

## **Council Minutes**

**December 2, 2019**

A duly warned meeting of the Newport City council was held on Monday, December 2, 2019 in the council room in the Newport Municipal Building. Present were Mayor Paul Monette, Council Members Melissa Pettersson, Kevin Charboneau, and Daniel Ross, City Manager Laura Dolgin, City Clerk/Treasurer James D. Johnson, Fire Chief Jamie LeClair, PW Director Tom Bernier, Recreation Director Jessica Booth, Wayne Elliott, Mike Welch, Gary Holloway, Conrad Bellavance and Roger Gosselin, members of the Press and Public. Council Member Julie Raboin was absent.

Mayor Monette called the meeting to order at 6:30 PM.

### **Approval of Minutes**

Ms. Pettersson moved to approve the minutes of November 18, 2019. Seconded by Mr. Ross, motion carried.

### **Comments by the Public**

Laurie Grimm mentioned the increase in traffic on RR Square due to the opening of Domino's Pizza.

### **Downtown Designation Presentation**

Gary Holloway, Downtown Program Manager, Community Planning and Revitalization, Vermont Department of Housing and Community Development and Conrad Bellavance, Chair, Newport City Downtown Development Board gave an update on the Downtown Designation Program its importance and benefits to the City.

### **State Drinking Water Revolving Loan Fund Application & Engineering Contract (Attached)**

Wayne Elliott P.E., of Aldrich and Elliott Water Resource Engineer, and Tom Bernier Director of Public Works updated the council on the 1272 Order from the State of Vermont issued to the City on February 19, 2019. One of the conditions of the order require that the City submit a long-term control plan for the six remaining combined sewer overflows. The loan application is for \$79,400 which includes the engineering services (\$63,400) and additional monitoring equipment (\$16,000). The loan is 100% forgiven.

Mr. Ross moved to approve the application and authorize the City Manager to sign the documents. Seconded by Mr. Charboneau, motion carried.

Mr. Ross moved to approve the engineering contract with Aldrich & Elliott and authorize the City Manager to sign the documents. Seconded by Mr. Charboneau, motion carried.

**Vermont Recreational Trails Program Grant Application** (attached)

Jessica Booth, Recreation Director and Mike Welch, Senior Project Manager at NCIC presented the grant application request in the amount of \$50,000. The grant will be used to fund Phase 2, the final design and site layout for the Prouty Beach Connector Trail. Mayor Monette read the letter of support he signed that will accompany the application. Mr. Charboneau moved to approve the application and authorize the City Manager to sign the documents. Seconded by Ms. Pettersson, motion carried.

**Annual VAST Access Request, Broadview Ave., Landing St. and the Railroad Bridge to Pomerleau Park** (attached)

Roger Gosselin presented the annual request. Mr. Ross moved to approve the request. Seconded by Mr. Charboneau, motion carried.

**New Business**

None

**Old Business**

Ms. Dolgin asked the council to let Ms. Booth know if they plan to attend the Pomerleau Christmas Party. Ms. Dolgin also noted that the next Public Hearing on the Capital Investment Plan will be December 16<sup>th</sup>.

Mr. Johnson noted that he had received a qualified petition to consider repealing the ATV ordinance. He offered two dates for the Special Meeting to vote on the issue. The council selected January 14, 2020, as the date of the vote. The polls will be open from 8:00 AM until 7:00 PM.

**Next Meeting Dates**

December 9th, 16th, 23rd and 30<sup>th</sup>, 2019.

**Adjournment**

Mr. Charboneau moved to adjourn at 7:45 PM. Seconded by Ms. Pettersson, motion carried.

