

OK JHR

CERTIFICATE OF HIGHWAY MILEAGE year ending FEB. 10, 1994

Fill out form, make & file COPY with the Town Clerk, & mail ORIGINAL before Feb. 10, 1994 to: Vt. Agency of Transportation, Planning Dept., 133 State Street, Montpelier, Vt. 05633.

< IF NO CHANGES IN MILEAGE, OMIT PART I, CHECK PART II, SIGN PART III

We, the Selectmen or Trustees or Aldermen of DOVER, WINDHAM COUNTY on an oath state that the mileage of highways, according to Title 19, V.S.A., Sec#305, added 1985, is as follows:

PART I - CHANGES & TOTALS - Please fill in and calculate totals. DISTRICT 1

TOWN HIGHWAYS	PREVIOUS MILEAGE	ADDED MILEAGE	SUBTRACTED MILEAGE	TOTAL	* SCENIC HIGHWAYS
CLASS 1	.000			.000	*
CLASS 2	9.290			9.290	*
CLASS 3	48.460		.08	48.380	*
STATE HWY	5.547			5.547	*
TOTAL	63.297		.08	63.217	*
CLASS 4	2.140			2.140	*

PART II - INFORMATION & 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).
TH #36 - beginning at the point where it intersects with TH #15 and going in a northerly direction approximately .08 miles as shown on the Town Highway Map.
- (3) RECLASSIFIED/REMEASURED: Please attach SIGNED copy of proceedings(minutes of meetings).
- (4) SCENIC HIGHWAYS: Please attach copy of order designating/discontinuing Scenic Highways.

PART II - CHECK BOX IF NO CHANGES IN MILEAGES AND SIGN BELOW []

PART III - SIGNATURES - PLEASE SIGN.

SELECTMEN/ALDERMEN/TRUSTEES SIGNATURES:

Catherine D. Kayman
Theresa R. Rasmussen
Charlotte Bond

CLERK SIGNATURE: Mary Lou Raymo
Please sign ORIGINAL & return for Transportation signature.

DATE FILED Jan. 12, 1994

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

APPROVED: Donald C. Harvey
Representative, Agency of Transportation DATE: 1/18/94

CERTIFICATE OF HIGHWAY MILEAGE YEAR ENDING FEB. 10, 1994

Fill out form, make & file COPY with the Town Clerk, & mail ORIGINAL before Feb. 10, 1994 to: Vt. Agency of Transportation, Planning Dept., 133 State Street, Montpelier, VT 05633.

> IF NO CHANGES IN MILEAGE, OMIT PART I, CHECK PART II, SIGN ORIGINAL PLANNING DIVISION

We, the Selectmen or Trustees or Aldermen of DOVER, WINDHAM COUNTY on an oath state that the mileage of highways, according to Title 19, V.S.A., Sec#305, added 1985, is as follows:

PART I - CHANGES & TOTALS - Please fill in and calculate totals. DISTRICT 1

TOWN HIGHWAYS	PREVIOUS MILEAGE	ADDED MILEAGE	SUBTRACTED MILEAGE	TOTAL	* SCENIC * HIGHWAYS
CLASS 1	0.000				*
CLASS 2	9.290			9.290	*
CLASS 3	48.460		0.08	48.380	*
STATE HWY	2.247			2.247	*
TOTAL	62.297		0.08	62.217	*
CLASS 4	2.140			2.140	*

PART II - INFORMATION & 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).
 TH 436 - beginning at the point where it intersects with TH 415 and going in a northerly direction approximately .08 miles as shown on the Town Highway Map.

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

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

PART II - CHECK BOX IF NO CHANGES IN MILEAGES AND SIGN BELOW []

PART III - SIGNATURES - PLEASE SIGN

SELECTMEN/ALDERMEN/TRUSTEES
 SIGNATURES:

CLERK SIGNATURE: *Mary Ann James*
 Please sign ORIGINAL & return for Transportation signature. DATE FILED: *Jan. 12, 1994*

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

APPROVED: *Donald C. Hanson* DATE: *1/12/94*
 Representative, Agency of Transportation

THE REGULAR MEETING OF THE DOVER BOARD OF SELECTMEN
AND LOCAL BOARD OF LIQUOR CONTROL
EXHIBIT #5

December 14, 1993

Dover Town Office

7:00 P.M.

