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 COLCHESTER

in CHITTENDEN

County

on an oath state that the mileage of highways, according to Vermont Statutes Annotated, Title 19, Section 305, added 1985, is as follows:

PARTI-	CHANGES	TOTALS -	Please fil	ll in and	Calculate	totale
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Town Highways	Previous Mileage	Added Mileage	Subtracted Mileage	Total	Scenic Highways
Class 1	0.000		•••••	-	0.000
Class 2	21.870			21.870	0.000
Class 3	70.04			70.04	0.000
State Highway	22.864			22.864	0.000
Total	114.774		2	114,774	0.000
Class 1 Lane	0.000			_	
Class 4	1.27		0.68	0.59	0.000
Legal Trail	0.48	0.20	v	0.68	2/

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).
 - -0.48 mi CL4 TH-15 discontinued (from 1937)
- 3. RECLASSIFIED/REMEASURED: Please attach SIGNED copy of proceedings (minutes of meeting).
 - 0.20 mi CLA TH-15 reclassified as LT-3 (from 1937)

Representative, Agency of Transportation

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:
T/C/V Clerk Signature: Law Richard Date Filed: 1/4/10
Please sign ORIGINAL and return it for Transportation signature.
AGENCY OF TRANSPORTATION APPROVAL: Signed copy will be returned to T/C/V Clerk. APPROVED: DATE: 5/12/2016

Vermont Statutes Annotated

19 V.S.A. § 305. Measurement and inspection

Received

JAN 21 2016

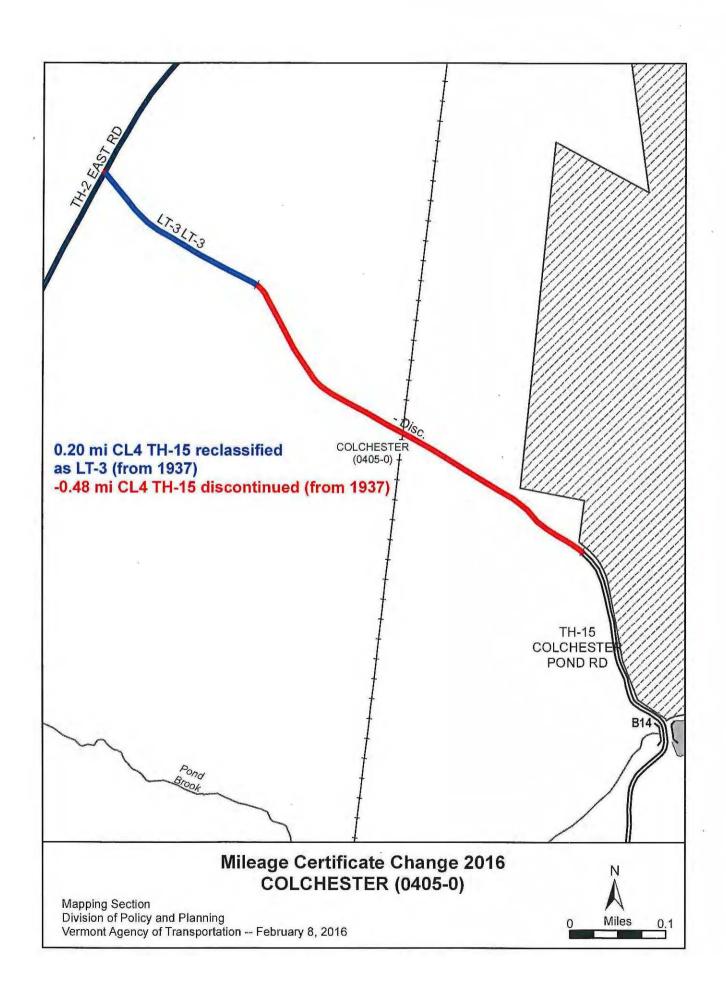
Policy, Planning & Intermodal Development Division

§ 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



Alley, Kerry

From:

Warner Rackley < WRackley@colchestervt.gov>

Sent:

Friday, December 18, 2015 3:48 PM

To:

Alley, Kerry

Subject:

RE: Town Highway 15 (Colchester Pond Rd) Records

Kerry,

Sorry, but the earliest opening they could find in an agenda was January 12th. We'll update the certificate once we receive it. Happy holidays to you also.

Thanks, Warner

From: Alley, Kerry [mailto:Kerry.Alley@vermont.gov]

Sent: Friday, December 18, 2015 3:38 PM

To: Warner Rackley

Subject: RE: Town Highway 15 (Colchester Pond Rd) Records

Hi Warner,

Do you by any chance have anything from the Selectboard regarding TH-15 yet? I would need it by next Tuesday if you want me to pre-load it onto the Certificate, because I will be away for the rest of the month. Otherwise you can add the following lines to the certificate yourself in the reclassification and discontinued sections (respectively) before signing and returning the Certificate with the Selectboard's acknowledgement.

0.20 mi CL4 TH-15 reclassified as LT-3 (from 1937) -0.48 mi CL4 TH-15 discontinued (from 1937)

There's no rush, it's just a matter of who writes it on the Certificate, and when.

Happy Holidays!

Kerry

From: Alley, Kerry

Sent: Wednesday, December 09, 2015 8:32 AM

To: 'Warner Rackley' < WRackley@colchestervt.gov>

Subject: RE: Town Highway 15 (Colchester Pond Rd) Records

Warner,

We will be sending them out on January 2, 2016.

