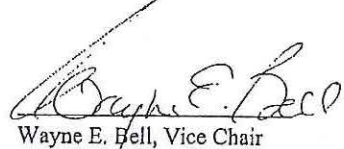
NUTS = Not up to Standard

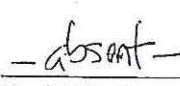
(OVER)

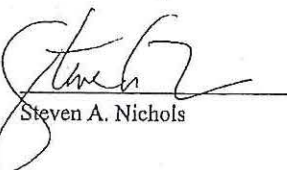
THAT LEGAL TRAIL 1, an unpaved roadway that is located slightly west of Dufresne Pond Road (Town Highway 24), shall be discontinued in its entirety as a public highway or trail.

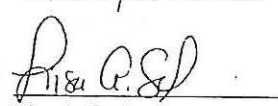
SO ORDERED, this day, November 10, 2105 by the Selectboard of the Town of Manchester; and that this order shall be recorded with the Town Clerk of the Town of Manchester.

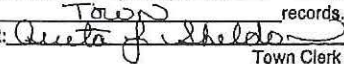

Ivan C. Beattie, Chair


Wayne E. Bell, Vice Chair

 - absent -
Carol M. Lattuga

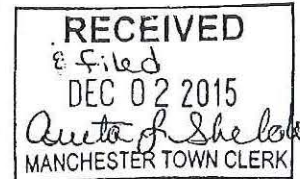

Steven A. Nichols


Lisa A. Souls

Manchester, VT Town Clerk's Office
at 11/10 2015
8 o'clock 40 minutes A M
Book 14 on Page 46 of
Town records.
Attest: 
Town Clerk

TOWN OF MANCHESTER, VERMONT
6039 MAIN STREET, MANCHESTER CENTER, VERMONT 05255

SELECTBOARD MINUTES



Meeting Date: Tuesday, November 10 at 7:00 P.M.

Location: Kilburn Room - Town Hall (6039 Main Street, Manchester Center, VT 05255)

Attendees: Ivan Beattie (chair), Wayne Bell (vice chair), Steve Nichols and Lisa Souls. Absent: Carol Lattuga.

Other Attendees: John O'Keefe (Town Manager), Janet Hurley (Zoning Administrator), Greg Boshart (Planning Commission chair), Todd Nebraska (Planning Commission), Brad Meyerson, Andrew Weil, Steve Dunning, Ellen Adams, Amy Herrmann, Greg Christensen, Hub Poelmann, Sylvia Jolivet, Skip King and others (see attached).

Beattie called the meeting to order at 7:03 P.M.

Minutes from October 20, 2015

Bell moved, seconded Souls, to approve the minutes from October 20, 2015. Motion carried 4-0.

Comments by Beattie regarding meetings

Beattie made a statement regarding recent meetings. He stated that he thought that recent meetings have lacked structure and decorum. He stated that in the past he has allowed a certain amount of latitude regarding Robert's Rules and the overall operation of meetings, but from this meeting forward he planned to impose a more structured approach. Beattie stated that, for example, he would require that comments and questions would need to be directed to the chair, and the chair would determine if the topic is germane and who will answer the question or address the issue. He stated that attendees would not be allowed to have direct conversations with other attendees or board members, except the chair of the board. Beattie also stated that several topics raised under other business would be better directed to Town staff, including department heads.

Sign Ordinance Amendments - HEARING

Beattie opened the hearing at 7:08 PM.

Hurley summarized the changes to the Sign Ordinance. Hurley also stated that the Board had two

TOWN OF MANCHESTER, VERMONT
6039 MAIN STREET, MANCHESTER CENTER, VERMONT 05255

separate proposals from the Planning Commission, one that includes (with a sunset date) so-called open flags and one that does not include open flags.

Boshart and Nebraska asked questions and described the intent of the proposed changes. Attendees spoke for and against the proposed changes. Most of the discussion focused on the open flags.

Bell moved, seconded by Nichols, to close the hearing. Motion carried 4-0.

After the Board discussed the proposed changes, Bell moved, seconded by Souls, to approve the version without open flags. Motion failed 2-2. Beattie and Nichols voted NO.