Attested James S. Johnson This 16<sup>th</sup> Day of December 2019

  
\_\_\_\_\_  
Mayor

TO: Newport City Council, Jim Johnson, City Clerk & Treasurer  
FROM: Laura Dolgin, City Manager  
RE: Vermont Recreational Trail Program (RTP) Grant Application Prouty Beach Connector Trail – Phase 2  
Date: November 26, 2019

**Notice of Funding Opportunity:** The City of Newport has an opportunity to submit an application to the Vermont Recreational Trail Program (RTP) to support Phase 2 design and construction of the Prouty Beach Connector Trail. A pre-application was submitted on October 31, 2019 – and the complete application is due on or before Tuesday, December 17, 2019. The maximum grant amount is \$50,000 and requires a 20% match (cash and/or in-kind). This program is a federal grant program that is administered by the VT Department of Forests, Parks and Recreation.

**Timeframe:** Decisions on Grant Awards will be made by March 2020. The State plans to have Grant Agreements completed by May 15, 2020. The City would have 2 years to complete the project (State encourages that projects be completed in 1 year).

**Project Description:** The City of Newport, Vermont is requesting financial support through the VT Recreation Trails Program for Phase 2 of the design and construction of the Prouty Beach Connector Trail. This new Trail is a vital link in the Newport Waterfront Recreation Path & Lake Access Project, that will offer four-season recreational trail access from Downtown Newport to Quebec Province. Phase 2 will include: final design and site layout for Prouty Beach Connector Trail segment 4 (link to the planned Bluffside Farm Trail-property owned by VT Land Trust); paving of the entire Prouty Beach Connector Trail; wayfinding trail signage and information, and hydro-seeding. The project will include improvements to the recreational beach area with landscaping and rehabilitation of sand and grass areas. The City of Newport has initiated Phase 1 construction of the 0.25 mile, multi-use recreation path to connect the planned Bluffside Trail system and the existing Newport Bike Path. Phase 1 consists of the design, permitting and construction of segments 1, 2 and 3 of engineered plans for Prouty Beach Connector Trail (See attached plan prepared by Horizons Engineering). These path segments are routed through the City owned municipal park and at Prouty Beach & Campground. Phase 1 of the project includes construction of the Trail beginning at the Broadview Avenue entrance of Prouty Beach. The Prouty Beach Connector Trail will be routed strategically through the park to showcase the City's shoreline assets and provide exposure to existing public lake access points, amenities and rest rooms. Phase 1 construction will go into winter shut-down in November. Phase 1 and Phase 2 construction will resume in Spring 2020 and be completed by Fall 2020.

Final design plans for Phase 2 Segment 4 will be performed by a licensed engineering firm. The majority of Phase 2 construction work (Segment 4) will be completed by the Newport Department of Public Works (DPW), under the experienced leadership of DPW Director Thomas Bernier. DPW labor and equipment will be used as an "in-kind" match toward the total project cost. Utilization of DPW Operators and Equipment to include: Excavator, Trucking, Roller/Compactor and Track Loader. Signs will be ordered from a vendor, and installed by DPW. Paving will be contracted through a private vendor.

Phase 2 of this project does not involve a water body crossing – but will connect to a planned crossing at Scott's Cove that will be a component of the VLT Bluffside Farm Trail project (currently under design).

To: City of Newport City Council, City Clerk & Treasurer James Johnson  
From: Laura Dolgin, Tom Bernier and Wayne Elliott  
Date: December 2, 2019

Re: 1272 Order – Combined Sewer Overflows

The State of Vermont issued an updated 1272 Order to the City of Newport on February 19, 2019 specific to the Combined Sewer Overflow Rule. Initial assessments confirmed that the City still has six (6) remaining combined sewer overflows (CSO's); Western Avenue, Bayview Street, Union Street, Lake Road pump station, Causeway siphon and Bluff Road pump station. One of the conditions of this Order requires that the City submit a Long Term Control Plan for the CSO's by August 19, 2020.

As required by the State, the City went through a Qualifications Based Selection (QBS) process in September 2019 for the engineering. Aldrich + Elliott was selected by the Public Works Department as the most qualified firm to assist the City with the Long Term Control Plan (LTCP).