Kerry

From: Warner Rackley [mailto:WRackley@colchestervt.gov]

Sent: Wednesday, December 09, 2015 7:43 AM **To:** Alley, Kerry < Kerry. Alley@vermont.gov>

Subject: RE: Town Highway 15 (Colchester Pond Rd) Records

Kerry,

We are trying to schedule on an upcoming agenda for the Board but wanted to make sure the form was available for signing. Can you tell me when the mileage form will be mailed?

Thanks, Warner

From: Alley, Kerry [mailto:Kerry.Alley@vermont.gov]
Sent: Thursday, December 03, 2015 12:11 PM

To: Warner Rackley

Subject: RE: Town Highway 15 (Colchester Pond Rd) Records

Hi Warner,

Yes, a single approval would work, as the current board is reaffirming the action from 1937.

Regarding the other street in Colchester that might not be ready by February 10... feel free to send us the information as soon as it is ready. Depending on how busy things are here, we can sometimes process changes received after the deadline.

Kerry

From: Warner Rackley [mailto:WRackley@colchestervt.gov]

Sent: Thursday, December 03, 2015 11:01 AM

To: Alley, Kerry

Cc: Croft, Johnathan; Moulton, Sara

Subject: RE: Town Highway 15 (Colchester Pond Rd) Records

Kerry,

Looks like there won't be any other changes for the Highway Mileage Cert for this year. We have one street that's close but probably will not receive an opening cert before February. If the redesignation of 0.68 miles of TH #15 to discontinued and legal trail is the only item on the form for this year, do I need to prepare two motions to be considered by the Board or can this simply be addressed in a single approval. If performed as a single approval, I will note that the Board will be confirming or reaffirming the petition approval from 1937.

Thanks, Warner

From: Alley, Kerry [mailto:Kerry.Alley@vermont.gov]

Sent: Monday, November 23, 2015 3:51 PM

To: Warner Rackley

Cc: Croft, Johnathan; Moulton, Sara

Subject: FW: Town Highway 15 (Colchester Pond Rd) Records

Hello Warner,

Sara forwarded me the information you sent to her regarding the class 4 portion of TH-15 (Colchester Pond Rd, 0.68 mile). There is one additional bit of information that we'd like to have before processing the discontinuance. Could the current Selectboard provide a statement clarifying that they are recognizing the discontinuance that occurred 1937? That will help us maintain clarity in our records as to why a 1937 change is first shown on the Town Highway Map in 2016.

Additionally, based on the wording in the original order (attached), the 0.20 mile section closest to East Road (TH-2) was established as a trail. Act 269 of 1986 established that Trails are not class 4 town highways. If the Town of Colchester wishes to show the 0.20 mile section of former TH-15 as class 4 town highway, then we recommend that it be formally reclassified.

We can process the above mentioned discontinuance and the establishment of the 0.20 mile section as a Legal Trail if you provide us with the Selectboard's clarification as specified above, and we can pre-load the change onto the 2016 Certificate of Highway Mileage if we receive this clarification before we prepare the Certificates in late December. Otherwise you can add the changes to the certificate before returning it to us in February.

If you have any questions regarding the information above, please don't hesitate to contact me.

Thanks,

Kerry

Kerry Alley
AOT Mapping & GIS Specialist
Vermont Agency of Transportation (VTrans)
Kerry.Alley@vermont.gov — Please note new email address
(802) 828-3666

From: Moulton, Sara

Sent: Monday, November 16, 2015 9:33 AM

To: Alley, Kerry

Subject: FW: Town Highway 15 (Colchester Pond Rd) Records

I'll hand this off to you since Colchester is one of your towns.

Sara

From: Warner Rackley [mailto:WRackley@colchestervt.gov]

Sent: Tuesday, November 03, 2015 8:04 AM

To: Moulton, Sara

Subject: RE: Town Highway 15 (Colchester Pond Rd) Records

Sara,

Thanks for checking. Based on the information that I found, it looks like a significant portion of the old road was actually discontinued. I've attached copies of the approved petition from 1937 and a later survey plat based on that document (Slide 324-2.) The current 0.4 mile Class 3 portion off of Curve Hill Road (TH #17) remains unchanged. However, the 0.68 Class 4 (Impassable or Untraveled) portion should partially change with the 0.48 mile section in the middle changing to Discontinued and the 0.2 mile section closest to East Road (TH #2) remaining as Class 4 (I or U.) Also attached is a more recent plat showing the still current Class 3 portion.

As you will probably notice, the petitioners appear to have given the wrong highway number for East Rd unless that has changed over the years. What's listed as TH #3 is now TH #2. I will ask Robin to include this change with the annual listing at the beginning of next year. Let me know if you need additional documentation for your files.

Thanks, Warner

From: Moulton, Sara [mailto:Sara.Moulton@vermont.gov]

Sent: Thursday, October 29, 2015 11:32 AM

To: Warner Rackley

Subject: RE: Town Highway 15 (Colchester Pond Rd) Records

I wasn't able to find the type of record you are looking for. I've attached a copy of the documents in our records that refer to the impassable portion of TH-15. None directly address its opening or layout.

Let me know if you have further 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

From: Warner Rackley [mailto:WRackley@colchestervt.gov]

Sent: Thursday, October 29, 2015 9:36 AM

To: Moulton, Sara

Subject: Town Highway 15 (Colchester Pond Rd) Records

Sara,

We've received an unusual request regarding the "Impassable or Untraveled" portion of TH 15. One of the adjacent properties has inquired about the status of the right of way and if the unopened portion has been abandoned. Unfortunately, this road appears to be quite old as it appears on maps well back into the 1800s and I'm not finding a lot of records concerning it's opening or layout. There don't appear to be any recordings in our current filing systems. That's not to say that it doesn't exist in the older archives, but those are more difficult to search. I will try looking through other records, but was hoping that you might have something readily available. Do you have any records concerning this road or was this one that just came in because the Town had been maintaining it? Would appreciate any help that you can offer.

