

OK JMC

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 BARNARD, WINDSOR 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 4

TOWN HIGHWAYS	PREVIOUS MILEAGE	ADDED MILEAGE	SUBTRACTED MILEAGE *	TOTAL	* SCENIC HIGHWAYS
CLASS 1	.000				*
CLASS 2	15.560			15.560	*
CLASS 3	46.470		2.16	44.310	*
STATE HWY	9.615			9.615	*
TOTAL	71.645		2.16	69.485	*
CLASS 4	12.980	1.45	1.10	13.33	*

(Discontinued) (1.99)

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).

Hearings from 8-20-93, 9-15-93, 1-5-94

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

Hearings from 8-20-93, 9-15-93, 1-5-94

(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:

[Signature] Selectman
[Signature] Selectman
[Signature] Selectman

CLERK SIGNATURE: Dore A Campbell
Please sign ORIGINAL & return for Transportation signature.

DATE FILED 1/27/94

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

APPROVED: Donald C. Harvey
Representative, Agency of Transportation

DATE: 2/10/93

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, Waterbury, Vt. 05633.

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

We, the Selectmen or Trustees or Aldermen of BARNARD, Windsor County, on an oath state that the mileage of highways, according to Title 19, V.S.A., Sec#302, added- 1985, is as follows:

PART I - CHANGES & TOTALS - Please fill in and calculate totals. DISTRICT 4

TOWN HIGHWAYS	PREVIOUS MILEAGE	ADDED MILEAGE	SUBTRACTED MILEAGE	TOTAL	* SCENIC HIGHWAYS
CLASS 1	000				*
CLASS 2	15.560				*
CLASS 3	46.470		2.15		*
STATE HWY	9.615				*
TOTAL	71.645		2.15	69.495	*
CLASS 4	12.980	1.63	1.15	13.46	*

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).
 Hearings from 8-28-93, 9-12-93, 1-2-94

(3) RECLASSIFIED/REMEASURED: Please attach SIGNED copy of proceedings (minutes of meeting).
 Hearings from 8-28-93, 9-12-93, 1-2-94

(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: _____
 Please sign ORIGINAL & return for Transportation signature.
 DATE FILED: 1/27/94

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

APPROVED: _____
 Representative, Agency of Transportation
 DATE: 2/10/94

TRANSPORTATION
 FEB 08 1994
 PLANNING DIVISION

Town of Barnard, Vermont

Chartered July 17, 1761

Barnard, Vermont 05031
(802) 234-9211

Reclassification of Town Highways - Hearing 8/25/93

Those attending: Hannah Kahn, Oke O'Brien, William Twigg-Smith, Agnes Andry, Bill Edmunds, Buzz Audsley, Wally diGiacomo, Tom Morse, Dwight Doton and Joe Tokarski.

Hearing was called to order at 7:00PM. Tom Morse reviewed the procedure for the hearing and explained that each road would be taken independently to avoid confusion. Road numbers as per warning are: TH19, 35, 42, 59, 60, 73 and a road that now exists without road number designation.

TH19: It was explained that this highway has been fenced off for a number of years. Road inspections by the state have warned the town that the gate should come down--property owner failed to remove fence and the state has since discontinued highway funding. It is recommended that this highway be reduced to Class 4. No discussion and Chairman proceeded to next road.

TH35: This road serves one household and ends in a deadend. There was no discussion for or against.

TH42: Deadend road that serves one dwelling. There has been talk between owner (Kothman) and Dwight as to the town actions. No further discussions.

TH59: A small portion of the remainder of old RTE 12. Mrs. Kahn's opinion is that she would like to change the proposal of the selectmen. When new RTE 12 was installed, the state condemned some of the property. The state also maintains culverts under RTE 12. Mrs. Kahn questioned how the state would maintain the culverts if the town discontinued the road. The town has serviced her road over a hundred years and she would like it to continue, including snow removal. Mrs. Kahn felt it was a lot to maintain. She also requested that a reply on the final decision be mailed to her %Martin Kahn, 222 Graham Street, Highland Park, NJ and also one to her home address.

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TH60: Letter from Twigg-Smith against action of selectmen was read for the record. Bill Twigg-Smith is present. Questions concerning how the road is downgraded, does it go step by step or can it go from Class 3 to discontinued? He also asked, if reduced to 4, can it be upgraded back to a 3? Response was; that although the road could go from a class 3 to discontinued, it was far better to follow the procedure that was warned and go to class 4. The consideration here being that reducing it any further would affect others that lie on that right-of-way. Replying to a return to class 3 status can be done in the same manner as the reduction to class 4 but improvements would be subject to the land owner. Bill Twigg-Smith asked if the decision was totally financial--Tom responded that more than financial considerations are used. The liability of the town on private property should also be considered along with the overall good to the town. Action of selectmen was questioned and what recourse did the landowner have. It was stated that the statutes are clear and any person aggrieved by the decision could appeal through the court system. Further discussion on delivery of gas and/or oil--it was stated that gas and/or oil could not be delivered unless coinciding with town's plowing. Bill Twigg-Smith asked if he had to maintain the road, why couldn't it be discontinued altogether and be his road? Reply - others on that road would have to be considered before further action could be taken noting that, Deichman, Lakota Club or IPC might be abutters to the right-of-way involved.

