

CERTIFICATE OF HIGHWAY MILEAGE
YEAR ENDING FEBRUARY 10, 2010

Fill out form, make and file copy with the Town Clerk, and mail ORIGINAL, before February 20, 2010 to: Vermont Agency of Transportation, Division of Planning, Outreach and Community Affairs, One National Life Drive, Montpelier, VT 05633.

We, the members of the legislative body of BETHEL in WINDSOR 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.

* 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.

- 1. NEW HIGHWAYS: Please attach Selectmen's "Certificate of Completion and Opening".
2. DISCONTINUED: Please attach SIGNED copy of proceedings (minutes of meeting).
3. RECLASSIFIED/REMEASURED: Please attach SIGNED copy of proceedings (minutes of meeting).
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.

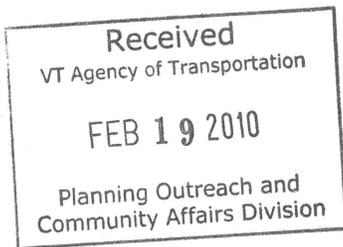
Selectmen/ Aldermen/ Trustees Signatures:

Handwritten signatures of Bill Richards and Jean Burdham. Date Filed: 2/9/2010

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:



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://www.leg.state.vt.us/statutes/fullsection.cfm?Title=19&Chapter=003&Section=00305>

12/29/2009



State of Vermont
Division of Planning, Outreach and Community Affairs
Mapping Unit
1 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

May 20, 2010

Delbert Cloud, Town Manager
Town of Bethel
134 South Main Street
Bethel, VT 05032

Dear Mr. Cloud,

The VTrans Mapping Unit has not accepted the addition of 5.81 miles of class 4 town highways as submitted on Bethel's 2010 Certificate of Highway Mileage, due to the lack of documentation showing the legal establishment of these highways through the formal laying out process or "dedication and acceptance".

VTrans sent a letter on March 17, 2010 to the Town of Bethel requesting documentation regarding the establishment of these highways and no documents have been received to date. The Vermont Supreme Court decision, *Austin v. Town of Middlesex*, 2009 VT 102 (Oct. 27, 2009) has reaffirmed the need for documentation showing the legal establishment of town highways. A copy of this decision can be found at the following link –

<http://info.libraries.vermont.gov/supct/current/eo2008-428.html>

The changes that were listed on the 2010 Certificate of Highway Mileage may be re-submitted on the 2011 Certificate for review and the potential inclusion on the 2011 Town Highway Map.

Please feel free to contact me with any questions or comments related to this letter, or mapping in general.

Sincerely,

A handwritten signature in black ink, appearing to read "Johnathan Croft", with a long horizontal flourish extending to the right.

Johnathan Croft
AOT GIS Database Administrator
VTrans Mapping Unit

JFC/jfc
Enclosure

cc: Susan Clark, VTrans Planning Coordinator

CERTIFICATE OF HIGHWAY MILEAGE
YEAR ENDING FEBRUARY 10, 2010

Fill out form, make and file copy with the Town Clerk, and mail ORIGINAL, before February 20, 2010 to: Vermont Agency of Transportation, Division of Planning, Outreach and Community Affairs, One National Life Drive, Montpelier, VT 05633.

We, the members of the legislative body of BETHEL in WINDSOR 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.

* 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.

- 1. NEW HIGHWAYS: Please attach Selectmen's "Certificate of Completion and Opening".
2. DISCONTINUED: Please attach SIGNED copy of proceedings (minutes of meeting).
3. RECLASSIFIED/REMEASURED: Please attach SIGNED copy of proceedings (minutes of meeting).
4. SCENIC HIGHWAYS: Please attach a copy of order designating/discontinuing Scenic Highways.

Changes not accepted
5-Mon 5/4/10

IF THERE ARE NO CHANGES IN MILEAGE: Check box and sign below. []

PART III - SIGNATURES - PLEASE SIGN.

