

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 WESTMORE in ORLEANS 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.

Table with 6 columns: Town Highways, Previous Mileage, Added Mileage, Subtracted Mileage, Total, Scenic Highways. Rows include Class 1, Class 2, Class 3, State Highway, Total, Class 1 Lane, Class 4, and Legal Trail.

\* 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.

Totals by K. Alley 4/6/2016.

- 1. NEW HIGHWAYS: Please attach Selectmen's "Certificate of Completion and Opening".
2. DISCONTINUED: Please attach SIGNED copy of proceedings (minutes of meeting). 0.09 mi CL3 TH-34 (Overlook Ln) discontinued.
3. RECLASSIFIED/REMEASURED: Please attach SIGNED copy of proceedings (minutes of meeting). 0.09 mi CL3 TH-34 (Overlook Ln) reclassified to CL4.
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 William Perkins and David Stearns.

T/C/V Clerk Signature:

Handwritten signature of the T/C/V Clerk.

Date Filed:

3/31/16

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

**Received**

APR 04 2016

Policy, Planning & Intermodal  
Development Division

**Vermont Statutes Annotated**

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

**§ 305. Measurement and inspection**

(a) After reasonable notice to the selectboard, a representative of the agency may measure and inspect the class 1, 2, and 3 town highways in each town to verify the accuracy of the records on file with the agency. Upon request, the selectboard or their designee shall be permitted to accompany the representative of the agency during the measurement and inspection. The agency shall notify the town when any highway, or portion of a highway, does not meet the standards for its assigned class. If the town fails, within one year, to restore the highway or portion of the highway to the accepted standard, or to reclassify, or to discontinue, or develop an acceptable schedule for restoring to the accepted standards, the agency for purposes of apportionment under section 306 of this title shall deduct the affected mileage from that assigned to the town for the particular class of the road in question.

(b) Annually, on or before February 10, the selectboard shall file with the town clerk a sworn statement of the description and measurements of all class 1, 2, 3, and 4 town highways and trails then in existence, including any special designation such as a throughway or scenic highway. When class 1, 2, 3, or 4 town highways, trails, or unidentified corridors are accepted, discontinued, or reclassified, a copy of the proceedings shall be filed in the town clerk's office and a copy shall be forwarded to the agency.

(c) All class 1, 2, 3, and 4 town highways and trails shall appear on the town highway maps by July 1, 2015.

(d) At least 45 days prior to first including a town highway or trail that is not clearly observable by physical evidence of its use as a highway or trail and that is legally established prior to February 10, 2006 in the sworn statement required under subsection (b) of this section, the legislative body of the municipality shall provide written notice and an opportunity to be heard at a duly warned meeting of the legislative body to persons owning lands through which a highway or trail passes or abuts.

