

CERTIFICATE OF HIGHWAY MILEAGE
YEAR ENDING FEBRUARY 10, 2009

Fill out form, make and file copy with the Town Clerk, and mail ORIGINAL, before February 20, 2009 to:
Vermont Agency of Transportation, Policy and Planning Division, One National Life Drive, Montpelier, VT 05633.

We, the members of the legislative body of GUILFORD in WINDHAM 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 1 Lane, Class 2, Class 3, State Highway, Class 4, Legal Trail, and Total. Handwritten values are present in several cells, including '18.34' for Added Mileage and '95.623' for Total.

* Mileage for Class 1 Lane, Class 4, and Legal Trail classifications is NOT included in total.

PART II - INFORMATION AND DESCRIPTION OF CHANGES SHOWN ABOVE. Changes not accepted

1. NEW HIGHWAYS: Please attach Selectmen's "Certificate of Completion and Opening". S. Moulton 3/27/09

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

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

See attached

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 selectmen/aldermen/trustees.

T/C/V Clerk Signature:

Handwritten signature of T/C/V Clerk: Evelyn C. Kost

Date Filed:

1/26/09

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:

FEB 23 2009

Policy & Planning Division

32-35
35-38

0
0
0
0
0
0
0
0
16-8
7
78-8

one attached



[Handwritten signature]
1321 Empire Blvd
Montpelier, VT 05602
508.241.2511

State of Vermont
Policy & Planning Division-Mapping Unit
One National Life Drive
Montpelier, VT 05633-5001
<http://www.aot.state.vt.us>

Agency of Transportation

Telephone: 802-828-2600
Fax: 802-828-2334
Email: johnathan.croft@state.vt.us

March 5, 2009

Mr. Richard Clark
Selectboard Chair
Town of Guilford
236 School Rd
Guilford, VT 05301-8319

Dear Mr. Clark:

The VTTrans Mapping Unit has received the 2009 Certificate of Highway Mileage from the Town of Guilford. The Certificate shows changes in the Class 4 mileage. Based on the submittal, I am unable to fully process the Certificate and request additional documentation for the additions.

Vermont State Statutes require the municipality to provide the documentation regarding the acceptance, reclassification, and discontinuance of highways and trails within the city, town, or village. There are processes defined in Chapter 7 of V.S.A. Title 19 – *Laying Out, Discontinuing and Reclassifying Highways* which define records that need to be put on file with the Clerk.

This documentation is then supplied to VTTrans with the Mileage Certificate to evidence the process defined in statute has been followed by the municipality. The statute for the mileage certificate requiring this submittal is as follows:

Title 19: Highways - § 305. Measurement and inspection

(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.

When reviewing the changes, I noticed a lack of documentation to show the roads have been legally established and are still town highways, other than the Selectboard's acceptance of the Guilford Conservation Commission's plan.

There is a town highway map with the added roads detailed on it with an attached itemized listing, and recent minutes of the Selectmen's meeting when the Selectboard agreed to the roads presented by the Guilford Conservation Commission. This documentation provides a wealth of information to where the roads are located and will allow the Mapping Unit to add these to the map, but this documentation does not provide enough information to evidence that these highways were legally established (either by formal laying out or through dedication and acceptance) and have continued to be town highways or legal trails.

Vermont State Statute requires the municipality to provide certain documents when adding highways and trails that were legally established and not mapped by February 10, 2006. The governing statute is as follows:

Title 19: Highways - § 305. Measurement and inspection

(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.

These documents have not been provided, and there is limited information to show the roads have been legally established, continue to be town highways, and have not been discontinued.

Before I can continue processing the Mileage Certificate, I need the proper documentation for the addition of the Class 4 town highways.

Please feel free to contact me with any questions or comments regarding the Mileage Certificate process, town highways, or mapping in general.