An engineering services agreement for this work has been prepared and reviewed by the State, and the CWSRF funding application has been prepared for consideration by the City Council. The total amount requested in this funding application is \$79,400 which includes the engineering and additional monitoring equipment and the City is eligible for the following:

- For the cost of the LTCP, the State is providing 100% forgiveness on this loan amount of \$63,400.
- For the CSO monitoring equipment, the City is eligible for 100% additional subsidy in the form of principal forgiveness up to the \$16,000.

Once the City Council approves the CWSRF planning loan application, the work on the Long Term Control Plan can move forward.



# Landowner Permission Form

For the Vermont Association of Snow Travelers, Inc.  
26 Vast Lane • Barre, VT 05641 • 802.229.0005 • Fax 802.223.4316

Permission is hereby granted to the Vermont Association of Snow Travelers, Incorporated (VAST), to  
..... Orleans ..... County Snowmobile Club,  
*Name of County*  
Incorporated, and to the ..... North Country Mountaineers ..... of,  
*Name of Local Snowmobile Club*  
Coventry  
Vermont to establish, maintain, and groom a snowmobile trail or trails upon property located in  
*City/Town*  
Newport City ..... City of Newport ..... of  
*City/Town* .....  
*Property Owner's Name*  
Derby ..... The snowmobile trail(s) shall be established and maintained in an area acceptable to the  
*City/Town/State*  
landowner. No construction or major maintenance shall occur without the landowner's permission. Permission is further granted to VAST,  
to the fourteen Vermont county snowmobile clubs, to all affiliated local snowmobile clubs, and to their respective members to use the  
trail(s).

Permission extends for a period starting ..... December 16, 2019 ..... to ..... April 15, 2020 .....  
*Date* ..... *Date*

Permission is subject to the additional terms and conditions listed below, if none, enter "NONE".....

Permission to use Broadview Ave. and Landing St. on a trial basis with the following conditions: Both streets must have a 10  
mph speed limit for snowmobiles. A curfew of 10:00 PM to 8:00 AM on Broadview Ave. and a curfew of 11:00 PM to 8:00 AM

on Landing St. Permission to use bridge and Pomerleau Park for downtown access. The city can revoke permission at any time.

Vermont law limits the liability of landowners for personal injury and property damage sustained by a person operating a snowmobile or riding as a passenger to damage intentionally inflicted by the landowner unless the landowner charges the owner or operator of the snowmobile a cash fee for the use of the property. VAST agrees to maintain a policy of trails liability insurance with a policy limit of at least \$1,000,000 covering the landowner as an additional insured. VAST further agrees to defend the landowner or reimburse the landowner for the reasonable costs of defense in the event that a claim is made or a suit is brought as a result of a snowmobile accident on the landowner's property, unless the landowner charges a fee for the use of the landowner's property for the purpose of establishing and maintaining a snowmobile trails(s). A complete "Explanation of Landowner Rights and Protections" is printed on the reverse side of this document. Neither this permission nor any use of the trail(s) established pursuant to this permission shall, under any circumstances, entitle VAST, any county snowmobile club, any local snowmobile club, or any member of any one or more such clubs, to claim any dedication, any right of adverse possession, any prescriptive easement, or any similar right with respect to any portion of the landowner's property.

Dated this ..... day of ..... December ..... 2019 .....  
*Day* ..... *Month* ..... *Year*

Vermont Association of Snow Travelers, Inc. Signature of landowner or landowner's duly authorized agent.  
By: .....  
Roger M. Gosselin, Orleans County Director .....  
*(Please Print Name)* ..... *(Please Print Name)*

Its duly authorized agent for the limited purpose of negotiating and entering into landowner permission agreements. Mailing Address:  
City of Newport  
222 Main St.  
Newport, VT 05855  
Phone Number 802-274-4502 Phone Number 802-334-5136