

Council Minutes

May 4, 2020

A duly warned meeting of the Newport City Council was held on Monday, May 4, 2020. The meeting was held remotely. Present at the meeting were Mayor Paul Monette, Council President Danial Ross, Council Members Melissa Pettersson, Kevin Charboneau and John Wilson, City Manager Laura Dolgin, City Clerk/Treasurer James Johnson, PW Director Tom Bernier, Fire Chief John Harlamert, Rebecca Therrien, Jessica Booth, Eleanor Leger, members of the Press and Public.

Mayor Monette opened the meeting at 6:30 PM. And conducted a Roll Call of council members present.

Approval of Minutes

Mr. Wilson moved to approve the minutes of April 20, 2020. Seconded by Mr. Ross, motion carried unanimously.

Mr. Ross moved to approve the minutes of April 22, 2020. Seconded by Mr. Wilson, motion carried unanimously.

Comments by the Public

Pam Ladds asked when the documents regarding Chief DiSanto would be released. Mayor Monette stated the documents had been released to the press and she could request a copy from him or the City Manager.

Request for Tax Stabilization, Eleanor Leger of the Tasting Center.

Mr. Ross moved to approve the Tax Stabilization request. Seconded by Mr. Wilson, motion carried unanimously.

Annual Adoption of Roads & Bridges Standards

Mr. Charboneau moved to approve the Annual Roads & Bridges Standards and authorized the Mayor to sign on the council's behalf. Seconded by Mr. Ross, motion carried unanimously.

Authorize Extension of Time to Complete Assessor Work 32VSA 4342

Mr. Charboneau moved to authorize the extension of time to complete work relating to the duties of the Assessor per the memo dated April 14, 2020. Seconded by Mr. Wilson, motion carried unanimously.

Update Police Chief Job Description

Mr. Ross moved to approve the updated Police Chief's Job Description. Seconded by Mr. Charboneau, motion carried unanimously.

New Business

Mayor Monette thanked the people involved with the Food Drop on May 1, 2020

Mr. Wilson asked the status of the Coin Drops in May and June. Ms. Dolgin stated that the VFW Auxiliary drop in May will likely be cancelled and she will have to check with the Rec. Dept. on their drop in June.

Old Business

None

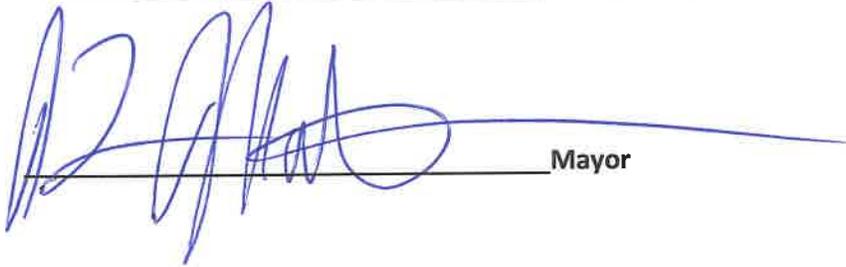
Next Meeting Date

May 18, 2020

Adjournment

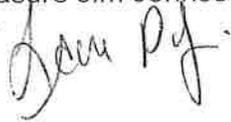
Mr. Charboneau moved to adjourn at 7:00 PM. Seconded by Mr. Wilson, motion carried unanimously.

Attested _____ This _____ Day of May 2020



Mayor

To: City Council, City Clerk/Treasurer Jim Johnson
From: Laura Dolgin, City Manager
Date: May 4, 2020



Re: Request for Tax Stabilization for Northeast Kingdom Tasting Center

The City Manager has received a qualifying written request for Tax Stabilization from Eleanor Leger, of the NEK Tasting Center, 150 Main St., Newport, Vt.

Regarding Section 3: Criteria and Eligibility for Tax Stabilization, While Ms. Leger can address a) and b), please be assured that criteria c) through f) are met. Regarding Criteria f), as the Delinquent Tax Collector, I can attest that this applicant is in good standing with the City of Newport, and has made all good faith efforts to maintain any and all payment plans.

The Policy outlines that the City Council must find the minimum score of points from an evaluation in accordance with the Policy.

The written request/email exchange is below, and the Tax Stabilization Policy is attached.

On Mon, Apr 20, 2020 at 10:21 AM Eleanor Leger <eleanor@edenciders.com> wrote:
Hello Laura and Paul,

I'm writing to give you and the City Council an update on the Tasting Center, and to make a request.

