VERMONT

State of Vermont
Division of Policy, Planning and Intermodal Development - Mapping Unit
1 National Life Drive
Montpelier, VT 05633-5001
http://vtrans.vermont.gov

Telephone: 802-828-6333
Fax: 802-828-2334
Email: gary.s.smith@state.vt.us

Agency of Transportation

Chair, Selectboard
Hinesburg
c/o Town Clerk
10632 Route 116
Hinesburg, VT 05461-8501

January 2014

TO: TOWN / CITY / VILLAGE CLERK AND SELECTBOARD / ALDERMEN / TRUSTEES

Enclosed is your 2014 **Certificate of Highway Mileage.** This Certificate must be completed in order to determine your town's share of state aid for town highways for Fiscal Year 2015.

Changes in mileage or highway classification, including any additions, alterations, or discontinuances made by your selectboard this past year, should be entered on this certificate. If there are changes that occurred before this past year that we have not shown on the Town Highway Map, please let us know so we can update our maps.

Also enclosed is a reduced size copy of your current Town Highway Map and a Certificate of Completion and Opening should you need it to document new town roads. An Adobe form version of the Certificate of Completion and Opening is also available online at ftp://vtransmaps.vermont.gov/Maps/Publications/MileageCertificates/Certificate_of_Completion_and_Opening_pdf_form.pdf.

In filling out the Mileage Certificate, it is important to:

>> Enter mileage and classification changes.
>> If you have no changes, you may simply check the box in PART II of Certificate.
>> Always sign Part III - Town Clerk, Selectmen, etc.

To effectively process all the mileage certificates in a timely manner and to assure the completion of the mileage summaries, it is important that towns submit the certificates on time. **Certificates must be postmarked on or before February 20, 2014. Certificates that are postmarked after February 20, 2014 may not be processed.**

After the Agency has approved and signed the certificate, we will send you a copy.

I am the Mileage Certificate Specialist for your municipality. Please contact me if you have any questions.

Sincerely,

Gary Smith

Gary Smith
Mileage Certificate Specialist

Enclosures

VTrans Working to Get You There
Vermont Agency of Transportation

District 5

CERTIFICATE OF HIGHWAY MILEAGE
YEAR ENDING FEBRUARY 10, 2014

Fill out form, make and file copy with the Town Clerk, and mail ORIGINAL, before February 20, 2014 to: Vermont Agency of Transportation, Division of Policy, Planning and Intermodal Development, One National Life Drive, Montpelier, VT 05633.

We, the members of the legislative body of HINESBURG *in* CHITTENDEN *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.

Town Highways	Previous Mileage	Added Mileage	Subtracted Mileage	Total	Scenic Highways
Class 1	0.000				0.000
Class 2	21.370				0.000
Class 3	32.27				0.000
State Highway	7.238				0.000
Total	**60.878**				**0.000**
* Class 1 Lane	0.000				0.000
* Class 4	4.94				
* Legal Trail	0.00				
* Unidentified Corridor	0.00				

* Mileage for Class 1 Lane, Class 4, Legal Trail, and Unidentified Corridor classifications are 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: _____

_____

_____

T/C/V Clerk Signature: _____ *Date Filed:* _____

Please sign ORIGINAL and return it for Transportation signature.

AGENCY OF TRANSPORTATION APPROVAL:

Signed copy will be returned to T/C/V Clerk.

APPROVED: _____ *DATE:* _____

Representative, Agency of Transportation

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

1/2/2014

Certificate of Highway Mileage
Instructions

Towns use this certificate to update mileage of town highways and trails, incorporating any changes made before February 10, 2014. Changes in highway classification, additions of new highways, trails, or unidentified corridors, alterations, or discontinuances must include documentation of Selectboard action, such as minutes of meetings when action was taken.

PART I

Previous Mileage – This shows mileage as of completion of last year's certificate.

Added Mileage – Enter total of any new legally accepted Class 3 or 4 highways, trails, or unidentified corridors and any highways reclassified from Class 3 to 4 or vice versa, or highways reclassified to or from trails.