Thanks,



Warner C. Rackley, PE Asst. Public Works Dir./Town Engineer

Town of Colchester 781 Blakely Rd. | P.O. Box 55 Colchester, Vermont 05446 P: 802.264.5635 | F: 802.264.5503

www [

colchestervt.gov

Notice – Under Vermont's Public Records Act, all e-mail, e-mail attachments as well as paper copies of documents received or prepared for use in matters concerning Town business, concerning a Town official or staff, or containing information relating to town business are likely to be regarded as public records which may be inspected by any person upon request, unless otherwise made confidential by law. If you have received this message in error, please notify us immediately by return email. Thank you for your cooperation.

Alley, Kerry

From:

Warner Rackley < WRackley@colchestervt.gov>

Sent:

Wednesday, November 25, 2015 10:45 AM

To:

Alley, Kerry

Subject:

RE: Town Highway 15 (Colchester Pond Rd) Records

Follow Up Flag:

Follow up

Flag Status:

Completed

Kerry,

Thanks for the clarification on the Legal Trail versus Class 4 designation. Given that the right of way was reduced when converted to a trail and a privately maintained roadway named Woodridge Road now exists in that same location, we will not be seeking the Class 4 designation. Therefore we will be requesting that the 0.20 mile section be changed to Legal Trail.

For the additional backup that you requested, I'll prepare something for Selectboard approval prior to or at the same time as the annual mileage update. Let me know if you have any questions.

Thanks, Warner

From: Alley, Kerry [mailto:Kerry.Alley@vermont.gov]

Sent: Monday, November 23, 2015 3:51 PM

To: Warner Rackley

Cc: Croft, Johnathan; Moulton, Sara

Subject: FW: Town Highway 15 (Colchester Pond Rd) Records

Hello Warner,

Sara forwarded me the information you sent to her regarding the class 4 portion of TH-15 (Colchester Pond Rd, 0.68 mile). There is one additional bit of information that we'd like to have before processing the discontinuance. Could the current Selectboard provide a statement clarifying that they are recognizing the discontinuance that occurred 1937? That will help us maintain clarity in our records as to why a 1937 change is first shown on the Town Highway Map in 2016.

Additionally, based on the wording in the original order (attached), the 0.20 mile section closest to East Road (TH-2) was established as a trail. Act 269 of 1986 established that Trails are not class 4 town highways. If the Town of Colchester wishes to show the 0.20 mile section of former TH-15 as class 4 town highway, then we recommend that it be formally reclassified.

We can process the above mentioned discontinuance and the establishment of the 0.20 mile section as a Legal Trail if you provide us with the Selectboard's clarification as specified above, and we can pre-load the change onto the 2016 Certificate of Highway Mileage if we receive this clarification before we prepare the Certificates in late December. Otherwise you can add the changes to the certificate before returning it to us in February.

If you have any questions regarding the information above, please don't hesitate to contact me.

Thanks,

AGREEMENT

WHEREAS, ROBERT L. CAMPBELL, his heirs, executors and assigns, are desirous of using a portion of a town trail located off East Road, Colchester, Vermont, for access to said Campbell's land, and

WHEREAS, the TOWN OF COLCHESTER is agreeable to this proposed use of said town trail,

It is hereby agreed by and between said ROBERT L. CAMPBELL, his heirs, executors and assigns forever, and the TOWN OF COLCHESTER, its successors and assigns forever that said town trail may be used for access to said land upon the following conditions:

- 1. That the maintenance and upkeep of that portion of said trail which borders the land presently owned by Robert L. Campbell shall be the sole responsibility and duty of said Robert L. Campbell, his heirs, executors and assigns forever;
- 2. That the clearing and removal of snow and/or any other obstacle shall be the sole responsibility and duty of said ROBERT L. CAMPBELL, his heirs, executors and assigns forever;
- 3. That said ROBERT L. CAMPBELL, his heirs, executors and assigns shall not request any assistance from the TOWN OF COLCHESTER for maintenance, upkeep, snow removal or the removal of any obstacle as of the date of this agreement or at any time in the future;
- 4. That this agreement does constitute a restrictive covenant which will run with the land.

Dated at Colchesta

, County of Chittenden, State of Vermont

nis 26 day of Julius

1971.

Robert L. Campbell

(As to Robert L. Campbell)

WICK, DINSE & ALLEN ATTORNEYS AT LAW BURLINGTON, VERMONT

TOWN OF COLCHESTER STATE OF VERMONT CHITTENDEN COUNTY, ss. At Cal chester this 26 th day of February 1971, in said Chittenden County, personally appeared ROBERT L. CAMPBELL and he acknowledged this instrument by him sealed and subscribed to be his free act and deed. STATE OF VERMONT CHITTENDEN COUNTY, ss. At Calchelie this 8th day of March 1971, personally appeared Charles of Lunar and agent duly authorized for the TOWN OF COLCHESTER, and he acknowledged this instrument by him sealed and subscribed to be his free act and deed and the free act and deed of the TOWN OF COLCHESTER. COLCHESTER, VT. RECEIVED FOR RECORD

WICK, DINSE & ALLEN FTORNEYS AT LAW ILLINGTON, VERMONT

and recorded in

June 10th. 1937.