Sincerely,



Johnathan Croft
AOT GIS Database Administrator
VTrans Mapping Unit

JFC/jfc

Enclosures

cc: Nelson Blanchard, DTA District 2
Susan Clark, Policy & Planning Division
Jeff Nugent, Windham Regional Commission

GUILFORD SELECTBOARD MEETING

February 9, 2009

PRESENT: Richard Clark - Board Chair, Dennis Franklin – Selectman, Anne Rider – Selectwoman, Jaclyn Root – Town Clerk/Treasurer, Katie Buckley – Administrative Assistant

I. **Call to order**, 6:30 PM.

II. **Approval of Minutes-** Dennis moved to accept the minutes as written from the 1/26/09 Selectboard Meeting. Anne seconded. Motion passed.

III. **Recognition of Public –** Joyce Astley, Edward Butterfield, Reed Cutting, Harry Evans, Cheryl Franklin, Nick Franklin, Tim Franklin, Kevin Freitas, Betty Frye, Craig Goodenough, Barbara Hunt, Bill Jewell, Moss Kahler, Joe Kowalski, Laura Lewis, May Mallory, Norman Mallory, George Murray, Troy Revis Jr., Charlie Whipple, Daniel Zumbruski

IV. **New Business -**

- Solid Waste - Dick Clark acknowledged Betty Frye as Guilford's representative (Supervisor) to the Windham Solid Waste Management District (WSWMD) and asked her to speak first. Betty introduced herself and informed the Board that she is also on the Finance Committee for the WSWMD. She explained that there are some serious budget issues facing the WSWMD and that George Murray (Executive Director, WSWMD) suggested instituting a surcharge to help with this financial shortfall, as is done in nine (9) other districts in the State of Vermont; we are the only district that does not charge a surcharge. She added that there have been a series of meetings with the Supervisors, Trash Haulers, etc. to discuss the issue. The Trash Haulers have openly expressed that they are against the surcharge. Betty felt there needs to be an open discussion from both sides of the issue. Dick expressed his concern that although Betty has been Guilford's Supervisor for the WSWMD for a long time she has never communicated with the Selectboard on any WSWMD's operations/issues. Dennis also added that in his 6 years on the Board he has never met her. Joe Kowalski (WSWMD Ops. Mgr.) explained that their budget problems have resulted from a drop in material values. He outlined some of the various cuts they have made to save money. He further explained that there has been a surplus in the fund from the "old land fill" that has been used to help keep the assessments low. That surplus ran out this year at the same time as the markets fell; together two "nosedives" for the District. They did not want to raise the assessments to compensate for this, hence the introduction of the surcharge idea. Craig Goodenough (private trash hauler) informed of his experience in the recycling business and that the District should have had more realistic expectations of the market – market highs never stay that way for long. Craig also explained that the towns utilize most of the recycling that goes through the Districts facility where he does all his own in-house. Craig also questioned the legality of instituting the surcharge in this fiscal year. Laura Lewis (resident) questioned the members of the WSWMD on the actual usage statistics of the District by Guilford residents (149 residents have permits). She wondered why residents weren't being asked to pay more since they are the ones actually using the facility. Why charge the haulers, since they don't use the facility? George Murray tried to explain that the surcharge is not a tax on the haulers but rather on the waste generated in the District. It was pointed out that if the surcharge is for all trash generated in the District, why isn't it also being passed onto those that don't use a private hauler (residents)? A discussion followed regarding: the implementation of the surcharge vs. raising town assessments, private haulers using Norm Mallory's facility vs. the District facility. Dennis Franklin posed the question of why even have the WSWMD – could it be disbanded and run

privately? Joe Kowalski explained that it would be very difficult for the small towns to do this given the strict State guidelines for solid waste management; that is why the Districts were originally formed. Craig Goodenough summarized the reasons for the haulers being present this evening: 1. Urge the Selectboard to vote “no” for the surcharge and 2. Not to pass the ordinance proposed by the WSWMD (gives the District the right to audit the private haulers books). Anne Rider asked Patty O’Donnell if she had any input. She informed the Board that she was here to learn – this is not an issue on her level. Betty Frye questioned the Board about what their next step would be. Anne Rider informed her that they were not at that point yet. The discussion closed with no resolution to the matter. It is on the warning for Town Meeting and will be addressed then.