Subtracted Mileage – Enter total of any discontinued highway or trail mileage and any highways reclassified from Class 3 to 4 or vice versa, or highways reclassified to or from trails.

Total – Enter total, same as last year if no changes. Enter a new total if there were changes reported.

Scenic Highways – Use this only if town has designated highways as official 'Scenic Highways' in accordance with 19 VSA 2502.

PART II

Enter details needed for identification of New, Discontinued, Reclassified, or Scenic Highways.

If there are no changes in Town Highway or Trail mileage, simply check box on last line in PART II.

PART III

Board members and Town Clerk sign here.

Additional guidance is provided in the document "Vermont Agency of Transportation Guidelines - Certificate of Highway Mileage".

Return completed certificate, using enclosed envelope. If needed, use a larger envelope with same address as on the enclosed envelope.

Certificates must be postmarked on or before February 20, 2014. Certificates that are postmarked after February 20, 2014 may not be processed.

12/2013

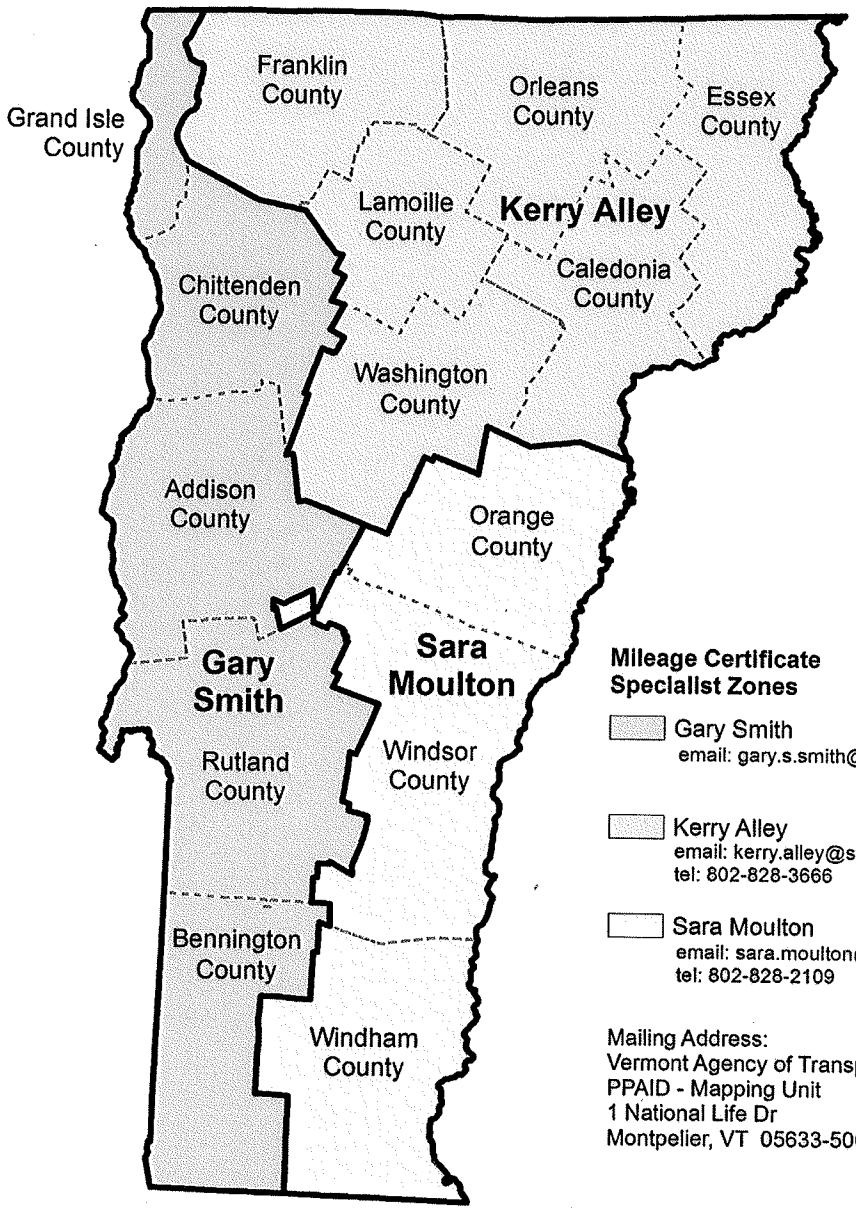
MILEAGE CERTIFICATE SPECIALISTS

Starting in 2014, the mileage certificates will be processed by three Mileage Certificate Specialists. If you have any questions, please contact the specialist for your municipality.