The Tasting Center building at 150 Main Street closed to the public at the end of the day on March 20th. The Warehouse Restaurant ceased operations. As food and beverage companies, both Eden Ciders and Jocelyn's Bakery have continued to operate, but have lost significant business because of the virus. In the case of Eden Ciders the shut down in hospitality across Vermont and the rest of the country has cut off 90% of our business. As you may know, the building has been struggling financially since the Ciderhouse restaurant under its last ownership failed to pay rent and utility bills for over a year, leaving the building owners with no cash reserves. With the COVID19 pandemic, we are at a crisis point.

We have taken the following actions to mitigate the crisis for the building and for our tenants as much as possible:

1. applied for and received loan payment deferrals for our mortgage loans and insurance payments for 90 days
2. cut as much power usage as possible, working out deferred payment plans with utilities.
3. While we applied for an EIDL, the program appears to have effectively failed at the Federal level. The building has no employees and is not eligible for a PPP Loan.
4. We have waived / deferred rent and utility bills to our tenants for 90 days effective with the billing cycle dated March 16th through May 16th.

We are concerned about our upcoming property tax bill of \$6,742.51 due on May 15th. You may recall that the Tasting Center had a Property Tax Stabilization plan that ended on May 15, 2019. Our taxes increased from a total of \$6,623.34 for 2018-2019 to \$13,485.02 for 2019-2020.

City Manager (802) 334-5136
 334-3891
 City Clerk/Treasure 334-2112
 334-3892
 Public Works 334-2124
 Zoning Adm./Assessor 334-6992
 Recreation/Parks 334-6345
 Fax 334-5632



COPY

City of Newport
 222 Main Street
 Newport, Vermont 05855

RECEIVED & RECORDED
 On 12/29/10
 At 2:30 P. M.
 Book 15 Page 23-27

 City Clerk, City of Newport, VT

**City of Newport, Vermont
 Industrial and Commercial Tax Stabilization Policy
 December 20, 2010**

1. Statement of Purpose

One of the major objectives of the Newport City Council is to promote and encourage commercial and industrial development with the City of Newport. Tax stabilization is an incentive for businesses and or developers considering locating, relocating developing and expanding within the City of Newport or for business owners to aid new businesses moving into their building.

2. Authority to Grant Tax Stabilization

The authority to grant tax stabilization falls under Vermont State Statute 24 V.S.A. § 2741. Municipal corporations; property values fixed by contract. No tax stabilization agreement can be for more than 10 years as per statute and may only include the municipal portion of the taxes. If the commercial/industrial business wishes to have the state education tax stabilized it must apply for stabilization with the Vermont Economic Progress Council (VEPC).

3. Criteria and Eligibility for Tax Stabilization

In order for a project to qualify for tax stabilization it must meet the following criteria.

- a) Create new jobs.
- b) Create new commercial/industrial establishments or modify existing spaces.
- c) Improve aesthetics or eliminate blight on the exterior of an existing structure.
- d) Does not have a negative impact on municipal, public safety or infrastructure.
- e) Meets all current local zoning by-laws and pertinent state regulations.
- f) Applicant must be in good standing with the City of Newport, State of Vermont and the Internal Revenue Service with respect to all taxes and not under indictment, incarceration or parole.

3) Machinery and Equipment:

Minimum cost new - \$100,000

4 points

For each full \$100,000 add

1 point

4) Jobs:

For each new permanent (excluding construction) job created (including retained jobs only if applicant certifies that jobs would be lost immediately if project is not completed).

3 points / job

For each job created which is 2 times the minimum wage prevailing in the state of Vermont add

2 points / job

5) Diversification:

If industrial start would, in the opinion of the City Council, diversify the industrial employment base* OR new or expanded industry would create markets for or be a significant supplier to existing Orleans County area industries OR industry is identified as a "target industry" in the Newport City Municipal Plan add

5 points

**Generally, the diversification test is met if the proposed industry type currently employs less than 5% of the covered workforce in the Orleans County.*

6) Impacts – Municipal

If the project will, over the long run, demand unusual, excessive, or unreasonable burdens on City services for police, fire, water, sewer, traffic, or roadways, and no plan for compensation or mitigation is made between the developer and City deduct

<6 points>

7) Impacts - Environmental:

If the project will cause degradation to the physical and natural environment of the City through discharges to the air, water, or groundwater, or by emission of noise, dust, vibration, radio interferences, threat of chemical or biological release deduct

<2-8 points>

8) Exclusionary Criteria:

If the project is offensive to the public values or is contrary to the ordinances and by-laws of the City of Newport, is incompatible with the City Plan, or would create an unreasonable nuisance or disturbance to neighboring landowners, no tax stabilization shall be granted.