- A further discussion of the WSWMD issue continued at the end of the Selectboard meeting. Earlier, Betty Frye had presented Dennis with a list of questions she had received from Reed Cutting. She asked if the Selectboard to add any questions/concerns that they had to the list so that she (Betty) could address them at the next District meeting on 2/12/09. The Board members reviewed Mr. Cutting’s questions and added some of their own. Dennis expressed his concern: he doesn’t feel that a municipality (which the District is considered to be) has a right to license, inspect, audit and fine private industry, especially since they don’t use the District’s facility. Anne and Dick agreed that this surcharge does not seem fair. The Board discussed their questions. Katie will email them to Betty.

V. Road Commissioner –

- Bridge Fund – Dan Zumbuski informed that there is a surplus in the Highway Department budget from 2008 in the amount of \$93,874. He indicated that he would like to use the funds in the following ways: \$20,500 allocated to the bridge fund (it was cut in the creation of the 2010 budget), the remaining balance would be allocated to the re-treatment account. It was suggested that some of the funds be put in a “rainy day fund.” There was a discussion on how the funds should be allocated. Anne moved to take the \$93,874 balance and devote \$20,500 to the bridge fund, \$50,000 to re-retreatment and the remaining \$23,374 be used to start an “emergency repair fund.” Dennis seconded. Motion passed.

VI. Old Business –

- Lease Agreement – Anne moved to renew the lease agreement (same terms as LY) with Patricia Good for use of the parking lot for the recycle bins for another year. Dennis seconded. Motion passed.
- Act 178 – Bill Jewell (Conservation Commission) explained that we have a one year extension (July 2010) by state statute to resolve the ancient roads issue (Act 178). He explained that there are 11 (ancient/discontinued) roads that could be added to the town map as Class 4 roads and thus reported to the State as an increase in our highway mileage due 2/20/2009. He explained that if added, the Selectboard would need to hold hearings soon to address which of the Class 4 roads would then be downgraded to Town Trails. Anne expressed reservations about the finality of adding the 11 roads to the map. Dick explained that by holding the hearings all the issues could get resolved quickly. He feels that these roads (trails/paths) have been used for public recreation for years and this will protect that right of use. If nothing is done with these (ancient) roads before the expiration date, they will revert to the property owner for private use, thus eliminating the public’s access. There was a discussion of the 11 roads in question while reviewing the map. Katie Buckley outlined the changes to the effected roads Anne moved to adopt the plans from the Guilford Conservation Commission (created in partnership with the Windham Regional Commission - WRC) to the proposed Class 4 highway mileage additions, with two changes: 1. Eliminate “Road B” (as notated on the map from the WRC) and 2. Correct the error of the “offshoot” road from Slate Rock Road that shouldn’t

exist, to make them part of our official map. Dennis seconded. Motion passed. Katie Buckley will work with the Conservation Commission and the WRC to make the changes to the maps.

- Resolution for Municipal Planning Grant – The Planning Commission had applied for a Municipal Planning Grant, which they received in the amount of \$7,500.00. Apparently, the original copy which the Selectboard signed had the incorrect date on it. Anne signed the corrected copy. No motion needed. During the discussion of this topic, Dennis informed the Dick and Anne that David Franklin does not seek re-appointment to the Planning Commission again this year. They indicated that they would need a letter of resignation from him stating this.

VII. Finances –

- Warrants:

▪ P/R 02/05/09	\$	8,685.78
▪ P/R 02/12/09	\$	4,012.35
▪ Warrant #14	\$	35,317.48

Anne moved to approve weekly payroll warrants for 02/05/09 and 02/12/09 and Warrant #14. Dennis seconded. Motion passed.

VIII. Communications -

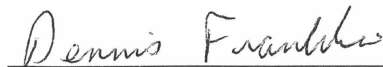
- Act 250 Application #2W0485-3A – DelGreco/Tannini – Applicants requested a 30 day extension to submit requested information in the Hearing Recess Order of January 14, 2009. Request was granted.
- ANR – Project Review Sheet – WW-2-1562-3 – Armand and Gloria Baldwin – 445 Franklin Rd., Vernon – Amend a previous permit by adjusting the size of lot #3 and subdividing the property into two additional lots with a proposed 3-bedroom single family residence on lot #4 and a 2-bedroom single family residence on lot #5 – Town Parcel # in Vernon is 400903 and Parcel # in Guilford is 422.1.
- Renewable Energy Vermont – 3rd Annual Distributed Energy Conference, 5/22/09, Equinox Resort, Manchester, VT
- Vermont Citizens Campaign for Health – General informational letter with request for financial support.