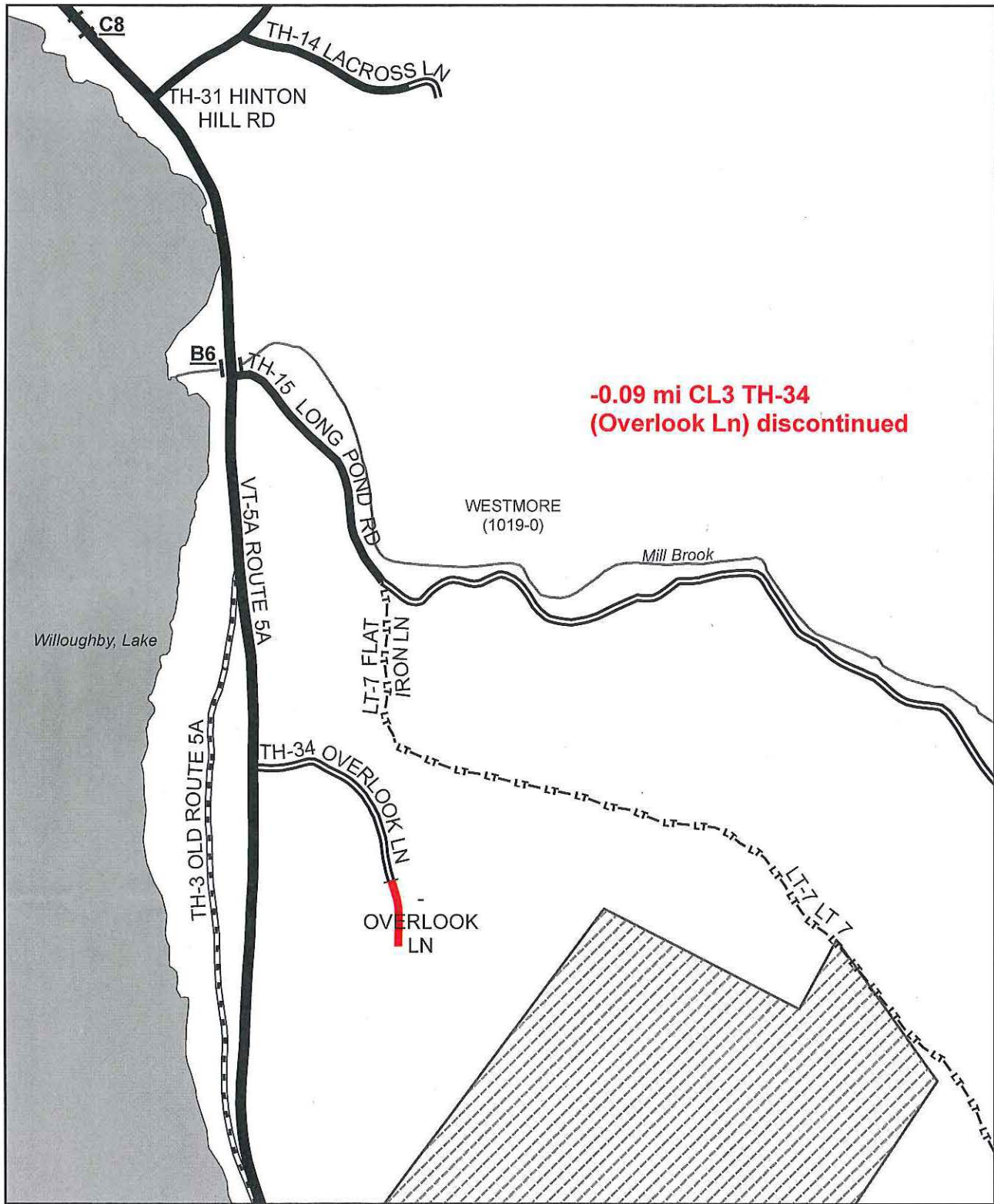
(e) The agency shall not accept any change in mileage until the records required to be filed in the town clerk's office by this section are received by the agency. A request by a municipality to the agency for a change in mileage shall include a description of the affected highway or trail, a copy of any surveys of the affected highway or trail, minutes of meetings at which the legislative body took action with respect to the changes, and a current town highway map with the requested deletions and additions sketched on it. A survey shall not be required for class 4 town highways that are legally established prior to February 10, 2006. All records filed with the agency are subject to verification in accordance with subsection (a) of this section.

(f) The selectboard of any town who are aggrieved by a finding of the agency concerning the measurement, description, or classification of a town highway may appeal to the transportation board by filing a notice of appeal with the executive secretary of the transportation board.

(g) The agency shall provide each town with a map of all of the highways in that town together with the mileage of each class 1, 2, 3, and 4 highway, as well as each trail, and such other information as the agency deems appropriate

Excerpt of 19 V.S.A. § 305 - *Measurement and inspection* from Vermont Statutes Online located at –  
<http://legislature.vermont.gov/statutes/section/19/003/00305>

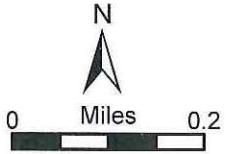
December 2015



**-0.09 mi CL3 TH-34  
(Overlook Ln) discontinued**

**Mileage Certificate Changes 2016  
WESTMORE (1019-0)**

Mapping Section  
 Division of Policy and Planning  
 Vermont Agency of Transportation -- March 30, 2016



Town of Westmore  
Office of Clerk & Treasurer  
54 Hinton Hill Road  
Orleans VT 05860

September 2, 2015

Kerry Alley  
Agency of Transportation  
Mapping Section  
1 National Life Drive  
Montpelier, VT 05633-5001

Dear Ms. Alley;

Enclosed are the Notice of Public Hearing, Minutes and Decision and Order of Selectboard in regard to discontinuing a section of Town Highway # 34, Overlook Lane.

If anything else is required, do not hesitate to contact me.

Sincerely,



Greg Gallagher  
Westmore Town Clerk

**Received**

**SEP 08 2015**

**VTrans Highway Division  
Project Delivery Bureau**

**NOTICE OF PUBLIC HEARING TO CONSIDER THE DISCONTINUANCE OF A  
PORTION OF TOWN HIGHWAY 34**

Interested persons and persons owning or interested in lands through which Town Highway 34 (also known as Overlook Lane) may pass or abut are hereby warned of a public hearing to be held by the Selectboard of the Town of Westmore to consider the discontinuance of the portion of Town Highway 34 past the 0.295-mile mark. Pursuant to 19 V.S.A. § 709, the proceedings will commence with an examination of the premises, convening at the intersection of Town Highway 34 at the 0.295-mile mark promptly at 5:30 p.m. No testimony shall be accepted at the site visit. Immediately following the examination of the premises, the Selectboard of the Town of Westmore will meet at the Westmore Town Office to receive testimony from any interested parties. The Selectboard shall issue a written decision within 60 days of the hearing.