We, the undersigned, residents and texpayers in the town of Colchester, Vermont believing it to be for the general good and convenience of the residents of said town, hereby respectfully petition the Selectmen of said Town of Colchester to discontinue the highway leading from the main highway (selected highway #3) commonly known as the "East Road", near the residence of Clara Wright easterly across the Central Vermont R. R. right-of-way to a point nearly opposite the farm house now owned by W. B. Wheelock and formerly known as the "Ed. Wolcott" place.

A distance of approximately 220 rods.

Also to establish a trail of 12 rods in width leading from the above mentioned "main highway", near the residence of said Clara Wright, over a part of the highway to be discontinued, a distance of approximately 64 rods, to the property of E.W. Cloe, the center line of such proposed trail to coincide approximately with the center line of the highway to be discontinued so as to guarantee to said E. S. Cloe, his successors and assigns forever, access at any and all times to his property over the discontinued highway.

Said Clara Wright or E. W. Cloe, or either of them, shall have the right to establish and maintain such gates as they, or either of them, or their successors or assigns deem necessary or convenient.

Signed

W. B. Wheelock Clara E. Wright E. W. Cloe H. S. Fratt

In accordance with the above petition notice is hereby given that a meeting will be held at or near the residence of said Clara Wright, and the above mentioned highway to be discontinued at 10 o'clock a. m. on Saturday June 26, 1937 to hear persons interested in said highway and petition.

Dated at Colchester, Vermont June 9th. 1937 Guy W. Michols I. T. Howard H. C. Monta Selectmen of the town of Colchester.

Due notice having been given the Central Vermont R. R. Co, by copy of the above petition and notice of hearing, sent by registered mail to St. Albans, Vermont, on June 9th. 1937, and, on the same date, by delivering to Clara E. Wright and to W.B. Wheelock, two of the above petitioners, copies as above. Also by advertising the same 2 weeks successively (June 11 & 18) in the Burlington Free Press, a meeting was held at the time and place as called for in the above petition and notice of hearing, and no one appeared in opposition thereto, the highway was discontinued and trail established as called for in the above petition, and the same ordered to be recorded as of June 26th. A. D. 1937.

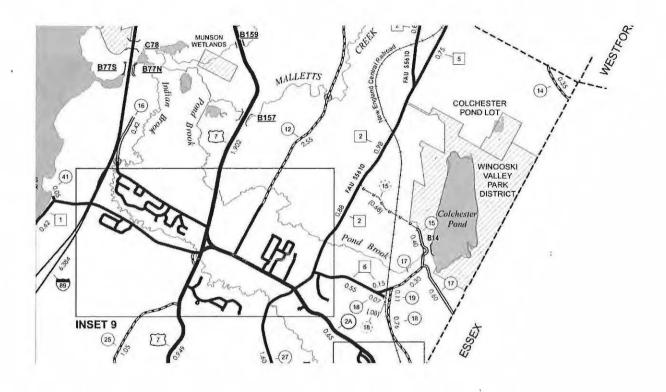
Dated at Colchester, Vt June 26th, 1937

Guy W. Michols I. T. Howard H. C. Monta Selectmen of the town of Colchester.

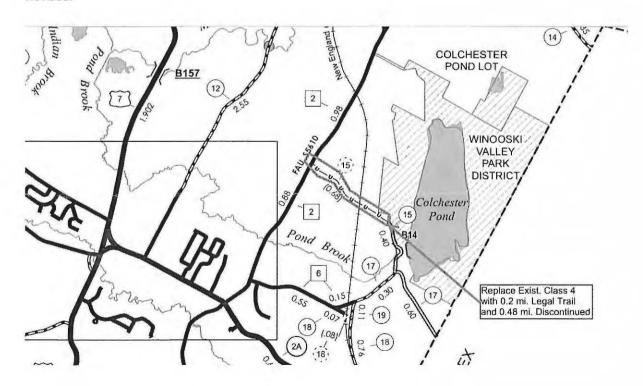
Received for record June 26, 1937 at 2 o-clock p. m. and recorded, in Vol. 1 Page 26 of Highways

Attest

Town Oxerk.



Revised.





DRAFT MINUTES COLCHESTER SELECTBOARD MEETING January 12, 2016, 5:30 PM MEETING HOUSE, 830 MAIN ST. COLCHESTER, VT

1. CALL TO ORDER, ROLL CALL (5:30 PM)

Chair Nadine Scibek called the meeting to order at 5:30 p.m.

SELECTBOARD: Nadine Scibek, Chair; Herbert Downing; Tom Mulcahy; Marc Landry. Absent: Jeffrey Bartley (joined by phone for agenda item 2, then called back in for items 10 and 11.) ADMINISTRATION: Dawn Francis, Town Manager; Aaron Frank, Assistant Town Manager and CFO; Warner Rackley, Town Engineer, Department of Public Works; Sarah Hadd, Director of Planning and Zoning; Bryan Osborne, Director of Public Works;

OTHERS IN ATTENDANCE: Richard Desautel, Steve Bourgeois, Wendy Simpers, Todd Goad, Curt Taylor, Pam Loranger, Pat O'Brien; Robin Jeffers, Jane Lazorchak, Andy Rowe, Theresa Carroll, Lisa Halvorsen

2. Possible Executive Session

a. To discuss pending civil litigation and CPOA grievance update.