Dennis moved to adjourn the meeting at 8:31 PM. Motion passed.

The next Selectboard Meeting will be held on Monday, February 23, 2009, 6:30 PM at the Town Office.



Richard Clark, Chairman



Dennis Franklin



Anne Rider

Moulton, Sara

From: Croft, Johnathan
Sent: Tuesday, February 24, 2009 11:25 AM
To: Moulton, Sara
Subject: FW: Guilford's new Class 4 highways

Attachments: Guilford_Class4_new.zip



Guilford_Class4_new.zip (9 KB)...

FYI

-----Original Message-----

From: Jeff Nugent [mailto:jnugent@sover.net]
Sent: Tuesday, February 24, 2009 11:06 AM
To: Croft, Johnathan
Subject: Guilford's new Class 4 highways

Johnathan,

Thanks for your help with my questions a couple weeks ago.

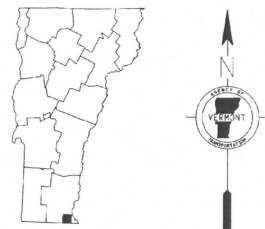
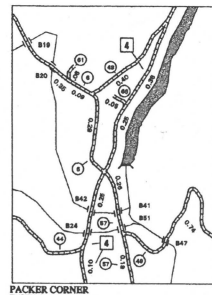
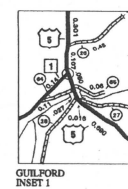
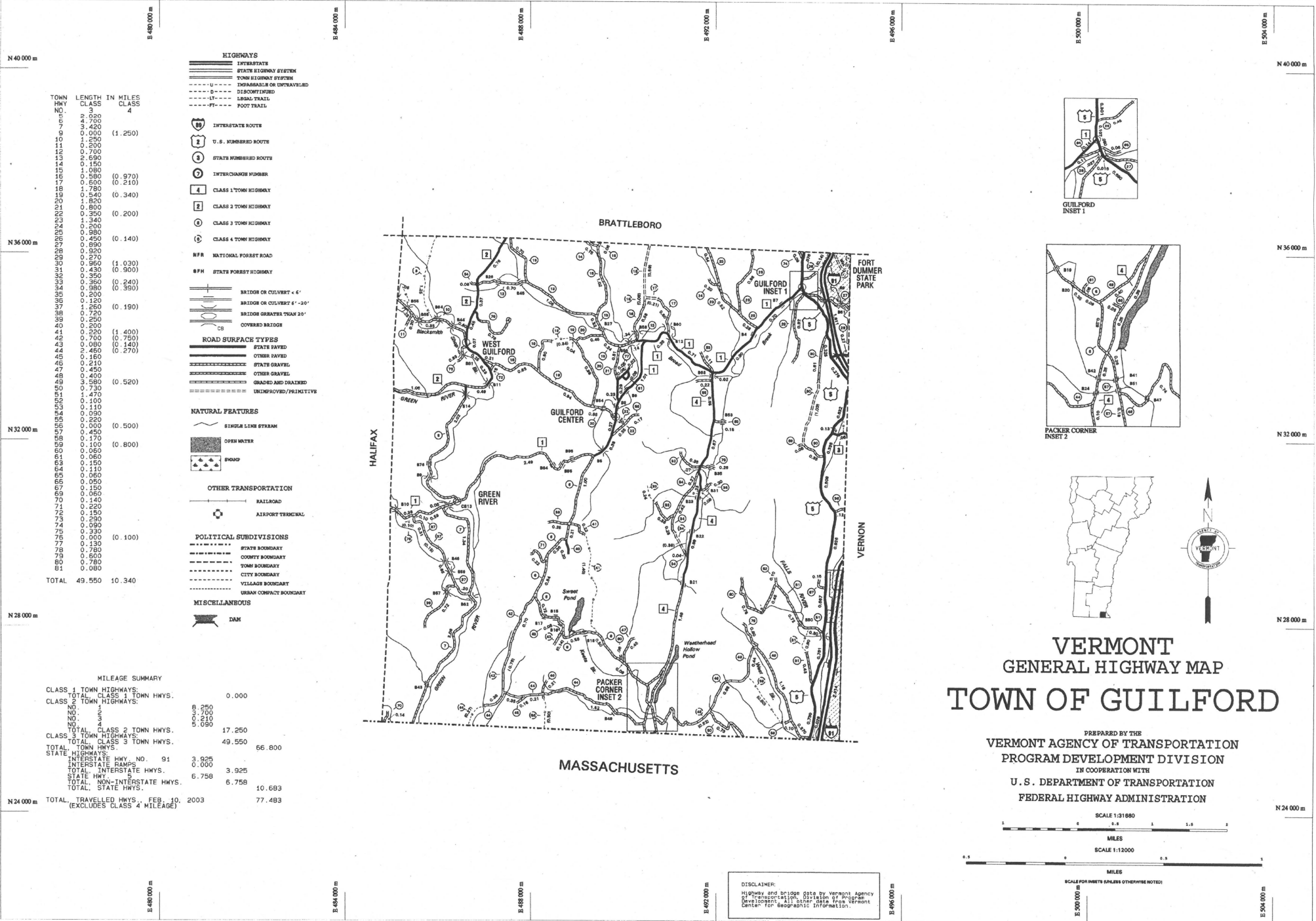
Attached is a shapefile of the approximate locations of the new Class 4 town highways the selectboard of Guilford decided to add to the map. Some of these locations are very approximate, based on sketches provided to me by the Conservation Commission. Others are more accurate, inferred from orthophotos, historic topos, tax maps, etc. For a few, the actual roadbed is quite visible on the ortho.