**Date of Hearing:** July 13, 2015  
Due to a procedural problem the Town is re-hearing this issue.

**Time of Hearing:** 5:30 p.m.

**Location of Hearing:** Site visit at the 0.295-mile mark of Town Highway 34; immediately followed by public hearing at the Westmore Town Office, 54 Hinton Hill Road, Westmore

**Description of Highway:** Town Highway 34 commences at the intersection of Route 5A and physically terminates at the .38-mile mark. The Town is considering discontinuing any interest it may have beyond the 0.295-mile mark.

Town of Westmore  
Selectboard Meeting Minutes  
July 13, 2015

Bill Perkins opened the Overlook Lane Hearing at 5:30 at Overlook Lane.

In attendance on-site were Bill Perkins, Burton Hinton, Dawn Wilcox, Ray LeBlanc and Jennifer Cleveland, *The Orleans Record*

The Board reviewed the section of Overlook Lane to be discontinued.

Upon returning to the Municipal Building, Burton moved and Bill seconded to discontinue Overlook Lane, Town Highway #34, at 0.295 miles from RT 5A and to sign the "Decision and Order of the Selectboard Upon Request for Discontinuance." Passed.

Burton moved and Bill seconded to adjourn the Overlook Lane Hearing.

Bill called the regular Selectboard meeting to order at 6:00.

In attendance: Bill Perkins, Chair, and Burton Hinton, Selectmen, Greg Gallagher, Town Clerk, Ann Parenteau, Gerald Saindon, Bruce Wheeler, Paul and Cathi Wasklewicz, Marium Simonds, Larry Phipps, Ray Lanier and Vince and Louisa Dotoli.

Burton moved and Bill seconded to add the following to the Agenda:

- Transfer Station attendant and Pay rate
- Delinquent Tax Collector (DTC) issues
- Illegal dumping
- Speed Devices-Bruce Wheeler
- Father Stephen Von Fauer vs. Town of Westmore
- Personnel Policy
- Beach port-o-potties

Passed.

Greg reported on a call from an engineer from Dubois and King asking if street signs being replaced along RT 5A should have the TH #.

Burton moved and Bill seconded to have the new street signs include the TH #. Passed.

Burton reported that someone has been pushing over the port-o-potties at the Beach. It has been recommended to pour a slab and hook them to the slab with eye bolts.

Bill moved and Burton seconded to have Darryl Davis pour the slab and put in eye bolts for less than \$1000. Passed.

DTC issues were discussed.

Burton moved and Bill seconded to accept Erik Swanson's resignation with regret. Passed.

Burton did not want to appoint a successor at this time, feeling that would give that person an advantage at Town Meeting. He recommended holding a Special Town Meeting to elect a DTC until the regular Town Meeting.

Bruce Wheeler agreed citing the case back when there was a Town Clerk vacancy and the Board wanted to appoint someone, but instead were convinced to hold a Special Town Meeting.

Greg said he thought thirty days notice was needed for a Special Town Meeting.

Burton moved and Bill seconded to hold a Special Town Meeting to elect a DTC Wednesday, Aug 19<sup>th</sup> at 7 PM. Passed.

Greg read an opinion from VLCT that the Board could appoint a nonresident as DTV.

  
Bill Perkins (Chair)

  
David Stevens

  
Burton Hinton

Town of Westmore  
Selectboard Meeting Minutes  
July 13, 2015

Burton moved and Bill seconded to hire Erik as DTC until a replacement is elected at the Special Town Meeting. Passed.

Louisa recommended Beverly Decker to fill a vacancy on the Planning and Zoning Board and Zoning Board of Adjustment.  
Burton so moved with Bill seconding. Passed.

Deb Richards had asked Greg about what could be done with a property at Edgewood Park which is falling into disrepair.  
Burton moved and Bill seconded for Gerald to have Glenn inspect it. Passed.

Greg and Larry reported that people have left garbage bags at the Transfer Station gate and three bags of assorted garbage were left in Connie's truck while she was away on vacation. Burton will call the Sheriff's office to see what can be done.

Larry reported that he has had to pick up bags outside the gate and that many of the recycle bags were overweight and with mixed recycling and garbage. Burton will call Jim to see what he can do.

Cathi asked how often NEKWMD removes the recycling, because it has been overflowing.

Larry said they had just emptied it. What she saw was all new.