Selectmen/ Aldermen/ Trustees Signatures:

Bill Richards
Joe Freitas

T/C/V Clerk Signature:

Jean Burdham

Date Filed:

2/9/2010

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:



State of Vermont
Division of Planning, Outreach and Community Affairs
Mapping Unit
1 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 17, 2010

Delbert Cloud, Town Manager
Town of Bethel
134 South Main Street
Bethel, VT 05032

Dear Mr. Cloud,

The VTrans Mapping Unit has received and is reviewing Bethel's 2010 Certificate of Highway Mileage and the associated documentation. The packet does not include any copies of the documentation showing the legal establishment of the highways through either the formal laying out process or through "dedication and acceptance." I would like to request copies of documents showing the legal establishment of these highways and any surveys that may be on record in the Town of Bethel.

I have included a copy of the Ancient Road Practicum that provides details on the documentation requirements that were defined in Act 178 of 2006 and can be found in 19 V.S.A § 305(e). This information includes a description of the affected highway or trail, copies of any surveys, minutes of the meetings at which the legislative body took action with respect to the changes, and a current town highway map with the deletions and additions sketched on it. Currently, the descriptions and sketch map have been submitted, and the current legislative action when the Selectboard recognized the addition of the highways. I request that copies of any surveys and original laying out documents be submitted.

Please feel free to contact me with any questions or comments related to this request for additional documentation, or mapping in general.

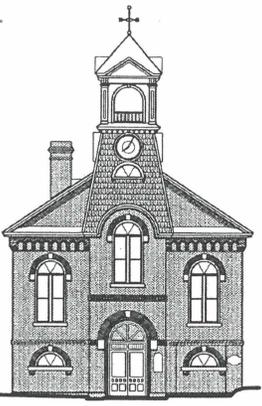
Sincerely,

A handwritten signature in black ink, appearing to read "Johnathan Croft".

Johnathan Croft
AOT GIS Database Administrator
VTrans Mapping Unit

JFC/jfc

cc: Susan Clark, VTrans Planning Coordinator



Town of Bethel, Vermont

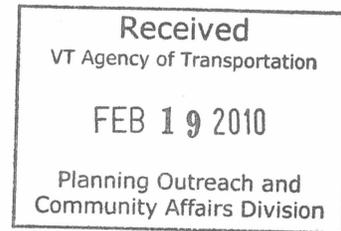
Incorporated
1779

OFFICE OF THE TOWN MANAGER
134 South Main Street
Bethel, Vermont 05032
Phone: 802-234-9340
Fax: 802-234-6840
E-mail: betheltownmgr@comcast.net

February 18, 2010

No copies of original docs.

Mileages OK.



Certificate of Highway Mileage:

Certificate of Highway Mileage signed by the Board of Selectmen and the Town Clerk.

- A copy of the February 8, 2010 meeting minutes of the Board of Selectmen approving the addition of class 4 highways to the Certificate of Highway Mileage with a description of each highway to be added. These highways were legally established prior to February 10, 2006.
- A reduced copy of a section of our current highway map with the additional class 4 highways sketched in red ink.
- A Tax Map Sheet Index provided by Cartographic Technologies with the additional class 4 highways highlighted in green ink.

Please call me at (802) 234-9340 if you have any questions regarding the enclosed information.

Truly yours,

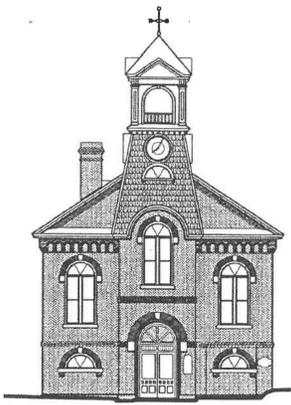
Delbert Cloud
Town Manager

Enclosures

Town of Bethel, Vermont

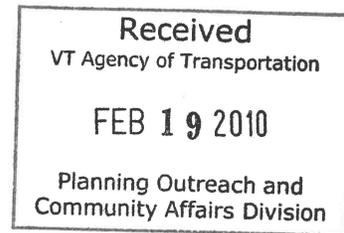
Incorporated
1779

OFFICE OF THE TOWN MANAGER
134 South Main Street
Bethel, Vermont 05032
Phone: 802-234-9340
Fax: 802-234-6840
E-mail: betheltownmgr@comcast.net



February 18, 2010

Sara Moulton
Mapping & GIS Specialist
Policy & Planning Division – Mapping Unit
One National Life Drive, Drawer 33
Montpelier, VT 05633-5001