O'Keefe and Beattie stated that since it was a tie vote, Robert's Rules says that no change to the Ordinance was approved. Hurley and Planning Commission members stated that the version without the open flags had several important and essential changes that should not be discarded with open flags. The Board and O'Keefe discussed how Robert's Rules governs this sort of situation. O'Keefe stated that only a person that voted in favor of the motion that passed (in other words, a person that got the outcome that they sought and in this case, a person that voted against the motion) could move to reconsider the motion. Beattie agreed.

Nichols moved, seconded by Bell, to reconsider the previous vote. Motion carried 4-0.

Bell then moved, seconded by Souls, to approve the version without open flags. Motion carried 3-1 (Nichols voted NO).

Souls then moved, seconded Nichols, to refer the issue of open flags back to the Planning Commission for further study based on the input the Selectboard received. Motion carried 4-0.

Suspension of Rules

Souls moved, seconded by Nichols, to suspend the Rules so that the Board could meet until 10:00 PM. Motion carried 4-0.

Flood Hazard Regulations - HEARING

Beattie opened the hearing.

Hurley summarized the changes to the Town's flood hazard regulations to the Board. Hurley stated that the changes were required in order to maintain the Town's participation in the

TOWN OF MANCHESTER, VERMONT
6039 MAIN STREET, MANCHESTER CENTER, VERMONT 05255

National Flood Insurance Program (NFIP). Hurley stated that the updated version has language acceptable to the State of Vermont that allows new construction in flood hazard areas outside of the defined floodway.

After receiving public comments, Nichols moved, seconded by Souls, to close the hearing.

Then, Bell moved, seconded by Souls, to approve the changes to the Town's flood hazard regulations, as amended. Motion carried 4-0.

Vending Ordinance - discussion

The Board, O'Keefe and attendees (including current vendor permittees) discussed the current Vending Ordinance. O'Keefe noted that he has received several comments from individuals about vending, including the lack of temporary vendor permits for events, limitation on the size of vendors and the locations restrictions of vendors. O'Keefe stated that he was currently working on redrafting all of the Town's ordinances.

The Board directed O'Keefe to work on some alternatives to the current Ordinance that addresses concerns.

Suspension of Rules

Bell moved, seconded by Souls, to suspend the Rules so that the Board could meeting until 11:00 PM. Motion carried 4-0.

Dana L. Thompson Memorial Park lighting project

O'Keefe and the Board discussed a potential upcoming project that would install 15 LED lights along the walking path at the Park. The money was donated to the Town by the Right Track Foundation. The Town, as part of the plan, would perform the trenching using Town labor.

King and Joliette voiced opposition to the plan for various reasons, including cost, maintenance and safety. O'Keefe stated that he believed the lights would increase safety at the Park, and that the lights would be on a timer, going off when the Park closes.

Bell moved, seconded by Souls, to approve the project, subject to the Chief of Police agreeing that the lights would enhance public safety at the Park. Motion carried 4-0.

Road Discontinuance Orders - approval

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O'Keefe presented the Board two orders relative to the roadway discontinuance and roadway alteration hearings held on October 20, 2015.

Nichols moved, seconded by Bell, to approve the road discontinuance order. Motion carried 4-0. Members signed the order, which will be filed with the Town Clerk.

Nichols then moved, seconded by Souls, to approve the road alteration order for Dufresne Pond Road. Motion carried 4-0. Members signed the order, which will be filed with the Town Clerk.

Executive Session

Nichols moved, seconded by Souls, to enter into Executive Session for the purpose of discussing contract negotiations and pending litigation, the premature disclosure of which may place the Town at a significant disadvantage. Motion carried 4-0.

O'Keefe was invited to attend.

Other Business: Food Cupboard Lease

Beattie summarized the proposed lease.

Bell moved, seconded by Souls, to approve the proposed lease with the Community Food Cupboard and authorize the Town Manager to sign the lease. Motion carried 4-0.

Other Business: Soulus-First America v. Town of Manchester Lawsuit Settlement

O'Keefe noted that the settlement would be covered by the Town's insurance carrier VLCT PACIF, but that the policy required the Selectboard to sign off on the settlement. O'Keefe stated that the lawsuit stemmed from a indexing by the Town Clerk's Office in 2003 that was apparently not done correctly and caused a mortgage to be discharged by a mortgage company.


Nichols moved, seconded by Bell, to approve the settlement of \$157,500. Motion carried 4-0.

