

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



City of Newport
222 Main Street
Newport, Vermont 05855
www.newportvermont.org

Newport City Council Meeting

Regular Meeting Agenda

Monday, April 19, 2021, beginning at 6:30 p.m.

REMOTE MEETING

**The Municipal Building is Closed as part of the Stay Home/Stay Safe Measures
In Order to Participate Remotely:**

Phone 1- (978) 990-5000 and enter PIN: 185354#

or

**by Computer go to <https://freeconferencecall.com> and join the meeting by using id:
cityofnewportremote**

****Public Hearing on the Newport City Five Year Capital Investment Plan****

City Council: Paul Monette, Mayor
Melissa Pettersson, Council President
Kevin Charboneau
John Wilson
Chris Vachon

Laura Dolgin, City Manager
James D. Johnson, City Clerk/Treasurer

1. Call the Regular Council Meeting to Order
2. Public Hearing on the Newport City Five Year Capital Investment Plan
3. Approve Minutes of April 5, 2021
4. Comments by Members of the Public
5. Annual ATV Road Access Request & Ordinance Amendment, BLRR President Scott Jenness;
Vote
6. Appoint a Representative and 2 Alternates to the Communications Union District, Vote
7. Annual LEMP Approval, Vote
8. New Business
9. Old Business
10. Set next meeting: Regularly Scheduled Council Meeting: May 3, 2021 @ 6:30pm
11. Adjourn

Non-confidential materials pertaining to this agenda are available for inspection at the City Clerk's office commencing at 9:00 a.m., the morning of the meeting.

Newport City Council Meeting Participation Guidelines

Newport City Council meetings are for the purpose of allowing Council members to conduct City business. Distinct from public hearings or town meetings, City Council meetings are held in public, but are not meetings of the public. City Council meetings are the only time the City Council members have to discuss, deliberate and decide upon City matters. In an effort to conduct orderly and efficient meetings, the Mayor kindly requests your cooperation and compliance with the following guidelines per the policy adopted on December 21, 2015 and ratified on January 23, 2017:

1. Please be respectful of each other, Council members, city staff, and the public.
2. Please raise your hand to be recognized by the Mayor. Once recognized, please state your name and address or affiliation.
3. Please address only the Mayor and not members of the public, staff, or presenters.
4. Please abide by any time limits. Time limits will be used to insure everyone is heard and that there is sufficient time for the Council to complete their agenda within a reasonable timeframe.
5. The Mayor will make a reasonable effort to allow everyone to speak once before speakers address the Council a second time per the limits adopted on January 23, 2017.
6. Once public comment has been heard, discussion will be limited to the City Council members.
7. Please do not interrupt or mock other speakers or otherwise exhibit disruptive behavior during the City Council meeting.
8. Please do not repeat the points made by others, except to indicate agreement or disagreement with other views.
9. Please use the hallway for side conversation. It is difficult to hear speaker remarks when side conversations are occurring in the Council Chamber.
10. Presentations to the Council are not open to public comment. However, per the policy adopted on December 21, 2015, matters on the agenda requiring a vote are open to public comment immediately prior to the Council vote.
11. Individuals who do not abide by these procedures will be asked to leave the Council Chamber.



**Newport City Five Year Capital Investment Plan
City of Newport, Vt.
2021 - 2026**

Public Hearing # 1 April 19, 2021 @ 6:30 p.m.

Public Hearing #2 _____ @ 6:30 p.m.

Adopted on _____ by a majority of the City Council.

Adoption Process Overview:

Per Title 24, Chapter 117, Section 4385

- (a) Not less than 30 nor more than 120 days after a proposed plan is submitted to the legislative body of a municipality under section 4384, the legislative body of a municipality with a population of more than 2500 persons shall hold two or more such hearings. Failure to hold a hearing within the 120 days shall not invalidate the adoption of the plan or amendment.
- (b) The legislative body may change the proposed plan or amendment, but shall not do so less than 15 days prior to the final public hearing. If the legislative body at any time makes substantial changes in the concept, meaning or extent of the proposed plan or amendment, it shall warn a new public hearing under subsection (a) of this section. If any part of the proposal is changed, the legislative body, at least 15 days prior to the hearing shall file a copy of the changed proposal with the clerk of the municipality, with any individual or organization requesting a copy in writing, and with the planning commission.
- (c) The plan shall be adopted by a majority of the members of its legislative body at a meeting which is held after the final public hearing.