RE: Certificate of Highway Mileage

Dear Ms. Moulton:

The following is enclosed with regard to Bethel's filing of the Certificate of Highway Mileage:

- Certificate of Highway Mileage signed by the Board of Selectmen and the Town Clerk.
- A copy of the February 8, 2010 meeting minutes of the Board of Selectmen approving the addition of class 4 highways to the Certificate of Highway Mileage with a description of each highway to be added. These highways were legally established prior to February 10, 2006.
- A reduced copy of a section of our current highway map with the additional class 4 highways sketched in red ink.
- A Tax Map Sheet Index provided by Cartographic Technologies with the additional class 4 highways highlighted in green ink.

Please call me at (802) 234-9340 if you have any questions regarding the enclosed information.

Truly yours,

A handwritten signature in black ink, appearing to read "Delbert Cloud". The signature is written in a cursive, flowing style.

Delbert Cloud
Town Manager

Enclosures

Minutes of the February 8, 2010 Meeting of the Board of Selectmen.

Present: Neal Fox, Bill Richards, Joe De Freitas, Delbert Cloud, Geneva Gaiko, David Eddy, Mark Langevin, and Amy Danley-White for the "Herald of Randolph."

The meeting was called to order at 6:00 PM by Chairman Neal Fox, the Board first reviewing and approving the weekly payroll and payables, and the Constable's report of February 1, 2010. The minutes of the January 25, 2010 meeting of the Board of Selectmen were approved by motion of Joe De Freitas, seconded by Bill Richards and unanimously carried.

The subject of the Town Hall Rehabilitation project was then taken up. The minutes of the Town Hall Restoration Committee were first reviewed and placed on file. Several items were noted as being present within the building; these will be used by the contractor to replicate new pieces for installation, or in some cases actually used if the condition of the item may allow. (Examples of these being doors, stone lentils, wood moulding, etc.) The "Notice of Award" has now been issued to E. F. Wall and Associates, and it is still hoped that a "Notice to Proceed" can be issued the week of February 8th; the contractor has indicated a wish to start work at the site early in the week of February 22nd. The motion was made by Bill Richards, seconded by Joe De Freitas and unanimously carried, to authorize Delbert Cloud to sign the construction contract and any associated documents when they become available. The Board discussed the options for heating both floors of the building, and it was agreed that Joe De Freitas would obtain more specifics from a source of information he has available regarding the heating options. David Eddy suggested that there might be logic in using more than one type of system, to work in conjunction with each other. A decision on the heating system will be made in the near future. The Board reviewed documents submitted by Mascoma Savings Bank re. the provision of interim financing for the project; a Promissory Note in the amount of \$1,300,000.00 and associated documents pertaining to said loan (which is a Line of Credit to be drawn piecemeal as need requires) were then unanimously approved and endorsed by the Board members. Information re. the Food Shelf transmitted by Email from Janet Burnham as of February 1, 2010 was also reviewed, no action being required by the Board at this time on this matter.

Delbert Cloud provided the Board with information recently received from the Vermont Municipal Bond Bank re. "Recovery Zone" financing. It was agreed that Cloud should learn more about the potential of the matter as it might also be relevant in consideration of the need for an annual audit in lieu of utilizing annual certifications issued by an elected Board of Auditors.

The minutes of the Local Emergency Planning Committee for December 17, 2009 were next reviewed and placed on file. It was agreed that David Aldrighetti should be asked to attend a forthcoming meeting to update the Board on his perceptions as the Town's representative to that Committee.

The Board then examined a draft of the "Certificate of Highway Mileage for the Year Ending February 10, 2010," this document being annually submitted to the Vermont Agency of Transportation as the basis for calculation of the amount of State Aid for Highways due the Town. In recent years, this document has also listed the Class 4 roads being held or added, for which State Aid is not provided. The Board made final review of recommendations submitted by the appointed Class 4 Road Committee, these addressing the status of fourteen roadways, and agreed that five of the roadways are legally existent Town Highways which should be added on the referenced "Certificate". The subject five highways collectively represent 5.81 miles of class 4 highway, and are described as follows:

- (1) A road commencing at the southerly end of Hooper Hollow Road (TH #32) and running in a southerly direction 0.94 mile to the Stockbridge Town Line.
- (2) A road commencing at the southerly side of Byam Road (TH #22) approximately 0.93 mile westerly from the intersection with Gilead Brook

Road (TH #7) and running in a southerly direction 1.71 miles to intersect with Camp Brook Road (TH #2).