Adjournment

Bell moved, seconded by Souls, to adjourn in honor of Veterans everywhere. Motion carried 4-0.

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Approved:



Lisa Souls, Board Clerk

MEETING SIGN-IN SHEET

Manchester

Selectboard Meeting

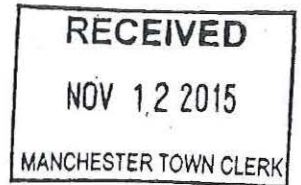
Date: November 10, 2015

Place/Room: Kilburn Meeting Room

Name (please print clearly)	Mailing Address	Phone #	E-Mail Address
Andrew McKeever	6301 Vt Rte 11A Sunderland VT 05250	790- 6000	amckeever@ manchesterjournal- com
Andrew McKeever	79 Elm St Manchester VT	802- 681-3342	Andrew@manchesterjournal.com
S. Juliette	Manch. VT P.O. Box 78 05255	3621816	—
AMY HERRMANN	PO BOX 1209 05255	362 0606	
Deborah Hayes-McGraw	Manch. VT	362 7969	—
Kenneth McGraw	Manchester VT	3621166	—
Bradley Myerson	Manchester Center	558- 5005	brad@sovereign.net
Ellen Adams	1100 Hillvale Dr. Manchester, VT 05255	802- 681- 3062	ellen@lippychicks.com
Todd Hlavaska	413 Highland Ave Manchester VT	802- 388-9871	thlavaska@gmail.com
Janet Hurley	ZA Town of Mand.		
Skip King	Manchester		
GREG BOSTART	131 N. RIDGE RUN MANCHESTER VT	362 7343	GBOSTART@MAE.COM
STACE DUNNING	5777 MAIN 05255	362 3796	CIRCASO@SOVEREIGN.NET

TOWN OF MANCHESTER, VERMONT
6039 MAIN STREET, MANCHESTER CENTER, VERMONT 05255

SELECTBOARD MINUTES



Meeting Date: Tuesday, October 20, 2015 at 5:00 PM and 7:00 P.M.

Location: Kilburn Room - Town Hall (6039 Main Street, Manchester Center, VT 05255)

Attendees: Ivan Beattie (chair), Wayne Bell (vice chair), Steve Nichols and Lisa Souls. Absent: Carol Lattuga.

Other Attendees: John O'Keefe (Town Manager), Janet Hurley (Zoning Administrator), James Carroll (attorney), Debra and James Mithoefer, Sylvia Jollivette, Skip King and others (see attached).

The Selectboard, pursuant to the requirements of State law, conducted inspections of the following rights of way in the Town of Manchester, beginning at 5:00 PM, in the following order: Sugarhouse Lane, Wilcox Lane, Little John Road, Legal Trail 1 and Dufresne Pond Road.

At Town Hall, in the Kilburn Room, Beattie called the meeting to order at approximately 7:00 P.M.

Minutes from September 22, 2015

Nichols moved, seconded Souls, to approve the minutes from September 22, 2015. Motion carried 4-0.

Road Discontinuance Hearing

Beattie opened the meeting at approximately 7:10 PM.

Beattie explained that the Selectboard was considering discontinuing the following rights of way: Sugarhouse Lane, Wilcox Lane, Little John Road, Legal Trail 1; and considering altering Dufresne Pond Road.

The Board, Williams and O'Keefe discussed the proposed rights of way and the onsite inspections.

The Board received a few positive comments or no comments about the following rights of way: Wilcox Lane, Little John Road, Legal Trail 1, and Dufresne Pond Road.

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Discussions then focused on Sugarhouse Lane. Debra and James Mithoefer spoke about concerns that they had relative to the discontinuance of Sugarhouse Lane. The Mithoefers stated that if the Town discontinued the right of way, a portion of the right of way would be conveyed to the railroad company and that would complicate access to their property. The Board and O'Keefe discussed the concerns.

After the Board received public testimony, *Nichols moved, seconded by Souls, to close the hearing. Motion carried 4-0.*

Nichols moved, seconded by Bell, that Wilcox Lane be discontinued as a public right of way from the southern edge of the intersection with Silver Springs Lane in a southerly direction to its terminus, a distance of approximately 1240 feet; and, that Little John Road be discontinued as a public roadway from the end of the paved way at the turnaround in a southerly direction along the unpaved, wooded right of way to the terminus of the right of way, a distance of approximately 126 feet; and that Legal Trail be discontinued in its entirety as a public roadway; and that Dufresne Pond Road be altered from its varying right of way to three rods, measured from the center of the existing roadway, from the intersection with Depot Street (State Route 11/30) continuing in a northeasterly direction along the existing roadway, for approximately 296 feet. Motion carried 4-0.