TH73: Reviewed the map and discussed where TH73 joins with TH60. Renter of house just off of TH73 has asked that this portion of road be reduced. There being no representation or discussion following.

Unnumbered town road that passes through Gilman's field--research reveals that road joins RTE 12 with the North Road, passing through the Gilman field and coming out next to the Lilenthal house on the North Road. It was stated that discussion with Mrs. Gilman leaves her to ask that the road be discontinued so that she would control traffic through her pasture. Some discussion on keeping right-of-way in tact for future benefit of town.

General discussion afterward - Bill Edmunds feels that grade reduction and discontinuance of roads loses work for town help. It has been moved and decided that decisions will be rendered at the selectmen's September 15, 1993 meeting for those wishing to be present. It was also decided that replies will be sent to all concerned as to final decisions. Chairman closed meeting at 8:15PM.

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Public Hearing - September 8, 1993 - Alteration of TH#54,68,76,77 and 82

Chairman called meeting to order at 7:30PM and explained the reasons for actions being taken. Will conduct meeting by hearing roads one at a time.

TH#54 - Mary Parker is present and has a dwelling on this highway. She suggests that the first portion of this road be reduced to trail status and the second part which extends to her house be discontinued. Chairman feels we should follow as warned or reject the request and rewarn as Mrs. Parker suggests.

TH#68 - Mr. Litchenberg present and asks to explain the differences between a Class 3 and Class 4 and trail. He would like the town to maintain the bridge. Sometime the water washes his road and with a Class 4 status, would the town come up and grade the road? The answer was no and a Class 4 highway policy was sited. Mr. Litchenberg would consider, at a later date, that the highway be discontinued and asked how that would come about.

TH#76 - Paul Cayer present, explains he is happy the way it is and would like to keep it. Research reveals that the road goes no further than his garage door. Paul asked that the road be brought up to standard or improved before it was discontinued. He asked the cost to maintain the highway and the state aid that the Town receives for a Class 3 highway. Selectmen stated that possibility of action to take effect after the snow season in view of the time of year this may take effect. Paul would like to know his rights to contest the selectmen's decision. He was told that action can be taken through District Court and information as to our proceedings could be reviewed in the statues or by a call to the Secretary of State's office.

TH#82 - Dave Chang is present and stated that he was just informed of the road and the situation. He has, in the past, paid to have the road repaired and plowed. It has been a town road for many years and he protests the change. He further stated that measuring the .13 miles of his road beginning from TH#6, it ends just past the bridge. His concern is the maintenance of the bridge. It is determined that Mr. Chang does own all of the land surrounding the present town road and the bridge was reconstructed with concrete blocks, steel beams and wood decking. It is presently in good condition. His suggested remedy is to reduce this road to Class 4.

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TH#77 - No discussion on this road but, at a previous selectmen's meeting, Don Smith appeared to protest the discontinuance of this road. Don stated hardship and possible isolation if the road were to be discontinued.

Selectmen discussed considerations of changes and can changes be different than as warned. Will consult for as to proper method. It has been moved that decisions will be rendered on September 15, 1993 along with other road alterations.

Hearing adjourned at 8:25PM.

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Selectmen's Minutes - September 15, 1993

Meeting called to order at 7PM. Those present, Tom Morse, Dwight Doton, Joe Tokarski, Mike Clarke, William Twigg-Smith, Oke O'Brien.

Minutes of previous meeting signed.

Town Hall Restoration: with recommendations from the committee Selectmen signed contract with Roger Webster for the repairs of the Town Hall.

Rae vs Town: Tom spoke in reference to litigation -- The Lake Association instructed their attorney to call the town's ^{the} attorney. Silver Lake Association is offering ~~up to~~ ^{up to} additional \$1900 to add to the town's insurance company to augment the offer to the Raes. The two attorneys will work things out.

Bills signed to be paid.

Discussion on installing septic systems without permits and what alternatives exist. Should contract or landowner be responsible?

Dwight reported he completed reading the "Emergency Prep Manual".