PRESENT: R. Rubin, C. Bond, N. Rosenberg, P. Bartlett, and C. Kaufmann.

ALSO PRESENT: Susan Johnson, Bonney Prince, Amanda McGerigle, Robert Edwards, Kelley Patrick, and Diane Classon.

THESE MINUTES ARE NOT OFFICIAL AS THEY HAVE NOT BEEN ACCEPTED OR CORRECTED BY THE DOVER BOARD OF SELECTMEN.

1. Continuation of Marple Hearing.

The hearing was called to order at 7:00 P.M. by Acting Chairman, Norman Rosenberg. This hearing was continued from November 16th to allow the Planning Commission to do research to find out if the town had any claim to the trail on the Balter (Marple) property.

Present at the continued hearing in addition to the Board of Selectmen and the Administrative Assistant were:

Randy Terk - Chairman of the Planning Commission
Lee Balter - property owner
Susan Johnson and Bonney Prince - newspaper reporters
Mark Sprague - Trail Coordinator for Snowmobile Club
Amanda McGerigle, R.J. Werner - Public

Norman Rosenberg opened the hearing to any questions or comments. R. Terk presented a letter to the Board from Deborah Markowitz, Attorney for VLCT. Based on the letter, Terk advised that it appears that the Town has no ownership to the Old Johnson Hill Trail. He further stated that it does not mean that is the end of it but the Planning Commission does not have a position on this situation. He stated the Planning Commission feels it is up to the Selectmen at this point.

He briefly discussed "Prescriptive Rights" but advised he was not sure what it means other than, if the public can prove that they have used the trail for the last fifteen years, they may be able to preserve the right to use the trail through litigation.

Lee Balter advised that he feels Prescriptive Rights is a private matter between himself and the people who want to use the trail and should not involve the Town. Mark Sprague, Trail Coordinator for the Snowmobile Club, agreed with Balter that it is a personal issue.

Two letters were read from Eugene Gordon of Mountainside, New Jersey, and George Flint III of New York City voicing their concerns that the right of the public to use the trail be preserved.

Lee Balter reiterated as he did at the last hearing that he wants to work with people and wants to be a good neighbor.

R. Rubin asked how the Town Forest relates to the trail. P. Bartlett showed those present on a map where the Town Forest is in relation to the trail.

N. Rosenberg advised he would like to see everyone get together and work out an alternate route for people to have access to the trail.

Being there was no further testimony, the hearing was adjourned at 7:30 P.M.

The meeting of the Board of Selectmen was called to order at 7:30 P.M. by Chairman, Catherine Kaufmann.

Further discussion followed and N. Rosenberg stated, that from the information gathered, the Town has no rights to this trail. In addition, Phil Bartlett advised that the cemetery is not near the right of way and is a private cemetery.

Motion was made by N. Rosenberg, seconded by R. Rubin to throw up the road. Aye: N. Rosenberg, R. Rubin, C. Kaufmann. Nay: C. Bond, Abstain: P. Bartlett.

2. Acceptance of Minutes.

Motion was made by N. Rosenberg, seconded by P. Bartlett to approve the minutes of the Regular Meeting of December 7, 1993 as written. Unanimous.

3. Orders #50.

Weekly Orders #50, totalling \$25,821.79 of checks written for the Town of Dover General, Payroll, and Capital Accounts were signed by the Board.

4. Department Heads Weekly Report.

Highway Department. P. Bartlett advised the Highway Department is keeping busy "dealing with the the weather."

He further advised that the garage and Town Office were fined \$75.00 each by VOSHA for safety violations. They have all been taken care of and letters of abatement need to be mailed to VOSHA within thirty days. It was noted that D. Classon had already mailed the letter of abatement regarding the Town Office to VOSHA and Bartlett advised he would contact them to make sure he was in compliance and mail his letters to them.

There is no electricity in the new addition but the equipment is all in and it is working out well.