Adopted by a majority of the Newport City Council after a duly held public hearing on

_____.

Mayor Paul L. Monette

Kevin Charboneau

Council President, Melissa Pettersson

John Wilson

Chris Vachon

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Enterprise Funds Revenue & Debt

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Newport Parks & Recreation Capital Plan Project Outline

Newport City Five Year Capital Budget Program

Introduction:

The Vermont Planning and Development Act (24 VSA Chapter 117) specifically authorizes municipalities to adopt capital budgets and programs (§§ 4402,4443). Capital budgets and programs allow municipalities to prioritize capital expenditures over a specific period, thereby establishing a schedule of investments. A Capital Program is a plan of capital projects proposed to be undertaken during each year of a five year period, the estimated costs, and the proposed method of finance. The City of Newport's Five-Year Capital Improvement Plan (The Plan) is generated with input from each Department Head and reasonably coincides with the Waterfront and Downtown Master Plan. The goal is to maintain and physically improve the City's infrastructure, equipment, usability, and beautification, while continuing to meet all state and federal mandates in a cost-effective way.

This Five-Year Capital Improvement Plan helps us anticipate long term financial and physical impacts. The annual operating budget provides for expenditures and revenues for a one-year period and is closely integrated with, and complementary to, this Plan.

The benefits of having a Five-Year Capital Investment Plan is that It serves as a long-range working document for planning and is subject to changing conditions and needs. The Plan is arranged to reflect the order of priority of each capital project within each department. It provides an additional layer of management control in identifying capital needs and goals and helps establish priorities. It helps stabilize public expectations and expenses for improvements and can assist city officials in acting timely.

The City Council will review, may modify, and adopt this Plan. The City Planning Commission and interested citizens may also provide input to the Council before adoption. While the Planning Commission does not adopt the Plan, they may review it towards consistency with the City Municipal Plan.

Citizens may comment during two public hearings. The first public hearing will be held on Monday, November 4, 2019, at 6:30 p.m., and the second Public Hearing will be held on Monday, December 16, 2019, at 6:30 p.m. The Plan shall be adopted by a majority of the members of the City Council at a meeting held after the final public hearing (24 VSA 4385). The adoption of the plan does not approve any

of the projects or authorize the expenditure of any funds. A copy of this proposed Plan is available in the Clerk/Treasurer's office for review and on our website.

Many of the projects and/or equipment in this program are likely to be funded by sources other than the General Fund Operating Budget. The City has actively engaged in grant application programs.

For the first time, the City has a multi year plan targeting the Waterfront, various main intersections, and Main St. Improvements, called the Waterfront & Downtown Master Plan. This plan is available in the City Clerk/Treasurer's office for review, or on the City's website in our Downtown Development Documents.

The Waterfront & Downtown Master Plan breaks the city into sections and chunks projects into priority areas. It includes a timetable, assigns a likely champion for each project, and suggests plausible funding sources. In an effort to meet the Waterfront and Downtown Master plan outcomes, the City has further received a USDA Rural Communities Development Initiative (RCDI) grant. This grant allows us to work with professionals from Northern Vt. Communities Investment Corp (NCIC) as well as Northeastern Vermont Development Association (NVDA), to increase our grant filing capacity in order to see projects through in a cost effective and timely manner. While grants can be labor intensive, often the costs savings to the taxpayer and project completion accountability is worth it. This 5 Year Capital Investment Plan is intended to complement the Waterfront and Downtown Master Plan.