While I have helped out the town in submitting their mileage certificate data and maps to Vtrans, I was not involved in any way in the research (or lack thereof) in determining the status of these roads. A number of these roads are somewhat obscure, but a couple are quite apparent and have I believe been treated as Class 4 town highways by landowners and town officials for years (e.g. Bullock, Hamilton Roads).

If there are any other towns in the Windham Region which have submitted Class 4 highway additions and you need help with the locations, let me know. We may already have some data.

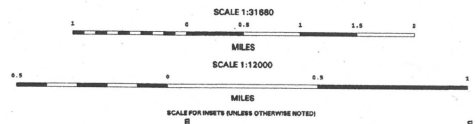
Jeff

Jeff Nugent, GIS Planner
Windham Regional Commission
139 Main Street, Suite 505
Brattleboro, VT 05301
802-257-4547 x-111
www.rpc.windham.vt.us
jnugent@sover.net



VERMONT GENERAL HIGHWAY MAP TOWN OF GUILFORD

PREPARED BY THE
VERMONT AGENCY OF TRANSPORTATION
PROGRAM DEVELOPMENT DIVISION
IN COOPERATION WITH
U. S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION



DISCLAIMER:
Highway and bridge data by Vermont Agency of Transportation. Data from other sources developed. All other data from Vermont Center for Geographic Information.

- HIGHWAYS**
- INTERSTATE
 - STATE HIGHWAY SYSTEM
 - TOWN HIGHWAY SYSTEM
 - DISCONTINUED
 - ROAD TRAIL
 - FOOT TRAIL
- ROAD SURFACE TYPES**
- STATE PAVED
 - OTHER PAVED
 - STATE GRAVEL
 - OTHER GRAVEL
 - GRAVEL AND GRADED
 - UNPAVED/PRIMITIVE
- NATURAL FEATURES**
- SINGLE LINE STREAM
 - OPEN WATER
 - DUMP
- OTHER TRANSPORTATION**
- RAILROAD
 - AIRPORT TERMINAL
- POLITICAL SUBDIVISIONS**
- STATE BOUNDARY
 - COUNTY BOUNDARY
 - TOWN BOUNDARY
 - CITY BOUNDARY
 - VILLAGE BOUNDARY
 - URBAN COMPACT BOUNDARY
- MISCELLANEOUS**
- DAM