Chairman opens meeting to resolve ^{road reclass.} land alteration warnings and will allow public to speak on information not already heard. Suggestion that the motion be made for the entire package and roads dealt with individually. Oke asked when will this action take effect. After discussion as to budget and taxation year, the town will probably maintain the roads altered until Spring of '94. Some discussion on how this action can reach the town meeting. No other public informatin was forthcoming. Motion made and seconded - public meeting of 8/25/93 addressing TH #19,35,42,59,60,73 and a road that now exists without road number designation be acted on as warned.

TH#19 motion made and seconded to reduce to Class #4 as warned - approved unanimously.

TH#35 motion made and seconded to discontinue - all in favor.

TH#42 motion made and seconded to discontinue - all voted in favor of discontinuance.

TH#59 motion made and seconded to discontinue - all voted in favor.

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TH#60 motion made and seconded to reduce to Class 4 as warned. A discussion as to whether or not to keep as Class 3 or discontinue it - 2 voted to reduce as warned - 1 vote against.

TH#73 motion made and seconded to reduce to Class 4 - all voted in favor. Road warned without number designation was motioned to reduce to trail as warned - all voted in favor.

A motion was made and seconded that this action shall take effect on May 15, 1994 - Selectmen approved. Letters will be sent to all interested parties.

All business referring to the August 25th meeting is concluded and Chairman moves to the September 8th hearing. A motion is made and seconded to alter roads as warned.

TH#54 motion made seconded to reduce to Class 4 as warned. Discussion about discontinuing as recommended by Mrs. Parker will be explored and warned at a later meeting. Selectmen vote in favor of reducing to Class 3 4. *tm tm*

TH#68 motion made and seconded to reduce to Class 4 *last .43 miles* All voted in favor. *JH*

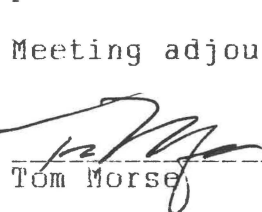
TH#76 motion made and seconded to discontinue as warned. All voted in favor.

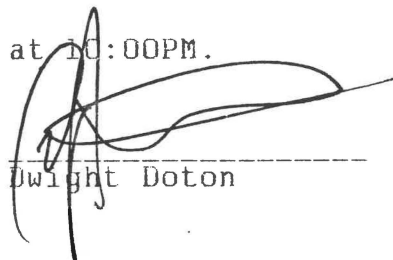
TH#77 motion made and seconded to discontinue as warned. After some discussion, Selectmen voted in favor of.

TH#82 motion made and seconded to discontinue this highway. All voted in favor.


Motion made to take effect May 15, 1994. Letters to all parties concerned.

Meeting adjourned at 10:00PM.


Tom Morse


Dwight Doton


Joe Tokarski

RECEIVED & RECORDED
On 11/18/93
At 7:30 AM
Book 59 Page 103-106
attest

Dawn A. Campbell
Town Clerk, Barnard, Vermont

Town of Barnard, Vermont

Chartered July 17, 1761

Barnard, Vermont 05031

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Selectmen's Minutes - December 15, 1993

Meeting called to order at 7PM. Those present, Tom Morse, Dwight Doton, Gil Clark, Everett Benson, Ron Benson.

Joe arrived late.

Chairman opened the warned public hearing for reclassifying of certain town roads at 7:15PM. After a general explanation of how the process works, the chairman started with TH#10. Location was explained and no comments from those present were made.

Move to TH#34 - location described, Gil Clark who was present explained he was at the meeting to find out what was going on. Chairman explained to Mr. Clark the town's reasons to discontinue this unused road located on his land. Gil Clark accepted the Chairman's position.

TH#54 - Location explained. This road reduced to Class 4 at a previous hearing is now recommended for discontinuance. A letter from Mary Parker, owner of surrounding land has requested the change. No further comments on this road.

TH#66 - the road located off Rte 12 north and accesses the Benson farm. Ron Benson spoke to the selectmen against the proposed change and reasons for action. He explained the condition of low road between the house and the bridge. High water during spring run off, a condition that has occurred in the past, can wash the bridge out. His feelings were that disaster relief is available to the town and not the land owner, making replacement of this bridge prohibitive for the land owner. The Bensons asked if alternatives could be considered. Various alternatives were discussed and the selectmen will investigate liabilities to the town if road is retained as class 4. It was also mentioned that two residents live on the property. After hearing all opinions chairman moved to:

TH#16 - road located on Smith Hill on the International Paper Company's land. Inspection reveals that the town road is no longer in use and a new access is cut on the I.P. Co. land. No other comments made.

TH#58 - road located as access to Grey camp properties. Inspection reveals road is chained with no trespass signs. Selectmen will investigate if other property owners will be affected.

A general discussion of all roads in this warning ensued. The decision made that all will be voted on in the public meeting of January 5th and any new facts brought forward will be heard but, final decisions will be by selectmen. Conditions of implementation will be the same as previous roads. No other facts to be discussed, this hearing was closed at 7:47PM.