Bell then moved, seconded by Souls, to discontinue Sugarhouse Lane from the private residence at the southern end of the right of way north to the culvert, but not including the culvert; and reclassify the remaining portion of Sugarhouse Lane from, and including the culvert north to the intersection of Richville Road from a Class 3 roadway to a Class 4 roadway. Motion carried 4-0.

Depot Street Project Commitment Document

The Board, O'Keefe and attendees discussed the proposed project.

Bell moved, seconded by Souls, to approve the document. Motion carried 3-1 (Nichols voted NO). Beattie signed the document.

Amendment to Zoning Ordinance (Flood Hazard) - scheduling of hearing

The Board and Hurley discussed the proposed amendment.

Bell moved, seconded by Nichols, to schedule the hearing on the proposed changes for November 10, 2015 at 7:00 PM. Motion carried 4-0.

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Posting of Meetings

The Board and O'Keefe discussed the locations where agendas for public meetings are currently posted. O'Keefe said that agendas should be posted at three distinct locations. He suggested that the location in front of the Town Manager's Office should be replaced with the Town Green, and that the Town could reuse one of the soon to be discontinued kiosks.

Nichols moved, seconded by Souls, to replace the Town Manager's Office with the Town Green, once the new location at the Town Green could be prepared. Motion carried 4-0.

Other Business - ADA

King provided the Board a letter from the Federal Highway Administration (FHWA) relative to the new sidewalk on Depot Street.

The Board, O'Keefe and King discussed the matter. O'Keefe stated that he previously informed King that the sidewalk is actually not in the Town right of way, and that the Town had limited enforcement authority, except as a zoning matter. O'Keefe updated the Board on a recent conference call that he had that included Leslie Perra, the Town's operations manager.

King asked about the status of a grant application that he requested that the Town fill out. O'Keefe stated that he mentioned to King that he has several major projects, and that if he wanted to proceed with the grant in the near future he could do the leg work and fill out the grant. King stated that the State said the Town needed to fill out the application.

Board took no action.

Suspension of the Rules

At 10:00 PM, Bell moved, seconded by Souls, to suspend the Rules and extend the meeting until no later than 11:00 PM. Motion carried 4-0.

Executive Session

Bell moved, seconded to Souls, to enter into Executive Session to discuss pending litigation, contract negotiations and appointment of public officials. Motion carried 4-0. O'Keefe and Carroll were invited into the Session.

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Other Business - Appoint of Public Officials

After Executive Session, Souls moved, seconded by Bell, to appoint Ann Archer to the Planning Commission. Motion carried 4-0.

Then, Souls moved, seconded by Bell, to appoint Vernon (Skip) King to the Depot Street Advisory Committee. Motion carried 4-0.

Other Business - Assessor's Errors and Omissions

O'Keefe presented the Board an errors and omissions document from the assessor that would decrease the Grand List by \$100.00. O'Keefe noted that it was related to the current use program.

Other Business - Vending License

Nichols moved, seconded by Souls, to grant a not-for-profit vending license to Equinox Village and Better Buzz vending for an event on November 7, 2015. Motion carried 4-0.

Other Business - Operation of Board Meetings

Beattie and Bell discussed recent public meetings. Beattie stated that he thought he has been too lenient in allowing conversations between the public, Board members and Town staff. He stated that this has caused conflict in the past and that in the future he planned to intervene and order that discussions need to be directed to the chair.

Beattie and Bell also stated that they thought too many issues of substance were being brought up under so-called Other Business. They noted that this recent occurrence does not allow for proper public input or allow Town staff and Board members to be prepared to discuss the matters. Beattie stated that any issues of substance needed to be listed on the formal agenda in the future and that the public should contact the town manager in order to request certain items be warned on the agenda.


Board took no action.

Adjournment

Nichols moved, seconded by Souls, to adjourn. Motion carried 4-0.