At 5: 35 p.m. MOTION was made by Tom Mulcahy and SECONDED by Marc Landry to find that premature general public knowledge of a contract, an arbitration, and a pending litigation would clearly place this Selectboard at a substantial disadvantage because the Selectboard risks disclosing its negotiation strategies if it discusses these matters in public. The MOTION carried 4-0.

MOTION was made by Tom Mulcahy and SECONDED by Marc Landry that the Selectboard enter into executive session to discuss a contract, an arbitration and a pending litigation under the provisions of Title 1, Section 313 (a)(1)(a); Title 1, Section 313 (a)(1)(c); and Title 1, Section 313 (a)(1)(e), respectively, of the Vermont Statutes, Executive Sessions.

The MOTION carried 4-0.

Jeffrey Bartley joined the Executive Session by telephone.

At 6:29 PM MOTION was made by Herbert Downing and SECONDED by Marc Landry to exit executive session. No action was taken in executive session.

The MOTION carried 4-0.

3. RECONVENE MEETING

At 6:30 PM Nadine Scibek reconvened the meeting.

4. PUBLIC HEARING AND PRESENTATION ON FY 2016-17 BUDGET - D. Francis and A. Frank
The presentation on the proposed budget for fiscal year 2016-17 was given by Dawn Francis,
Town Manager and Aaron Frank, Chief Financial Officer.

5. CITIZENS TO BE HEARD

There were no comments from the public.

6. CONSENT AGENDA

a. Minutes of December 8, 2015

MOTION was made by Tom Mulcahy and SECONDED by Herbert Downing to approve the minutes of December 8, 2015.

The MOTION carried 4-0

7. SPECIAL BUSINESS ITEMS

a. Action: Weight Limit on Mill Pond Road - W. Rackley

Structural deficiencies in the Mill Pond Bridge that required a restricted weight limit have been remediated by the replacement of the bridge. It was recommended that the weight limit for the road be increased to the recommended limit.

MOTION was made by Tom Mulcahy and SECONDED by Herbert Downing to approve the increase in the weight limit positing for Mill Pond Road from 16,000 lbs. to 24,000 lbs. in accordance with Vermont State Statue, Title 23, Chapter 13, Subchapter 015, Section 1392(2) per a memo from Warner Rackley dated November 23, 2015.

The MOTION carried 4-0.

b. Action: Mileage Certificate for Town Highways - W. Rackley

MOTION was made by Tom Mulcahy and SECONDED by Herbert Downing to approve and sign the Certificate of Highway Mileage for the year ending February 10, 2016, as indicated on the Certificate of Highway Mileage and by an approved petition recorded by the Town Clerk on June 26, 1937 on page 26 of Highway Volume 1, per a memo from Warner Rackley, Colchester Public Works Engineer, dated December 4, 2015.

The MOTION carried 4-0.

- c. Action: Local Match Commitment for CCRPC Grant Authorization B. Osborne MOTION was made by Tom Mulcahy and SECONDED by Herbert Downing to approve the submittal of a project application to the Chittenden County Regional Planning Commission for \$200,000 for scoping services for the Malletts Bay Stormwater Management project, to authorize the Chair to sign a commitment letter to provide the 20% local match of \$40,000, and to commit the necessary staff resources to complete scoping, per a memo from Bryan Osborne, Director of Public Works, dated December 29, 2015.

 The MOTION carried 4-0.
- d. <u>Action: First Reading and Warning for Public Hearing, Supplement 38 Zoning Amendments</u> S. Hadd and Pam Loranger.

MOTION was made by Tom Mulcahy and SECONDED by Herbert Downing to approve for First reading amendments to the Colchester Zoning Regulations, Identified as Supplement 38, and to warn a public hearing for said amendments on February 9, 2016 at 6:30 PM per a memo from Sarah Hadd, Director of Planning and Zoning, dated December 16, 2015.

MOTION carried 4-0.

e. Action: Proposed Acquisition of Goad Property by Vermont Fish and Wildlife - J. Lazorchak

MOTION was made by Tom Mulcahy and SECONDED by Marc Landry to support the Vermont Fish and Wildlife Department's involvement in the purchase of the 84-acre Goad property located at 435 Roosevelt Highway, Colchester, to be added to the Malletts Creek Wildlife Management Area. More specifically, the Town supports the Fish and Wildlife Department purchase of the property for the conservation of the natural resources thereon and public access to the property for all wildlife-based recreation per a memo from Dawn H. Francis dated January 12, 2016, to include consideration of a 30' easement for a recreation path on the west side along Route 7.

The MOTION carried 4-0

8. MONTHLY REPORT FROM TOWN MANAGER

a. For the months of November and December 2015

Dawn H. Francis reported on the status of projects in the various Town departments as of November and December 2015.

9. APPROVAL OF PETITIONS AND LICENSES

a. Amusement License for Oh Shaw's LLC

MOTION was made by Tom Mulcahy and SECONDED by Herbert Downing to approve an amusement license for Cyndi O'Brien d.b.a. Oh Shaw's LLC, 831 College Parkway, Colchester, Vermont.

The MOTION carried 4-0.

10. NEW BUSINESS

a. Action: Adoption of FY 2016-17 Budget

MOTION was made by Tom Mulcahy and SECONDED by Herbert Downing to approve warning of the Fiscal Year 2016-2017 general fund budget in the amount of twelve million, one hundred fifty-five thousand, two hundred fifty-nine dollars (\$12,155,259), of which ten million, thirty-five thousand, eight hundred thirty-four dollars (\$10,035,834) shall be raised by taxes and two million, one hundred nineteen thousand, four hundred twenty-five dollars (\$2,119,425) by non-tax revenues; to be warned for vote by Australian ballot at the 2016 Annual Town Meeting under Article 14.