The Capital Budget and Program provides information needed for short-range land use planning and development decisions and serves as a coordinating device for facilities and services planning. It represents Newport City's commitment to provide public projects in specific areas within the time period covered by the capital program. Capital projects included in the capital program can be expected to be carried out essentially as programmed, but some projects may be subject to modification, either in scope or timing, based on the review of the needs, the availability of funding, or other circumstances which cannot be predicted with any certainty so far in advance. Should substantial modification need to occur in the capital program, the statutory process to amend or update the Capital Program would be implemented. One of our objectives is to refine the budget process to make the programming of capital projects more precise in scope and timing. The intent is to give more reliable information about the availability of public improvements to both the private and public sector decision makers.

Definitions:

The following definitions are based on the Vermont Planning and Development Act (24 VSA, Chapter 117, section 4430):

Capital Budget - lists and describes the capital projects to be undertaken during the coming fiscal year, the estimated costs of those projects, and the proposed method of financing.

Capital Program - a plan of capital projects proposed to be undertaken during each year through year five of the Capital Budget and Plan, including the costs for those projects and the method of financing.

Capital Project - a capital project is any one or more of the following:

- (1) Any physical betterment or improvement including furnishings, machinery, apparatus, or equipment for that physical betterment or improvement when first constructed or acquired;
- (2) Any preliminary studies and surveys relating to any physical betterment or improvement.
- (3) Lands or rights in land;
- (4) Any combination of (1), (2), and (3).

Funding Sources for the Capital Budget and Program:

- A. Reserves - a reserve fund is a sum of money raised from the General Fund, via taxes, that is deposited in an interest earning account where applicable. These are generally derived from prior year surpluses and safeguarded in 'unassigned funds.' The Council has the authority to assign, restrict, or commit these funds for special projects, tax offsets, down or partial payments.
- B. General Obligation Bonds - These loans are written promises by Newport City to pay a specified sum of money (the principal amount) at a specified date (i.e., the maturity date), together with periodic interest at a specified rate. A bond typically runs for a longer term and is a more formal instrument than a note or most lease purchase agreements.
- C. Bank Notes and Loans - short term with current interest rates. Capital equipment replacement loans are utilized for items such as vehicles and typically have been financed for 4 years or less.
- D. State Aid & Grants - state aid in the form of grants or matching funds are utilized as much as possible.
- E. User Fees - a user fee is imposed upon only the user or renter of a public facility or public equipment. For example, only those residents hooked into the municipal water and sewer systems will be charged fees for paying fixed costs and upgrades. A renter of a city facility would be charged council approved rates and fees structure.
- F. Fundraiser - Capital projects, such as the Gardner Park improvements, are financed by fund raisers which are obtained through voluntary contributions and donations.
- G. General Fund - Any capital projects not funded in part or in whole from the aforementioned revenue sources will be financed through the General Fund, i.e., taxes.

Newport City Capital Project Description and Justification

Street Reconstruction and Resurfacing

Street reconstruction and street resurfacing is the most visible part of this capital program. The street construction costs shown in the summary by fund does not include any cost for water and sewer infrastructure. Each time a road is rebuilt, the water and sewer lines are updated, as referenced in the sewer fund narrative.

The resurfacing of Highland Ave was completed in FY20. The street was a major investment in 2010 but was due for an overlay of asphalt in order to keep that section of road cost effectively maintained.

Vehicles and Equipment

We plan to continually rotate our fleet of vehicles and equipment out of the general fund at the point when the maintenance becomes cost prohibitive. The City has recently benefited from USDA Community Facility grants which were used to offset the costs of an excavator, skid steer, and protective fire gear for the Fire Department, dispatch equipment and police radios. We seek to extend the life of each piece by proper maintenance and care. Our replacement cycle for our large dump trucks is still longer than the desired ten years. The Police Department fleet rotation for patrol vehicles is one per year.