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12/15/93

Selectmen's General Meeting - Joe reported that a summary of the flood cost has been filled out and sent to the federal agency concerned. This should be the final paper work for this project.

Town Hall - work has been completed and bill is submitted by Webster Const. With concern for cost overrun, the overall project was reviewed. Committee will be asked to submit a draft of long range plans, procedure and costs of the total restoration efforts along with this coming year estimates to repair.

Minutes of previous meeting accepted and signed.

Rae case discussed and opinion that the action might be settled out of court. Tom reports details being worked on by attorneys. Final draft will be reviewed before agreement is signed.

Bills inspected signed to be paid.

Dwight has researched the statements of recyclables collected at the Transfer Station and has itemized the totals. They are on file at the transfer station.

Meeting adjourned at 9PM.

Tom Morse



Dwight Eaton



Joe Tokarski

Town of Barnard, Vermont

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Selectmen's minutes - January 5, 1994

Meeting called to order at 7PM. Those present, Tom Morse, Dwight Doton, Joe Tokarski, Everett Benson and Rick Lancaster.

Rick Lancaster picked up the signed copy of the towns emergency plan for final printing.

Tom responded to USEPA waste water treatment collection for our closed landfill. Our landfill does not have a waste water treatment water collection facility.

Minutes of 12/22/93 meeting were approved and signed.

As stated at the land hearing January 5th, the selectmen would make their final decisions. The chairman opened the meeting to discuss decisions as per warning dated 11/10/93. Tom asked if any new or pertinent information became available the selectmen would entertain hearing. Discussion on:

TH#10, a motion was made to discontinue this highway as warned. All voted in favor.

TH#34, discussed Virginia Lancaster's appearance to the selectmen concerning roads in question. After a short discussion motion was made to discontinue the road as warned. All voted in favor.

TH#54, being that small portion of road that extends into the Parker residence, a motion is made to discontinue as warned. All voted in favor.

TH#66, Mr. Benson was present and asked the selectmen to reconsider discontinuing his road. Research on bridge status and liability was discussed. A move was made to discontinue the road as warned. Tom's feelings were not to discontinue the road but rather reduce to Class #4. Dwight felt that if we didn't follow the procedure as warned, we could rewarn the road to be reduced to a lower class at a future date. All voted not to discontinue which would keep this highway as a Class #3.

TH#69, after short discussion motion made to discontinue as warned. All voted in favor.

TH#58, a short discussion concerning landowners along this road. A motion made to reduce the highway to Class #4 as warned. All voted in favor.

Chairman states that the roads acted upon tonight will be maintained until the spring of '94 along with other roads reclassified. Secretary was instructed to notify selected agencies of our action on all roads changed.

Minutes approved and signed for December 29th meeting.

Bills signed to be paid.

An unusual amount of mail was reviewed at tonights meeting.

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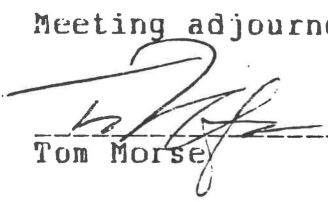
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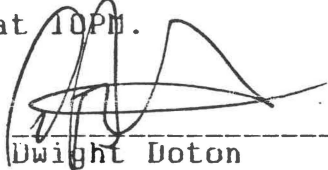
Warning for town meeting was discussed.

Remainder of evening spent on working on budget.

Meeting adjourned at 10PM.



Tom Morse



Dwight Doton



Joe Tokarski

Town of Barnard, Vermont

Chartered July 17, 1761

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Breakdown of Town Highway Reclassification:

<u>Highway #</u>	<u>Mileage</u>	<u>Action Taken</u>
TH# 19	.14 Miles	Reduce to Class 4 ✓
TH# 35	.13 "	Discontinued
TH# 42	.10 "	Discontinued
TH# 54	.16 "	Reduced to Class 4
TH# 54 (last)	.05 "	Discontinued
TH# 59	.09 "	Discontinued
TH# 60	.25 "	Reduced to Class 4
TH# 68 (last)	.43 "	Reduced to Class 4
TH# 73	.09 "	Reduced to Class 4
TH# 76	.06 "	Discontinued
TH# 77	.15 "	Discontinued
TH# 82	.13 "	Discontinued
TH# 10	.50 "	Discontinued
TH# 34	.50	Discontinued
TH# 69	.10	Discontinued
TH# 58	.38	Reduced to Class 4

Road without a number designation that leaves VT Route 12 and continues East through Gilman's pasture to join with the North Road at Lilienthal's residence: Reduced to ~~Class 4~~

TRAIL