The MOTION carried 4-0.

11. OLD BUSINESS

a. Action: Review and Adopt Town Meeting Warning and Articles
Jeffrey Bartley phoned in for Number 11 items.

MOTION was made by Tom Mulcahy and SECONDED by Marc Landry to approve the Warning for the 2015 Annual Town Meeting, Articles 9-17, as presented.

The MOTION carried 5-0.

- b. <u>Public Information on Capital Plan Reauthorizations and Public Safety Capital Plan</u>
 The Transportation and Parks Capital Plans were discussed, along with the proposed Public Safety Capital Plan.
- c. Action: Solar Electric Net Metering Agreement Conceptual Support of Selectboard

 MOTION was made by Tom Mulcahy and SECONDED by Herbert Downing to conceptually support entering into an agreement with a developer of a solar energy production facility for a twenty year agreement to purchase energy at a 15% discount over prevailing electric rates;

and that to fulfill this intention, the Town Manager's office and Town attorney are authorized to negotiate such a contract and bring it back to the Selectboard for review and approval. The MOTION carried 4-1, with Jeffrey Bartley voting against.

12. ADDITIONAL BUSINESS-MANAGER'S RECOMMENDATIONS

a. Action: Resolution of Appreciation for Conservation Commission

The Conservation Commission celebrated their 20 year anniversary and members were presented with Resolutions of Appreciation by the Selectboard.

MOTION was made by Tom Mulcahy and SECONDED by Herbert Downing to adopt the Resolution of Appreciation of the Colchester Conservation Commission. Motion carried 4-0.

b. Future Joint Meeting with CCDC regarding Community Priorities

The Board concurred with the Manager's recommendation to hold a joint meeting with CCDC to discuss community priorities and the willingness of CCDC to support and assist with same.

13. INFORMATIONAL ITEMS

a. For the week ending January 8, 2016.

The items were reviewed. The Board discussed the need to discuss legislative positions at a future meeting including renewable energy siting standards.

14. FUTURE AGENDA ITEMS

January 26, 2016

- Presentation of Audit Results Sullivan, Powers & Co.
- Presentation of Capital Plan Reauthorization Articles for Town Meeting Vote

February 9, 2016

- Public Hearing on Zoning Amendments Supplement 38 S. Hadd
- Planning & Zoning Update on Malletts Bay Project S. Hadd
- Clean Water Initiative Update B. Osborne

15. ANNOUNCEMENTS

Ms. Scibek announced openings for volunteers on the Development Review Board and the Planning Commission, as well as the Annual Meetings of the Prudential Committees of Colchester Fire Districts 2 and 3.

16. APPROVAL OF WARRANTS

a. Warrant #16-19 and #16-20

MOTION was made by Tom Mulcahy and SECONDED by Herbert Downing to approve Warrant #16-19 in the amount of \$790,186.67 and #16-20 in the amount of \$439,559.32. The MOTION carried 4-0.

17. ADJOURNMENT

At 8:43 PM MOTION was made by Tom Mulcahy and SECONDED by Marc Landry to adjourn the meeting.

The MOTION carried 4-0.

The meeting was adjourned at 8:43.

Colchester Selectboard regular meetings can be viewed in their entirety on LCATV Channel 17 and online: http://lcatv.org/towns/colchester

Minutes respectfully submitted by Linda Gustainis, recording secretary.

Moulton, Sara

From:

Warner Rackley < WRackley@colchestervt.gov>

Sent:

Tuesday, November 03, 2015 8:04 AM

To:

Moulton, Sara

Subject:

RE: Town Highway 15 (Colchester Pond Rd) Records

Attachments:

Hwy-Book_Vol-1_Pg-26.pdf; Slide 324-2.pdf; Slide 324.pdf

Sara,

Thanks for checking. Based on the information that I found, it looks like a significant portion of the old road was actually discontinued. I've attached copies of the approved petition from 1937 and a later survey plat based on that document (Slide 324-2.) The current 0.4 mile Class 3 portion off of Curve Hill Road (TH #17) remains unchanged. However, the 0.68 Class 4 (Impassable or Untraveled) portion should partially change with the 0.48 mile section in the middle changing to Discontinued and the 0.2 mile section closest to East Road (TH #2) remaining as Class 4 (I or U.) Also attached is a more recent plat showing the still current Class 3 portion.

As you will probably notice, the petitioners appear to have given the wrong highway number for East Rd unless that has changed over the years. What's listed as TH #3 is now TH #2. I will ask Robin to include this change with the annual listing at the beginning of next year. Let me know if you need additional documentation for your files.

Thanks, Warner

From: Moulton, Sara [mailto:Sara.Moulton@vermont.gov]

Sent: Thursday, October 29, 2015 11:32 AM

To: Warner Rackley

Subject: RE: Town Highway 15 (Colchester Pond Rd) Records

I wasn't able to find the type of record you are looking for. I've attached a copy of the documents in our records that refer to the impassable portion of TH-15. None directly address its opening or layout.

Let me know if you have further 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

From: Warner Rackley [mailto:WRackley@colchestervt.gov]

Sent: Thursday, October 29, 2015 9:36 AM

To: Moulton, Sara

Subject: Town Highway 15 (Colchester Pond Rd) Records

Sara,

We've received an unusual request regarding the "Impassable or Untraveled" portion of TH 15. One of the adjacent properties has inquired about the status of the right of way and if the unopened portion has been abandoned. Unfortunately, this road appears to be quite old as it appears on maps well back into the 1800s and I'm not finding a lot of records concerning it's opening or layout. There don't appear to be any recordings in our current filing systems. That's not to say that it doesn't exist in the older archives, but those are more difficult to search. I will try looking through other records, but was hoping that you might have something readily available. Do you have any records concerning this road or was this one that just came in because the Town had been maintaining it? Would appreciate any help that you can offer.