TOWN OF MANCHESTER, VERMONT
6039 MAIN STREET, MANCHESTER CENTER, VERMONT 05255

Approved:



Lisa Souls, Board Clerk

Selectboard Meeting October 20, 2015

Janet Hurley
Jeff Williams
Julia Kojewski Lawrence
Brian A. Lawrence
~~_____~~
James P. Middleby
Patrick McArdle
Sylvia Felicitte
Skip King

Zoning Administrator
D.P.W.
226 Little John Dr
226 Little John Dr
227 Sugar House Ln.
227 Sugar House Lane
The Rutland Herald
P.O. Box 78 Main Ct, Vt.

LEGAL NOTICE
TOWN OF MANCHESTER
ROAD DISCONTINUANCE NOTICE

NOTICE IS HEREBY GIVEN that the Selectboard of the Town of Manchester proposes that, pursuant to Title 19 V.S.A. Chapter 7, the following described public roadways in the Town of Manchester be discontinued:

SUGARHOUSE LANE: Discontinue the entire length of said roadway, from its intersection with Richville Road in a southerly direction to its terminus, a distance of approximately 1040 feet; and,

WILCOX LANE: Discontinue the entire length, south of its intersection with Silver Springs Lane in a southerly direction to its terminus, a distance of approximately 1240 feet; and,

LITTLE JOHN ROAD: Discontinue from the end of the paved way at the turnaround in a southerly direction along the unpaved, wooded right of way to the terminus of the right of way, a distance of approximately 126 feet; and

LEGAL TRAIL 1: Discontinue the entire length of this legal trail, which is located west of Dufresne Pond Road (Town Highway 24) and identified on Urban Compact of Manchester Center Depot dated January 5, 2010; and,

INSPECTION AND PUBLIC HEARING: A hearing at the Manchester Town Hall, Kilburn Meeting Room, beginning at 7:00 p.m. on Tuesday, October 20, 2015 will be held to consider the discontinuance of the aforementioned roadways from the Manchester roadway system. The roadways will be examined by the Selectboard beginning at 5:00 p.m. on Tuesday, October 20, in the order listed above.

THEREFORE, pursuant to Title 19 V.S.A. Chapter 7, you are hereby notified that a hearing will be held at the specified time as listed above, on Tuesday, October, 20, 2015, in Manchester, Vermont, for the purpose of hearing all persons interested in said roadway, its discontinuance, and for the purpose of examining the premises affected thereby. Questions should be directed to John P. O'Keefe, Town Manager, at (802) 362-1313, option 2, or j.okeefe@manchester-vt.gov.

LEGAL NOTICE
TOWN OF MANCHESTER
ROAD ALTERATION NOTICE

NOTICE IS HEREBY GIVEN that the Selectboard of the Town of Manchester proposes that, pursuant to Title 19 V.S.A. Chapter 7, the following described public roadways in the Town of Manchester be altered:

DUFRESNE POND ROAD: Alter the layout of this roadway (also known as Town Highway 24) from its varying right of way to three rods, measured from the center of the existing roadway, from the intersection with Depot Street (State Route 11/30) continuing in a northeasterly direction for approximately 296 feet.

INSPECTION AND PUBLIC HEARING: A hearing at the Manchester Town Hall, Kilburn Meeting Room, beginning at 7:30 p.m. on Tuesday, October 20, 2015 will be held to consider the alteration of the aforementioned roadways from the Manchester roadway system. The roadways will be examined by the Selectboard beginning at 6:30 p.m. on Tuesday, October 20.

THEREFORE, pursuant to Title 19 V.S.A. Chapter 7, you are hereby notified that a hearing will be held at the specified time as listed above, on Tuesday, October, 20, 2015, in Manchester, Vermont, for the purpose of hearing all persons interested in said roadway, its alteration, and for the purpose of examining the premises affected thereby. Questions should be directed to John P. O'Keefe, Town Manager, at (802) 362-1313, option 2, or j.okeefe@manchester-vt.gov.