Lastly, the Board reviewed the Casella Contract which was brought up under Other Business last week and it was noted that Casella will retain ownership of the recycling container after January 6, 1994.

MINUTES OF THE DULY WARNED HEARING OF THE DOVER BOARD OF SELECTMEN

November 16, 1993

Dover Town Office

7:00 P.M.

PRESENT: Norman Rosenberg, Robert Rubin, Charlotte Bond, Phil Bartlett - Selectmen.

ALSO PRESENT:

Lee Balter and Margaret Shaw - Property Owner
Sarah Wolfe - Reporter for Green Mountain Courier & Brattleboro Reformer
Randy Terk - Chairman of Dover Planning Commission
Robert Fallon - Member of Dover Planning Commission
Will Filkins - Member of Dover Planning Commission
Randy Morse - Member of Dover Planning Commission
John Mulhall - Chief, West Dover Fire Department
Robert Edwards - Chief, Dover Police Department
Ralph L. Ruprecht - Representing Snowmobile Club
Steve Goldfarb, Tom Nova, Erwin E. Brown Jr., William A. Buswell, and Jane Chadwick - Concerned Citizens
Diane Classon - Administrative Assistant, Town of Dover

THESE MINUTES ARE NOT OFFICIAL AS THEY HAVE NOT BEEN ACCEPTED OR CORRECTED BY THE DOVER BOARD OF SELECTMEN.

The Hearing was called to order at 7:00 P.M. by Acting Chairman Norman Rosenberg who read the Notice of Hearing. The Hearing was held to discuss the town's intent to discontinue the road known as TH #36 (Marple Road). The Board of Selectmen received a letter on September 23, 1993 from Lee Balter and Margaret Shaw who had recently purchased the Marple property. They requested that this road be discontinued so it can serve as a driveway to their house.

Norman Rosenberg opened the hearing for comments. Randy Terk, Chairman of the Planning Commission, advised that the Planning Commission would like to recommend that the Selectmen defer any decision on whether or not to throw up this road for thirty days. He further advised that there are four members of the Planning Commission who are going to research the land records to determine what is an unanswered question relating to a trail that abuts the road. It is unknown if the Town has any right to that trail.

Steve Goldfarb told the Board he would rather not see any roads thrown up, especially those that do meet the trails that are used for recreational activities. Randy Morse, member of the Planning Commission, advised that throwing up any road is contrary to the Dover Town Plan (Page 33, #8).

Margaret Shaw, property owner who made the request to discontinue the road, told the Board she did not have any objection to the thirty day delay provided a decision was made at that time. She stressed that they would like to work with the Town in resolving this issue.

Ralph Ruprecht advised he was trailmaster for the Snowmobile Club last year and Jane Kershaw was the secretary. He told those present that, from research which Jane has done, the road that the Town is proposing to give up was once part of Johnson Hill Road. He further advised that this is a major snowmobile route and the club would hate to lose it. He stressed that the snowmobilers do not want to inconvenience the present property owners by having the snowmobiles go through their yard, but they hope that something can be worked out to maintain a trail. Ruprecht also advised that many people hike and bike on that trail. Margaret Shaw stated that they are working with the Planning Commission to find an alternative trail. Randy Terk advised that the Planning Commission agrees that Margaret and Lee have a right to their privacy. However, they do feel the issue of the trail should be resolved so it can be put to rest.

It was also noted that there are two cemeteries behind the Marple property although one has not yet been located.

D. Classon checked the Statutes and it was noted that, according to Title 19, Chapter 7, Sec. 711, the Selectmen have sixty days to record their decision with the Town Clerk. Therefore, it was agreed to recess this hearing until December 14, 1993 at 7:00 P.M. at the Dover Town Office to allow the Planning Commission to research this trail.

N. Rosenberg asked those present if there were any further questions or comments. Being there were no further comments, motion was made by R. Rubin, seconded by C. Bond to recess the hearing until December 14, 1993. Unanimous.

Respectfully submitted,



Diane Classon
Administrative Assistant
Dover Town Office

POSTED: Town Clerk's Office, Dover Town Office, East Dover Post Office, and the Dover Free Library.