Under normal circumstances retail trade will be allowed unless

- b) Applicants for tax stabilization agreements will be invited to meet with the City Council to discuss any type of agreement before the applicant undertakes the construction of a new facility or the expansion of an existing facility. No retroactive agreements will be considered; however, applicants who commence construction of a new facility or the expansion or renovation of an existing facility during a given tax year shall be entitled to apply for stabilization prior to the start of the next tax year.
- c) The City Council shall be responsible for approving tax stabilization. All projects shall be required to obtain all applicable federal, state and local project permits.

7. Cancellation of Agreement

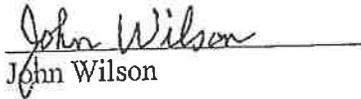
If prior to the termination of the stabilization agreement the property is used for other than commercial or industrial purposes the City shall have the right to cancel the agreement.

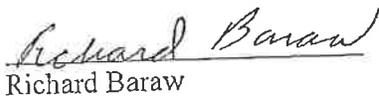
If all or part of the real property is transferred to a new owner, and that owner uses the property for other than commercial/industrial uses or there is a loss of jobs, the City shall have the right to cancel the agreement.

Such cancellations may result in the City seeking repayment of the full taxes which would have been billed without stabilization, less the amount actually paid during the actual period of stabilization, or imposing other remedies as described under the terms of the contract or by operation of law.

Approved this 20th day of December 2010 by the Newport City Council

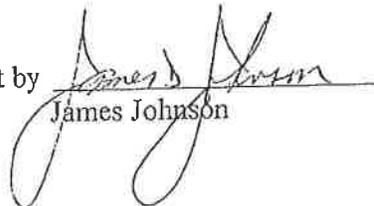

Paul E. Monette, Mayor


John Wilson


Richard Baraw


Timothy Delabruere


Denis Chenette

Attest by  City Clerk
James Johnson

To: City Council
From: Laura Dolgin, City Manager
Date: May 4, 2020



Re: Updated Police Chief Job Description

As we go through the recruitment process for the Chief of Police position, we can see that the current job description is a bit out of date. It was last updated in 2011 and since then, Human Resources (HR) law has evolved. We have received some recommendations from VLCT to modernize our job descriptions, including but not limited to, gender neutrality and to address ADA issues.

In an effort to ensure the City uses compliant job descriptions, please find attached the current (outdated) job description, and compare to it a job description that is modernized and fulfills the HR requirements for recruitment.

I request the City Council approve the proposed job description so that we can continue to move forward with the recruitment process for Newport City Police Chief.

Thank you.

8. Promulgate all General and Special Orders of the Department and issue on his own authority orders, written and oral, consistent with his powers, duties and responsibilities.
9. Plan and execute police programs designed to prevent and repress crime, to apprehend and prosecute offenders and to recover property. Modify these programs to meet current trends.
10. Provide for investigation into all cases of alleged or apparent misconduct by department personnel.
11. Enlist the suggestions of members and employees of the Department to insure maximum relevance and acceptance of all departmental regulations.
12. Keep himself informed as to the affairs of the Department, insuring that the duties and responsibilities of members and employees are being discharged.
13. Be responsible for the necessary delegation of authority to those under his command, commensurate with their duties and responsibilities.
14. Exercise general supervision and inspection of all licensed public places within the community.
15. Develop or adopt new technologies to improve effectiveness in the discharge of police obligations of the Department.
16. Submit an Annual Report to the City Manager outlining the activities of the Department.
17. Be responsible for the preparation and justification of the annual department budget and for the control of all departmental expenditures.
18. Submit the appropriate data forms to the proper authority for the purpose of compiling the uniform crime report.
19. Maintain a personnel record system in which will be kept all pertinent information on all departmental members and employees.
20. Submit such other reports as required by law.
21. Establish departmental goals, objectives, policies, regulations and procedures based upon the needs of the city and the Police Department; continually evaluating the effectiveness and responsiveness of the Department.

D. QUALIFICATIONS

Bachelor's Degree in Criminal Justice preferred, Police Administration, or related field with course work in Management Practices, budgeting and labor relations. Ability to receive required certification by the Police Standards Training Council. At least 10 years progressively responsible experience in law enforcement and crime prevention, or any combination of education and experience which demonstrates possession of the required knowledge, skill and abilities.