Gary Smith, gary.s.smith@state.vt.us
Counties served: Addison, Bennington, Chittenden, Grand Isle, and Rutland.

Kerry Alley: kerry.alley@state.vt.us, 802-828-3666
Counties served: Caledonia, Essex, Franklin, Lamoille, Orleans, and Washington.

Sara Moulton: sara.moulton@tstate.vt.us, 802-828-2109
Counties served: Orange, Windham, and Windsor.



Mileage Certificate Specialist Zones

Gary Smith
email: gary.s.smith@state.vt.us

Kerry Alley
email: kerry.alley@state.vt.us
tel: 802-828-3666

Sara Moulton
email: sara.moulton@state.vt.us
tel: 802-828-2109

Mailing Address:
Vermont Agency of Transportation
PPAID - Mapping Unit
1 National Life Dr
Montpelier, VT 05633-5001

December 2013

Vermont Agency of Transportation
Guidelines - Certificate of Highway Mileage

These guidelines are intended to assist municipalities and insure the changes submitted on the mileage certificates are processed completely and without delay. The statutory definitions and processes related to Town Highways can be found in the Vermont Statutes Annotated (V.S.A.), Title 19 (Highways), Chapters 3 (Town Highways) and 7 – (Laying Out, Discontinuing, and Reclassifying Highways). The guidelines below are paraphrased in part from 19 V.S.A. Chapters 3 and 7.

These guidelines incorporate the changes prompted by Act No. 178 ("An Act Relating to Unidentified Corridors") which went into effect July 1, 2006.

Certificate of Highway Mileage and the General Highway Maps
Each year, the Vermont Agency of Transportation (VTrans) Mapping Unit processes the Certificate of Highway Mileage for each municipality and compiles the totals of State Highways, Class 1, 2, 3, and 4 Town Highways, Legal Trails, and Unidentified Corridors into a summary. The highway mileage information is used in the formula for the appropriation of State Aid for Town Highways. The Certificate of Highway Mileage and supporting documentation of changes also provides the VTrans Mapping Unit with information to make the necessary changes to the General Highway Maps, also referred to as the Town Highway Maps.

This process is defined in 19 V.S.A. § 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.*

Supporting documentation
To accept the changes submitted by a municipality in the mileage certificate, we need the following supporting documentation:

- A copy of the minutes of meetings at which the legislative body took action with respect to the changes.
- A copy of the notices and hearings described further below associated with reclassifications and discontinuances.
- A copy of the Certificate of Completion and Opening for new or altered highways.

- A copy of any surveys of the affected highway, trail, or unidentified corridor (A survey shall not be required for class 4 town highways that are legally established prior to February 10, 2006.)

- A description of the affected highway, trail, or unidentified corridor.

- A current town highway map with the requested deletions and additions sketched on it.

19 V.S.A. § 305 (Measurement and Inspection) was amended by Sec. 2 of Act No. 178 of 2006 ("An Act Relating to Unidentified Corridors). As amended, § 305 includes, in part, the following language:

> *(b)... 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.*
>
> *(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.*

Clear description of location

Please include a clear description of the section of highway, trail, or unidentified corridor to be added, reclassified, or discontinued.

> For example: the reclassification of TH-50 (Example Dr) from Class 4 to Class 3 starts at a point 500 feet south of TH-28 (Sample Hill Rd) and extends for 0.3 miles southerly from there.

The location shall be marked on a copy of the General Highway Map. The map can be an 8 ½" X 11" copy of the map, or a photocopied section of the full size General Highway Map. A copy of the most current General Highway Map (in an 8 ½" X 11" format) will be provided with the mileage certificate supplied by the Vermont Agency of Transportation.