DEED AND DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT **BENNINGTON AREA HABITAT FOR HUMANITY, INC.**, a Vermont Non-Profit Corporation, with its principal place of business located in Manchester, in the County of Bennington and State of Vermont, Grantor, in consideration of One Dollar and other good and valuable consideration, paid to Grantor's full satisfaction by **TOWN OF MANCHESTER**, a municipal corporation organized and existing under the law of the State of Vermont, in the Town of Manchester, in the County of Bennington and State of Vermont, Grantee, has **REMISED, RELEASED AND FOREVER QUITCLAIMED** unto the said Grantee, **TOWN OF MANCHESTER**, its successors and assigns, all right and title which Grantor or its successors and assigns, have in and to a certain parcel of land in Manchester, in the County of Bennington and State of Vermont, described as follows:

See Schedule A attached hereto and made apart hereof.

TO HAVE AND TO HOLD all its right and title in and to said quit-claimed premises, with the appurtenances thereof, to the said Grantee, **TOWN OF MANCHESTER**, its successors and assigns forever.

AND FURTHERMORE the said Grantor, does for itself and its successors or assigns covenant with the said Grantee, its successors and assigns, that from the ensembling of these presents Grantor will have and claim no right, in, or to the said quit-claimed premises except as set forth on Schedule A.

IN WITNESS WHEREOF, Grantor hereunto set its hand and seal this 23rd day of October, 2014.

BENNINGTON AREA HABITAT FOR HUMANITY, INC.

By: Monica Knorr
Monica Knorr, President

STATE OF VERMONT
BENNINGTON COUNTY, SS.

At Manchester, this 23rd day of October, 2014, Monica Knorr, President and Duly Authorized Agent of **BENNINGTON AREA HABITAT FOR HUMANITY, INC.** personally appeared and acknowledged this instrument, by her sealed and subscribed, to be her free act and deed and the free act and deed of Bennington Area Habitat For Humanity, Inc.

Manchester, VT Town Clerk's Office
10-30-2014 at
8 o'clock 55 minutes A M
Book 319 Instrument # 223 / pg. 833 of
Land records.
Attest: Robin Owens asst. Town Clerk

Before me, Maup J. Hand
Notary Public
My commission expires: 2/10/15

Vermont Property Transfer Tax 32 V.S.A. Chap. 231
- ACKNOWLEDGEMENT -
Return Rec'd - Tax Paid
Signed: Robin Owens asst. Clerk
Date: 10/30/14 Time: 8:55AM

ACCEPTANCE

The above described conveyance is accepted by the Selectboard of the Town of Manchester by John O'Keefe. Its agent duly appointed for that purpose.

Dated at Manchester, Vermont this 30th day of October, 2014.

TOWN OF MANCHESTER

By: 

Title: Town Manager

Its duly authorized agent

SCHEDULE A
 BENNINGTON AREA HABITAT FOR HUMANITY, INC.
 TO
 TOWN OF MANCHESTER

Being a parcel of land depicted as Common Area C (Access Road) 0.59 acres known as "Irene Way", as shown on a survey entitled "Jennifer Lane Planned Community", prepared by Speath Engineering, dated September 10, 2012, revised through November 14, 2012 and recorded on December 4, 2012 under Map 280 in the Town of Manchester Land Records Office, and further described as follows:

Starting at a capped iron rod stamped VT#601 (PC#15) on the north side of the road marking the boundary between the existing Town of Manchester Right of way and Common Area C, thence south 10°45'36" west a distance of 50.00 feet to a capped iron rod (PC#16), then along the following four curves (all chords are opposite of the ones shown on plat):

- Curve 31: 128.10' Radius 77.53' Arc Length N64°51'52"W Chord 76.35" Ch. L. To PC#45, thence;
- Curve 30: 128.10' Radius 95.04' Arc Length N26°16'15"W Chord 92.88" Ch. L. To PC#44, thence;
- Curve 29: 128.10' Radius 20.02' Arc Length N00°32'19"W Chord 20.00" Ch. L. To PC#43, thence;
- Curve 28: 128.10' Radius 39.56' Arc Length N12°47'13"E Chord 39.41" Ch. L. to a point, thence;

North 22°18'45" east (opposite of plat) a distance of 83.28 feet to a point, thence to the following eight curves (all chords are opposite of the ones shown on plat):