Bruce brought in new material on Radar Speed Devices. He has been working on this for two years. He emphasized very heavy traffic from Kimball's thru the boat launch, particularly in July and August. He thought there would be grants available.

Ray Lanier updated the Greeter Program. There have been a lot of boats. One boat from Lake Champlain had milfoil and Curly Pond Leaf.

Ray also asked if the Class 4 section of Old Cottage Lane could be graded. The Board will talk to Steve about this.

The Board reviewed applications for Transfer Attendant. Several people suggested that Westmore residents should have a preference.

Bill moved and Burton seconded to offer the position to Steve Davenport Sr. at \$10 per hour for a sixty day probationary period. If he does not accept, offer it to David Punt. Passed.

Bill moved and Burton seconded to approve Minutes June 29<sup>th</sup> and July 2<sup>nd</sup>. Passed.


Burton moved and Bill seconded to approve Select Orders and Payroll #14. Passed.

Greg read an email from Gwynn Zakov, VLCT attorney, with questions on the Town's Personnel Policy. David was appointed to reply to her questions.

Correspondence was read.

Burton moved and Bill seconded to adjourn at 7:38. Passed.

Signed by,

  
\_\_\_\_\_  
Greg Gallagher  
Westmore Town Clerk

  
\_\_\_\_\_  
Bill Perkins (Chair)

  
\_\_\_\_\_  
David Stevens

  
\_\_\_\_\_  
Burton Hinton

**TOWN OF WESTMORE, VERMONT  
DECISION AND ORDER OF THE SELECTBOARD  
UPON REQUEST FOR DISCONTINUANCE**

This matter came on for hearing before the Westmore Town Selectboard on its own motion to consider discontinuance of Town Highway #34 (Overlook Lane) past the .295-mile mark.

Notice of the discontinuance hearing was published in the [Barton Chronicle] on 7/9/2015. Notice was also sent by certified mail to all interested parties on 6/6/2015.



On July, 13, 2015, the Selectboard conducted a site visit and examined the premises at Town Highway #34, followed by a public hearing at the Westmore Town Office. Present at the site visit and at the public hearing were Selectboard members Bill Perkins and Burton Hinton. Town Highway 34 commences at the intersection of Route 5A and terminates at the .295 mile mark of Town Highway 34.

Based on the evidence presented at the site visit, the testimony at the hearing and pursuant to 19 V.S.A. § 710, the Selectboard hereby determines that the public good, necessity and convenience requires that Town Highway #34 be discontinued after the .295-mile mark as measured by a nu-metrics DMI Model #NS-5, Serial # D006557.

Any person interested who objects to this decision may appeal pursuant to 19 V.S.A. § 740 and Rule 74 of the Vermont Rules of Civil Procedure to the Vermont Superior Court, Orleans Unit, Civil Division within 30 days of the recording of this order.

Dated at Westmore, Vermont this 13<sup>th</sup> day of July, 2015.

WESTMORE SELECTBOARD

  
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Class 3

OVERLOOK LN

Class 2

OVERLOOK LN





**State of Vermont**  
**Division of Policy, Planning and Intermodal Development**  
**Mapping Section**  
1 National Life Drive  
Montpelier, VT 05633-5001  
<http://www.aot.state.vt.us>

*Agency of Transportation*

Telephone: 802-828-3666  
Fax: 802-828-2334  
Email: [kerry.alley@state.vt.us](mailto:kerry.alley@state.vt.us)

July 10, 2015

William Perkins  
Chair, Selectboard  
Westmore, c/o Town Clerk  
54 Hinton Hill Rd  
Westmore, VT 05860

Dear Mr. Perkins:

Please find the enclosed copy of the 2015 Certificate of Highway Mileage for the Town of Westmore. The VTrans Mapping Section was unable to process the change submitted on the Certificate because of discrepancies in the documentation about whether the portion of Overlook Lane (class 3 TH-34) was discontinued or reclassified as a class 4 town highway.

Having spoken with your Town Clerk Greg Gallager, it is my understanding that the Selectboard is working to resolve the issue. The change can be resubmitted with new documentation on the 2016 Certificate, or we can pre-load any mileage changes onto the 2016 Certificate if we receive all of the necessary documentation before the Certificates are mailed to towns in early January.

Please feel free to contact me with any questions or comments regarding the above information, or with mapping in general.

Sincerely,

Kerry Alley  
Mapping & GIS Specialist

Enclosures

cc: Michelle Boomhower, Director of the VTrans Policy, Planning & Intermodal Development Division  
John Dunleavy, Assistant Attorney General  
Dale Perron, District Transportation Administrator  
Matthew Langham, VTrans Planning Coordinator