Sources: Job Analysis by N.H. Municipal Association (1984); Job Description for Chief of Police, June 1, 1979; Revised: July 1, 1983

Adopted by Newport City Council on 6/06/2011

City of Newport, Vermont
Chief of Police
Job Description
Approved by City Council: _____

- the uniform crime report and other Vermont crime reporting.
- Maintain a personal record system in which will be kept all pertinent information on all departmental members and employees.
 - Submit such other reports as required by law.
 - Establish departmental goals, objectives, policies, regulations and procedures based on the needs of the town and the police department; continually evaluating the effectiveness and responsiveness of the department.
 - Direct, coordinate and keep apprised of all department procedures, practices and functions; establish and maintain formal channels of communications through which information must flow and specific authority is delegated; take necessary steps to improve police operations.
 - Serve as coach, mentor and roll model to staff and colleagues.
 - Provide timely performance feedback and conduct meaningful performance reviews, documented in writing, at least annually.
 - Conduct staff meetings, review schedules, personnel plans and maintain discipline within the department.
 - Cooperate with other municipal, state and federal law enforcement officials in the detection of crime, and apprehension of those responsible. Cooperate with other departments where activities of the police department are involved.
 - Serve as a primary representative of the department with civic organizations, public interest groups, elected representatives, schools, etc. by attending meetings related to public safety problems and enforcement.
 - Advise and assist departmental personnel in non-routine investigations and personally participate in more difficult police problems.
 - Serve as a member of town boards and committees as required.
 - Advise the town administrator and selectboard on parking, traffic and development issues and related policies; including assistance with developing such policies.
 - Performs related work as required.
 - Insure that evidence handling and storage meets best practice standards and is regularly audited.

Requirements and competencies:

- Bachelor's degree in Criminal Justice preferred, Police Administration, or related field with course work or equivalent work experience in Management Practices, budgeting and labor relations.
- Receive, and maintain, required Level III certification by the Vermont Criminal Justice Training Council within 1 year of employment.
- Strong managerial and supervisory skills.
- Excellent problem solving and decision-making skills.
- A minimum of 10 years progressively responsible experience in law enforcement and crime prevention, or any combination of education and experience which demonstrates possession of the required knowledge, skill and abilities.
- Thorough knowledge of the principles and practices of modern police administration and police methods.
- Extensive knowledge of the standards by which the quality of police service is evaluated and the use of police records and their application to police administration.
- Thorough knowledge of statutes and ordinances relating to law enforcement. Ability to plan, organize, and direct the work of subordinates performing varied operations connected with police activities.
- Ability to develop proper training and instructional procedures.
- Ability to maintain effective working relationships with other town officials, state and federal

City of Newport, Vermont
Chief of Police
Job Description
Approved by City Council: _____

Disclaimers:

- The above information is intended to describe the general nature of this position and should not be considered a comprehensive statement of duties, activities, responsibilities, and requirements. Additional duties, activities, responsibilities, and requirements may be assigned, with or without notice, at any time.
- This job description is neither an employment contract nor a promise of work for any specific length of time.



State of Vermont
 Department of Taxes
 133 State Street
 Montpelier, VT 05633-1401

Agency of Administration

April 14, 2020

To: Board of Listers/Assessors, All Vermont Towns

Dear Listers/Assessors:

Under the provisions of 32 V.S.A § 4342, with the approval of the Selectboard, the Board of Listers may request an extension of time to complete work relating to the duties of listers and/or assessors.

Due to the COVID-19 impacts on operations, an extension of all towns to August 15, 2020, is hereby granted and applies to all acts mentioned in 32 V.S.A § 4341. The requirements of 32 V.S.A § 5404 (b) for transmission to the Director of the Division of Property Valuation and Review (PVR) are also extended to September 15, 2020. The electronic grand list and 411 must be transmitted to the Director *on or before* this date.

Sincerely,

Jill Remick, Director, Property Valuation & Review Division

If you do not plan to file your Grand List past the June deadline, then you may disregard this letter and no further action needs to be taken. IF your town wishes to take advantage of this extension, please do the following.

Please sign and submit a copy to PVR on or before June 4 or June 24 depending on your town's filing requirements. You may submit a copy electronically at tax.pvr@vermont.gov, or via Fax at (802) 828-2239, or via postal mail at the address above, Attn: PVR. **Please retain a copy of this letter for your Grand List as well to file with the town or city clerk.**

We, the Selectboard for the Town of CITY OF NEWPORT approve of this extension for the 2020 grand list filing.

Selectboard Chair:

Paul C Monette
 (Printed Name)

(Signature)

5/5/2020
 (Date)