Thanks,



Warner C. Rackley, PE Asst. Public Works Dir./Town Engineer

Town of Colchester 781 Blakely Rd. | P.O. Box 55 Colchester, Vermont 05446 P: 802.264.5635 | F: 802.264.5503

colchestervt.gov

Notice – Under Vermont's Public Records Act, all e-mail, e-mail attachments as well as paper copies of documents received or prepared for use in matters concerning Town business, concerning a Town official or staff, or containing information relating to town business are likely to be regarded as public records which may be inspected by any person upon request, unless otherwise made confidential by law. If you have received this message in error, please notify us immediately by return email. Thank you for your cooperation.

Colchester, Vermont June 10th. 1957.

We, the undersigned, residents and taxpayers in the town of Colchester, Vermont believing it to be for the general good and convenience of the residents of said town, hereby respectfully petition the Selectmen of said Town of Colchester to discontinue the highway leading from the main highway (selected highway #3) commonly known as the "East Road", near the residence of Clara Wright easterly across the Central Vermont R. R. right-of-way to a point nearly opposite the farm house now owned by W. B. Wheelock and formerly known as the "Ed. Wolcott" place.

A distance of approximately 220 rods.

Also to establish a trail of 12 rods in width leading from the above mentioned "main highway", near the residence of said Clara Wright, over a part of the highway to be discontinued, a distance of approximately 64 rods, to the property of E.W. Cloe, the center line of such proposed trail to coincide approximately with the center line of the highway to be discontinued so as to guarantee to said E.W. Cloe, his successors and assigns forever, access at any and all times to his property over the discontinued highway.

Said Clara Wright or E. W. Cloe, or either of them, shall have the right to establish and maintain such gates as they, or either of them, or their successors or assigns deem necessary or convenient.

Signed

W. B. Wheelock Clara E. Wright E. W. Cloe H. S. Fratt

In accordance with the above petition notice is hereby given that a meeting will be held at or near the residence of said Clara Wright, and the above mentioned highway to be discontinued at 10 o'clock a.m. on Saturday June 26, 1937 to hear persons interested in said highway and petition.

Dated at Colchester, Vermont June 9th. 1937

Guy W. Michols I. T. Howard H. C. Monta Selectmen of the town of Colchester.

Due notice having been given the Central Vermont K. R. Co, by copy of the above petition and notice of hearing, sent by registered mail to St. Albans, Vermont, on June 9th. 1937, and, on the same date, by delivering to Clara E. Wright and to W.B. Wheelock, two of the above petitioners, copies as above.

Also by advertising the same 2 weeks successively (June 11 & 18) in the Burlington Free Press, a meeting was held at the time and place as called for in the above petition and notice of hearing, and no one appeared in opposition thereto, the highway was discontinued and trail established as called for in the above petition, and the same ordered to be recorded as of June 26th. A. D. 1927.

Dated at Colchester, Vt June 26th, 1937

Guy W. Nichols I. T. Howard H. C. Monta Selectmen of the town of Colchester.

Received for record June 26, 1937 at 2 o-clock p. m. and recorded, in Vol. 1 Fage 26 of Highways

Attest

D. M. Whigh Town Yerk.

CALGULATED POINT المسيد MALLETTS

HOWN OF COLCHESTER

LOT Z LOT I MARTINDALE INC. MARTINDALE INC. 12.51 ACRES 12.51 ACRES Durse PROPERTY OF MARCAL OF RUTH JACOBS
MISC VOL. 7, PQ 362
VOL. WO 6, PQ 213 TOWN MEETING BOOK Z -ITEM 64 FENGELINE IN TO CHEERY TREE 544-59-15E. 482.08 544-59-15E 375.00 ITEM 108 TO CORNER S DEEDED | LAYOUT 544-89-158 941.48 DEEDED 1320 FIELD MEAS. 1316-5 COLCHESTER CENTER COLCRESSITA VI.
RECEIVED FOR RECORD

102 ottors 92 the 12 th PROPERTY OF HARRY LEGGETT. MIDE VOL. 29, PG. 291 Approved by Resolution of the Planning Commission of the Town of Colchester, Vermont on the 12th day of Auly 1995, subject to the requirements and This print has been conditions of said Resolution. Signed this PM day of November 1995.
by Mary Jane Vantale
Chairfind or Clerk HORIZE REDUCED HORIZONTAL SCALE IN FEET

CENTERLINE -

CORNER I EXISTING PENGELINE IN 24" CHEERY TREE ITEM 62

PROPERTY OF LAWRENCE & ERICA TRUCEAU VOL. 22, PG.320

N44-20-35W,

MILITON

-24.15 FIGHT OF WAY PER TOWN OF
COLCHECTER SELECTMEN SEE VOL.1
(HIGHWAYS) FO, 25. THE UNDERSIGNED
MAKES NO ASSURANCE, AS TO THE
VALIDITY OF THE SELECTMEND ACTION
FROMEST OF
ECCEPT | MAKET LANG AMPOSEL
WITH THE SELECTMENT OF THE