TOWN HWY NO.	LENGTH IN MILES CLASS	IN MILES CLASS
3	2.020	3
5	0.700	4
7	3.420	
10	0.000	(1.250)
11	1.250	
12	0.200	
13	0.700	
14	2.690	
15	1.150	
16	1.080	
17	0.580 (0.970)	
18	0.500 (0.210)	
19	1.780	
20	0.540 (0.340)	
21	1.820	
22	0.800	
23	0.350 (0.200)	
24	1.340	
25	0.950	
26	0.890	
27	0.450 (0.140)	
28	0.920	
29	0.270	
30	0.960 (1.030)	
31	0.430 (0.900)	
32	0.350	
33	0.360 (0.240)	
34	0.980 (0.390)	
35	0.200	
36	0.120	
37	1.850	
38	0.720	
39	0.250	
40	0.200	
41	0.220 (1.400)	
42	0.700 (0.750)	
43	0.080 (0.140)	
44	2.450 (0.270)	
45	0.160	
46	0.210	
47	0.450	
48	0.400	
49	0.580 (0.520)	
50	0.730	
51	0.470	
52	0.100	
53	0.110	
54	0.220	
55	0.220 (0.500)	
56	0.000	
57	0.450	
58	0.170	
59	0.100 (0.800)	
60	0.060	
61	0.060	
62	0.150	
63	0.110	
64	0.060	
65	0.050	
66	0.150	
67	0.060	
68	0.140	
69	0.220	
70	0.150	
71	0.090	
72	0.220	
73	0.150	
74	0.090	
75	0.330	
76	0.000 (0.100)	
77	0.130	
78	0.780	
79	0.600	
80	0.780	
81	0.080	
TOTAL	49.550	10.340