- Curve 27: 325.00' Radius 76.49 Arc Length N29°03'17"E Chord 76.31' Ch. L. To a point, thence;
- Curve 26: 50.00' Radius 34.70 Arc Length N15°54'50"W Chord 34.01' Ch. L. To a point, thence;
- Curve 25: 50.00' Radius 98.61' Arc Length N52°31'49"E Chord 83.39' Ch. L. To PC#42, thence;
- Curve 24: 50.00' Radius 43.17' Arc Length S46°14'13"E Chord 41.84' Ch. L. To PC#41, thence;
- Curve 23: 50.00' Radius 63.25' Arc Length S14°44'01"W Chord 59.11' Ch. L. To PC#40, thence;
- Curve 22: 50.00' Radius 24.26' Arc Length S64°52'05"W Chord 24.02' Ch. L. to a point, thence;

Curve 21: 50.00' Radius 38.43' Arc Length S56°44'49"W Chord 37.49 Ch. L.
to a point, thence;

Curve 20: 275.00' Radius 59.59' Arc Length S28°31'13"W Chord 59.47' Ch. L.
To PC#39, thence;

South 22°18'45" west (opposite of plat) a distance of 83.28 feet to a point, thence to the following two curves (all chords are opposite of the ones shown on plat) to the point of beginning:

Curve 19: 78.36' Radius 63.27' Arc Length S02°05'59"E Chord 61.57 Ch. L.
to a point, thence;

Curve 18: 78.36' Radius 80.20' Arc Length S54°33'02"E Chord 76.74' Ch. L.
To PC#15 (Point of Beginning)

The parcel herein described is conveyed subject to public utility easements of record.

THERE IS EXCEPTED AND RESERVED TO THE GRANTOR HEREIN, BENNINGTON AREA HABITAT FOR HUMANITY, INC., its successors and assigns: (i) a twenty foot wide (20') easement for private sewer system (10 feet on either side of the sewer lines and 10 feet around all manholes as installed) for perpetual use, maintenance, construction and reconstruction of said private sewer system; and (ii) a twenty foot wide (20') easement for water service lines (10 feet on either side of the water service lines as installed) for perpetual use, maintenance, construction and reconstruction of said water lines as shown on a set of as-built water plans supplied to the Town of Manchester Department of Water and Sewer. Prior to commencing any work within the roadway herein conveyed Grantor shall comply with the requirements of 19 V.S.A. Section 1111, as amended.

POTENTIAL
AREA OF
FUTURE
DEVELOPMENT

LANDS N/F
Paul V. & Katherine J.
Williams
Deed= Bk-189, Pg-133
(Survey see note A20)
TM# 39-51-41

LANDS N/F
Raymond N. & Estelle D.
Burgess
Deed= Bk-125, Pg-031
(Survey see note A20)
TM# 39-51-40

DS N/F
Gonna R. Powers
-196, Pg-130
see note A20)
39-51-35

POTENTIAL
AREA OF
FUTURE
DEVELOPMENT

PC
#24

PC
#25

PC
#26

PC
#27

PC
#28

PC
#29

PC
#30

PC
#31

PC
#32

PC
#33

PC
#34

PC
#35

PC
#36

PC
#37

UTILITY
EASEMENT

LOT 5
0.32 ACRES

LANDS N/F
John F. Jewett Jr.
Deed= Bk-155, Pg-068
TM# 39-50-37

LOT 4
0.57 ACRES

UTILITY
EASEMENT

LOT 3
0.30 ACRES

COMMON
AREA "B"
0.92 ACRES

LOT 8
0.37 ACRES

LOT 6
0.26 ACRES

LOT 7
0.28 ACRES

COMMON
AREA "C"
(Access Road)
0.59 ACRES

LOT 9
0.25 ACRES

LOT 10
0.28 ACRES

LOT 11
0.31 ACRES

LOT 13
0.28 ACRES

LOT 12
0.28 ACRES

LOT 14
0.23 ACRES

LANDS N/F
Gerald & Linell Pike
Deed= Bk-079, Pg-500
TM# 39-50-17

LOT 16
0.19 ACRES

LOT 20
0.25 ACRES

LOT 14
0.23 ACRES

LOT 15
0.31 ACRES

LOT 17
0.19 ACRES

LOT 21
0.28 ACRES

LOT 19
0.20 ACRES

LOT 18
0.20 ACRES

LANDS N/F
Gary F. & Diane Wilcox
Deed= Bk-157, Pg-063

LANDS N/F
Catherine M. Hill
Deed= Bk-171, Pg-046
TM# 39-50-68

LANDS N/F