- (3) A road commencing at the southerly side of Byam Road (TH #22) approximately 0.41 mile westerly from the intersection with Gilead Brook Road (TH #7) and running in a southerly direction 1.70 miles to intersect with Pond Road (TH #80).
- (4) A road commencing at the westerly side of Christian Hill Road (TH #6) approximately 0.1 mile southerly from the intersection with Scammel Lane (TH #30) and running in a northwesterly direction 1.09 miles to intersect with Wilson Hill Road (TH #28) at approximately 0.30 miles from its southeasterly intersection with Sanders Road.
- (5) A road commencing at the southerly end of Pinello Road (TH #93) and continuing in a southerly direction 0.37 miles to intersect with the northwesterly boundary of property currently owned by William & Carol Tufts Family Trust.

With this addition provided for, motion to approve the "Certificate" was made by Joe De Freitas, seconded by Bill Richards and unanimously carried. The Board members then endorsed the "Certificate" and instructed Delbert Cloud to forward it to the Town Clerk per statutory requirements, and to ensure that it will be forwarded to the Agency of Transportation prior to February 20, 2010.

Chairman Fox welcomed Mark Langevin who said he has concerns regarding a class 4 highway that has already been mapped in the vicinity of his house in the Lilliesville area. The road appears to be very close to his buildings, and the buildings of others. He also has not been able to correlate the lay-out description to GPS coordinates. It was agreed that Mr. Langevin would stop at the Town Office to review the complete file, which would hopefully answer certain of his questions, or identify further questions.

The Board next reviewed budget status reports dated February 3, 2010 for the Town General Fund and the enterprise funds (Water, Wastewater, and Solid Waste.) Discussion ensued on various line items of revenue and expenditure, much of this focusing on how best to record the activity of the "Highway Equipment Trust Fund." No action was required or taken, these reports being informational at this time.

Considering scheduling of business which needs to be taken up at forthcoming meetings, the Board made the following provisions: (1) at the meeting of February 22, 2010, the agenda will include discussion of the Town Meeting Warning, and the planning work associated with the regional Transportation Advisory Committee, (2) the agenda of March 8, 2010 will include an evaluation of the Cemetery Rules & Regulations, and (3) the agenda of March 22, 2010 will include a review of the water and wastewater services and mains on Bicentennial Lane, to consider if any portion of the wastewater collection system that is now private should be taken over as a public system.

Regarding a development project proposed by Peter Nikolaidis at 245 Main Street, the motion was made by Bill Richards, seconded by Joe De Freitas and unanimously carried, to approve additional water and sewage capacity for the project, based on the following parameters:

"That an increase in capacity of 200 gallons/per day for wastewater and 225 gallons/per day for water will have no adverse impacts on the wastewater system with respect to downstream sewer lines and pump stations, and the increased flow from the subject sewer connections will not cause an overload of, or increased overflows from, the sewer system."

By motion of Joe De Freitas, seconded by Bill Richards and unanimously carried, it was agreed that a dish antennae could be placed on Town-owned land on Church Street

subject to the customary provisions by which such installations have been provided for on other Town property.

At 8:40 PM, the motion was made by Bill Richards, seconded by Joe De Freitas and unanimously carried, to enter executive session to discuss negotiations of conditions to be incorporated in a contract for services associated with the Town Hall, premature public knowledge of which would not be in the best interest of the Town. Delbert Cloud was the only person remaining with the Board during the executive session. No minutes were kept. Upon return to open meeting, the only motion was to adjourn, this being made at 9:40 PM by Bill Richards, seconded by Joe De Freitas and unanimously carried.

Neal Fox

Bill Richards

Joe De Freitas

Town of Bethel, Vermont Property Maps

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

ROCHESTER

STOCKBRIDGE

RANDOLPH

ROYALTON

BARNARD



Tax Map Sheet Index
Scale: 1:19,000



Information Current To:
January 1, 2005