MILEAGE SUMMARY

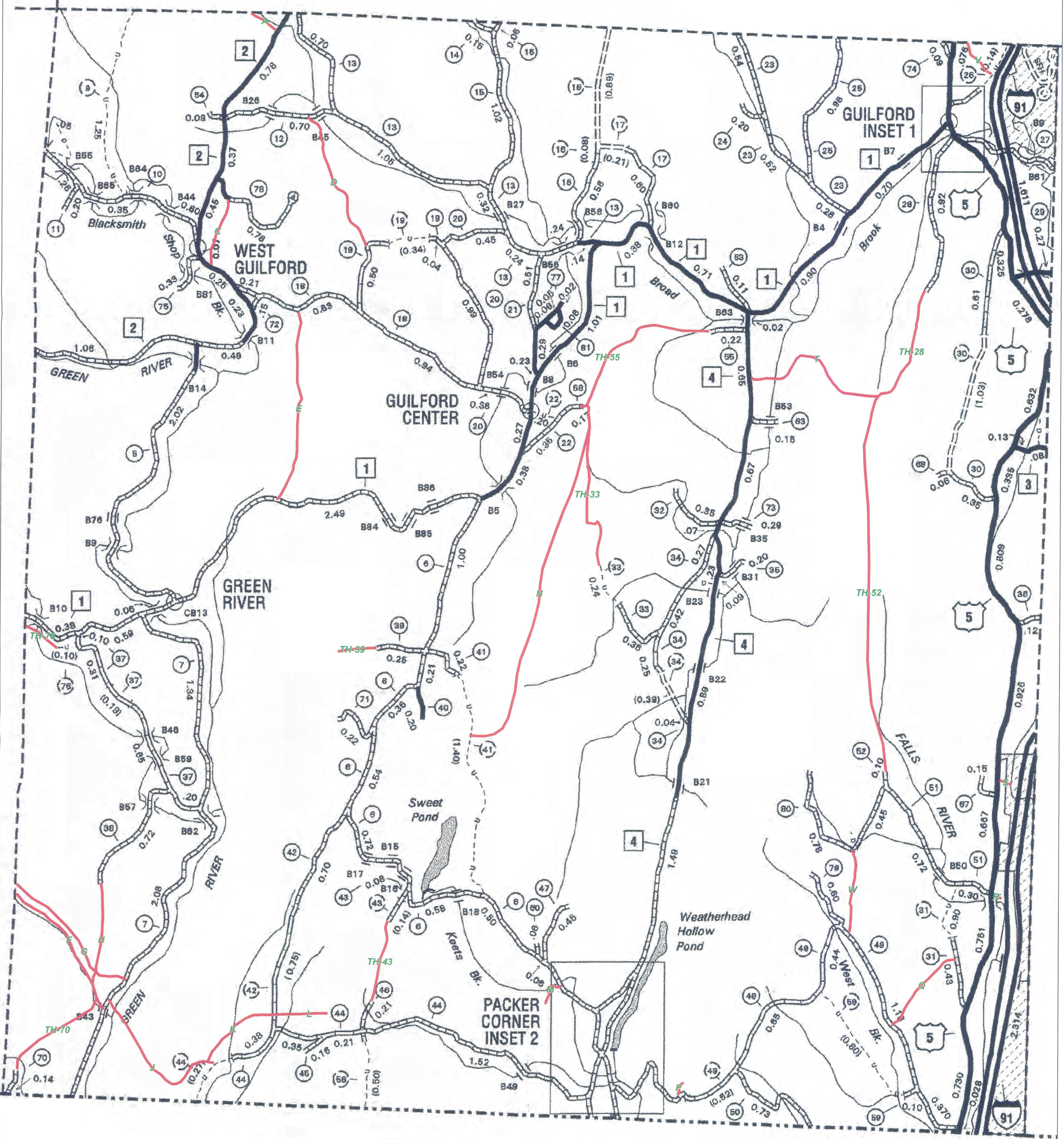
CLASS	STATE	TOTAL
CLASS 1 TOWN HIGHWAYS	0.000	
TOTAL CLASS 1 TOWN HWYS.		0.250
CLASS 2 TOWN HIGHWAYS	17.250	
TOTAL CLASS 2 TOWN HWYS.		0.700
CLASS 3 TOWN HIGHWAYS	66.800	
TOTAL CLASS 3 TOWN HWYS.		0.210
STATE HIGHWAYS	3.925	
INTERSTATE HWY. NO. 91	0.000	
INTERSTATE RAMP	3.925	
TOTAL INTERSTATE HWYS.		6.758
STATE HWY.	6.758	
TOTAL NON-INTERSTATE HWYS.	10.693	
TOTAL STATE HWYS.	77.483	
TOTAL TRAVELLED HWYS., FEB. 10, 2003 (EXCLUDES CLASS 4 MILEAGE)	2003	77.483

WINDAHM REGIONAL COMMISSION - ADDITIONS TO CLASS 4 HIGHWAY MILEAGE

February-09

ID reference	Road name	miles
A		0.18
B		0.38 Will not be added to the map - road is already discontinued.
C		0.43
D		0.89
E		1.20
F		0.90
G	Randall Dr extension	0.92
H	Gallup Rd extension	0.61
J		1.04
K		0.50
L		0.30
M	Bluebird Dr	0.18
N		2.09
P	Serenity Ridge Dr	0.09
Q		0.57
R		0.13
S		0.16
T		0.98
V	Trailer Park Dr	0.23
W	Hamilton Rd	0.49
TH-28	Melendy Hill Rd extension	0.47
TH-33	Locust Hill Rd extension	1.11
TH-39	Campbell Rd	0.23
TH-43	Belden Hill Rd	0.65
TH-52	Midford Rd extension	2.27
TH-55	Bullock Rd extension	0.71
TH-70	Corner Rd extension	0.68
TH-76	Gates Rd extension	0.33
	TOTAL	18.72
	REVISED TOTAL	18.34
	(less section B = .38 mi,)	

BRATTLEBORO



MASSACHUSETTS

Class 4 Town Highways to be added
 to the VTrans Town Highway Map
 Town of Guilford, Vt.
 February 2009

Map created by Windham Regional Commission
 using information provided by the Town of Guilford's
 Conservation Commission

E 488 000 m

E 492 000 m

DISCLAIMER:

Highway and bridge data by Vermont
 of Transportation, Division of Prog
 Development. All other data from Ve
 Center for Geographic Information.