If CADD, GPS, or GIS data layers exist that document the change, this information can be forwarded to VTrans to assist in the mapping process.

Survey of new or altered highway
When the legislative body accepts, lays out, or alters a highway, it shall cause a survey to be made. The survey shall describe the highway and the right-of-way by courses, distances and width, and shall describe the monuments and boundaries. (19 V.S.A. § 704)

Notice and hearing of reclassification or discontinuance
The legislative body shall promptly appoint a time and date for examining the premises and hearing the persons interested, and give thirty days notice to the petitioners, and to persons owning or interested in lands through which the highway may pass or abut, of the time when they will inspect the site and receive testimony.

The legislative body shall also:

- Give notice to any municipal planning commission in the town.
- Post a copy of the notice in the office of the town clerk.
- Cause a notice to be published in a local newspaper of general circulation in the area not less than ten days before the time set for the hearing.

The notice shall be given by certified mail sent to the official residence of the person(s) required to be notified. (19 V.S.A. § 709)

Additional notice of discontinuance
The legislative body shall notify the commissioner of forests, parks and recreation when it has filed a petition to discontinue a highway under this subchapter. (19 V.S.A. § 775)

When submitting a reclassification or discontinuance with your municipality's mileage certificate, please include evidence of these notices and hearings.

Legal Trail Mileage
Because of the changes to 19 V.S.A. § 305 resulting from Act No. 178 of 2006, Legal Trail mileage now is included on the Certificate of Highway Mileage and a row for legal trail mileage has been added. The municipality now will need to provide information related to trails and their mileage on the certificate, similar to the reporting of highway additions, reclassifications, or discontinuances.

Unidentified Corridor
Because of the changes to 19 V.S.A. § 305 resulting from Act No. 178 of 2006, Unidentified Corridor mileage now is included on the Certificate of Highway Mileage and a row for them has been added. If the municipality has any of these corridors, it can record their mileage on the certificate, similar to the reporting of highway additions, reclassifications, or discontinuances.

The minimum standard for a Class 3 highway
A Class 3 highway is negotiable under normal conditions all seasons of the year by a standard manufactured pleasure car. (19 V.S.A. § 302(a)(3(B))

Additional information regarding Town Highways
There are many online resources that can assist a municipality in the process of adding, reclassifying, or discontinuing town highways. Several Internet links are listed below.

Current Town Highway Maps online at the VTrans Mapping Unit website - http://vtransplanning.vermont.gov/maps/town_maps

Archived Town Highway Maps online at the VTrans Map Archive website - http://vtransplanning.vermont.gov/maps/archive

Ancient Road Information online at the VTrans Mapping Unit website - including the Ancient Roads Guidance Document - Ancient Road Practicum http://vtransplanning.vermont.gov/maps/ancient_roads

VTrans Orange Handbook for Town Officials - http://vtransoperations.vermont.gov/sites/aot_operations/files/documents/AOT-OPS_OrangeBook.pdf

Town Highway Aid Rates and Mileage - http://apps.vtrans.vermont.gov/THGProgram/currentrates.aspx

For those difficult Town Highway Questions, an opinion may be available from the Secretary of State - http://www.sec.state.vt.us/municipal/opinions.htm

The Vermont Local Roads Program has information regarding town highways at - http://www.vermontlocalroads.org

The Vermont Statutes Online, Title 19: Highways - http://www.leg.state.vt.us/statutes/chapters.cfm?Title=19

Contact Information
Vermont Agency of Transportation
Policy, Planning and Intermodal Development Division (PPID) - Mapping Unit
1 National Life Drive
Montpelier, VT 05633-5001

(802) 828-2600

Town Highway/Legal Trails Addition/Reclassification/Discontinuance Checklist

Submission of this checklist is not required, but is supplied to help municipalities organize the documentation required to process additions / reclassifications / discontinuances of highways and trails. The documentation is subject to verification by VTrans.

Check the box ☑ if the information is included as part of the documentation submitted.