77030

FIELD MEAS

44-70-39W, 200.00

EXISTING I" DIA IRON PIPE ITEM 125

245-30-308, 371.12 FIELD MEA

- GORNER 10

GENERAL NOTES

1.0 THE INTORNATION CAPITED AND CONSIDERED DURING COMPILATION OF THIS MAP IS AN TOLLOWS:

1.1 A SURVEY MAP ENTILED "POSTETION OF CLARA METCHE PROPERTY, EAST ROOD, COLCRESTER, VERNORTY, CAPED MOVITHERS 1970, SCALE 1"=60", PETARAR OS THANKER ADDRESSIES, L. S. 46.2 TO PHICLO-PROPERTY REFERENCE IS MADE ON THIS MAY, AND DELECT OF PREVIOUS TITLEHOLDERS, ONLY DEED WHICH ARE A MATER OF PUBLIC RECORD AND ESTABLISHED, AND UTILIZED IN THIS SURVEY. SUPPLIC RECORD MAP SHE MEXADINED AND UTILIZED IN THIS SURVEY.

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4.0 I HEALDY CERTIFY THAT THE INFORMATION SHOWN ON THIS HAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDG, BASED ON RECORDED DEEDS OF THE COMPRESTER LAND RECORDS AND PRISICAL EVIDENCE FOUND IN THE FIELD.

Wellean H Hannon

MILLIAM H. HANNON LICENSED LAND SUBYEYOR STATE OF YERHONT -594

EGEND

-POSSIBLE ENCEOACHMENT BY
TELEPHONE LINE, POLE, & ANGHOR
NO EAGLMENT RECOVERED TEM 124 GOENEE 7 TO ITEM 124 N+8-12-00E, 28.55

-CENTERLINE OF ABANDONED HIGHWAY 18 BOUNDARY SEE Y.S.A. TITLE 19 SECTION 718

NGG-25-39E, 2475 LAYOUT

PROPERTY OF HARRY LEGGETT MISG. VOL. 29, FG. 271

-EXISTING FENCELINE

-CORNER 4

CORNER O

CORNER 5

SENTERLINE OF DRIVE

TERLANE.

-CORNER & FALLS ON NORTHWESTERLY SIDE OF 18" STUMP-NO MARKER INSTALLED

SPRING PIPE J RIGHTS IN FAVOR OF L. 4 E. TRUDEAU SEE VOL. 22, FG. 320

544-59-15E 259.40

GERALD & CHARLEEN MOULTON VOL. 108, PG. 223

SET 40 CIA RE-ONE SAT REWITCHED CORRECTE EXISTING UTILITY POLE

EXISTING IRON PIPE ACCESCO PROPERTO DE EXISTING STONE WALL ---BOUNDARY LINE EXISTING FENCE LINE

> CENTERLINE OF ROMOWAY CENTERLINE OF TRAIL

REVISION: IS OCE 1999 SUBDIVIDED PARCEL INTO TWO LOTS

PROPERTY OF

MARTINDALE INC. EAST ROAD

COLCHESTER,

VERMONT HANNON ASSOCIATES

LICENSED LAND SURVEYOR RRI, BOX 196

JEFFERSONVILLE, VERMONT

DATE 13 AUG. 1907 SCALE 13:154 DRAWN MUG. CHECKEDIN.H. SURVEYEDI W.H., A C., † 0.4 OWG. NO. 67-13



Politelas Negend LHR WALAND SULLY SHI 11256 N 8540 12* W WINOOSKI VA LLEY PARK DISTRICT ARTCO GRAPHIC SCALE (time to MOST ON NOW ASSUMED THE OF POWS (TIENARM SAU) EXCENS OF HATTER OF BACE SAL Colchester Lond)). An executament from boar alcited with a later tribbe habiteted as attended from a previously coulded incident action across the contract states of produced and in the fact on attempt were desired across produced and in the fact on attempt were made to locate, and benefit any executate all the fact on attempt were made to locate, and benefit any executate. 5) Highway right of way which of Calabester Pood Road (Town Highway 175) has been e) All markers indicated as set consist of a P4 robor with a justice istensibleation cop. The following sorrey plots have been utilized in the preparation and determination of the perineter rises depicted horson: a) All bearings magnetic and referenced to the Weight survey noted above. PROPOSED MATER DISTRIBUTION SYSTEM—PARE DISTRICT AS " as traced from edit on project pions by D.P. Hedey, deled that it, 1961. WAR OF BOUNDARY ISAUTHBURY—COUNTES & MELIAL METHY OF PROPOSAL IS BOOKS Land Serving Me., doled Jugant I, 1991 and review on Jugant Sq. 1995 and littled on map follows. YEAR OF BELVIOLEY STRIKE"-"SCHERS FLOW" as prepared by Breaks Land Services for, chiral sky 5, 1885 and listed as Hop MERC. RESIT OF MY FLANS OF PARCE AT PREPARED FOR CENTRAL HOMONI FURIC SERVIZ -- ESSEX AST-MATCH LIM Wheelook Pairel

SPICIES 21, 1955 MINOSSH MALLY PAIR DISTRICT

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AND NO. 228 PER PROBLEM DATE OF COLUMN DISTRICT

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AND NO. 1218 PROBLEM DATE STREET DE COLUMN DISTRICT

AND NO. 1219 PROS. 121 No. SHOOMB YOUR THE SHOOM THE This poil was prepared for the excisive use, of the person (s) or entity named in the title block horson. The certification below does not extend to any un-named person without aspires on-certification by the excisive naming Notes Map of Survey MENSONS OCT. 2, 1895 STATE OF THE PARTY OF THE PARTY