☐ A description of the affected highway or trail
Vt. Stat. Ann. tit. 19, § 305(e)

☐ Minutes of meetings at which the legislative body took action with respect to the changes (include copies of the meeting minutes) Vt. Stat. Ann. tit. 19, § 305(e)

☐ A current town highway map with the requested deletions and additions sketched on it
Vt. Stat. Ann. tit. 19, § 305(e)

☐ Evidence of written notice to adjoining landowners
(include a copy of the newspaper notice and a copy of the letter sent to adjoining landowners)
Vt. Stat. Ann. tit. 19, § 709

☐ A copy of any surveys of the affected highway or trail*
Vt. Stat. Ann. tit. 19, § 305(e) Vt. Stat. Ann. tit. 19, § 704

*Note: A survey shall not be required for class 4 town highways that are legally established prior to February 10, 2006 // and a survey is not needed for Discontinuances.

For Class 3 or Class 4 town highway additions

☐ A Certificate of Completion and Opening
While not required by statute, a Certificate of Completion and Opening form is a helpful document for the record.

☐ If the highway or trail to be added is "not clearly observable by physical evidence of its use as a highway or trail", then supply the additional documentation pursuant to the following statute:

19 V.S.A. § 305(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.

All records filed with the agency are subject to verification in accordance with 19 V.S.A. § 305 (a) and 19 V.S.A. § 305 (e).

CERTIFICATE of COMPLETION and OPENING of a HIGHWAY for PUBLIC TRAVEL

_____, _____ Clerk of the _____ of
(Clerk's Name) (City/Town/Village) (City/Town/Village)
_____, Vermont.
(City/Town/Vilage Name)

Pursuant to Title 19, V.S.A., Chapter 7, this is to certify that the following described section of Class _____ (1,2,3 or 4) Highway in the _____ (City/Town/Village) of _____ (City/Town/Village Name) was COMPLETED AND OPENED FOR PUBLIC TRAVEL on _____ (Month - Day), _____ (Year).

DESCRIPTION OF RIGHT OF WAY:

and as shown on a Highway Map of the _____ (City/Town/Village) of _____ (City/Town/Village Name), dated _____ (Month - Day), _____ (Year), and filed in Book _____ (Book #) on page _____ (Page #) of the Records of the _____ (City/Town/Village) of _____ (City/Town/Village Name) by the _____ (City/Town/Village) Clerk of said _____ (City/Town/Village) incorporated herein by reference and attested to on said map by said _____ (City/Town/Village) Clerk.

Dated at _____ (City/Town/Village Name), County of _____ (County Name) and State of Vermont, this _____ (Date - Day) day of _____ (Date - Month), A.D., _____ (Date - Year).

BOARD OF SELECTMEN, ALDERMAN, or TRUSTEES

_____ (Selectman/Alderman/Trustee Signature)
_____ (Selectman/Alderman/Trustee Signature)
_____ (Selectman/Alderman/Trustee Signature)
_____ (Selectman/Alderman/Trustee Signature)
_____ (Selectman/Alderman/Trustee Signature)
_____ (Selectman/Alderman/Trustee Signature)

_____ (Manager/Mayor Signature)
and the Manager/Mayor of the City/Town/Village of _____ (City/Town/Village Name).

****

_____ (City/Town/Village Name), **VERMONT** _____ (Month - Day), _____ (Year)

THE ABOVE IS A TRUE COPY OF THE DESCRIPTION OF CLASS _____ (1,2,3 or 4) **HIGHWAY COMPLETED AND OPENED FOR PUBLIC TRAVEL, RECORDED IN BOOK** _____ (Book #) **ON PAGE** _____ (Page #) **OF THE** _____ **RECORDS OF THE** _____ (City/Town/Village) **OF** _____ (City/Town/Village Name) **ON THE** _____ (Date – Day) **DAY OF** _____ (Date – Month), _____ (Date – Year), **AT** _____ (Time) **O'CLOCK,** ___ (A or P) **.M.**

ATTEST: _____ (Clerk's Name)
_____ (City/Town/Village) **CLERK OF** _____ (City/Town/Village Name) **,VERMONT**

Revision 12/2010