Public Facilities and Downtown Economic Development

Public facilities repair and maintenance has become a high priority for the City Council, as has city beautification. Recent operational budgets have prioritized facility maintenance and improvements at Prouty Beach, the Waterfront and Gardner Park. This Plan along with the LWCF grant award for improving the Gardner Park Playground area, skate shack, and bay area, substantiates our efforts which supports the Outdoor Recreational Economy. The VOREC grant and AARP award focuses on connecting a new trail in

Prouty Beach to the soon to be constructed Bluffside Farm Bridge, which will intentionally lead directly to our downtown.

Additional grant awards support the connections to the Beebe Spur Trail, the Memphremagog Ski Touring Foundation's Trail System, the Bluffside Farm, Prouty Beach, and a recently constructed shore line seasonal walking path located behind the Waterfront Mall, which all serve to enhance visitor ship to our downtown. Entering into an agreement with the local Drift Dusters Snowmobile chapter, a division of VAST, allows snow mobiles certain street access as well as downtown parking, to continue to bring visitors downtown during the winter months.

Other grant awards from the Downtown Transportation grant and the NBRC grant are designed to improve our main intersections in our downtown designated area, by promoting a sense of safety and convenience for all users.

The RCDI program has enabled these recent grant awards to help support recreational facilities improvements in recognition of highlighting and taking better advantage of our outdoor recreational assets. Focusing on these assets and trail connections are intended to bring people into our downtown thereby bringing in new dollars and advancing the potential for boosting our downtown attractions and making Newport a recreational destination.

**Long Range Capital Improvement Program
Street Reconstruction/Resurfacing
2021-2022 2026-2027**

<u>Fiscal Year</u>	<u>Street</u>	<u>Description</u>	<u>Cost</u>
		2021-2022 Paving Estimates @ \$78Ton	
			<u>72,236.33</u>
	<u>Committed Fund Balance</u>		
	Outlook Street	1 ½ Inch Overlay @ 90T	-7,020
	Summer Street	1 ½ Inch Overlay @ 88T	-6,864
	Winter Street	1 ½ Inch Overlay @ 132T	-10,296
	Second Street	2½ Inch Base @ 417T	-32,526
	Eastern Avenue	2½ Inch Base @ 197T	-15,366
			<u>\$164.33</u>
	Hillside Street	2½ Inch Base @ 216T	16,848
	Prospect Street	2½ Inch Base @ 645T	50,310
	Green Place	1 ½ Inch Overlay @ 40T	3,120
	Field Avenue	1 ½ Inch Overlay @ 94T	7,332
	Main Street	1 ½ Inch Overlay @ 643T	50,154
	Municipal Parking Lot	1 ½ Inch Overlay @ Est.	60,000
	Gardner Park Sidewalks	1425'x5'x5" 132 c.y. @150	<u>19,800</u>
			\$207,564
	Reconstruction Expenses	Pavement Planning/Gravel Stone/Fill	\$35,000
	Street Capital Design Projects		<u>\$122,083,000</u>

2022-2023 Paving Estimates @ \$78Ton

Gardner Park Road	1 ½ Inch Overlay @ 300T	23,400
Central Street	2½ Inch Base @ 230T	17,940
Glen Road-1 st Mile Section	2 Inch Overlay @ 2400T	<u>187,200</u>
		\$228,540
Misc. Expenses	Pavement Planning/Gravel Stone/Fill	\$ <u>35,000</u>
Street Capital Design Projects		\$80,000
Total		<u>\$343,540</u>

2023-2024 Paving Estimates @ \$79Ton

Glen Road-1.5 Mile Section	2 Inch Overlay @ 3600T	284,400
Misc. Expenses	Pavement Planning/Gravel Stone/Fill	<u>35,000</u>
Total		<u>\$319,400</u>

2024-2025 Paving Estimates @ \$80Ton

Sias Avenue	2 ½ Inch Base @ 1120T	89,600
Logan Drive	2 ½ Inch Overlay @ 984T	78,720
Farrant Street	1 ½ Inch Overlay 352T	28,160
Scottsdale Drive	1 ½ Inch Overlay @ 246T	19,680
Colodny Terrace	1 ½ Inch Overlay @ 40T	3,200
Bluff Rd.	1 ½ Inch Overlay @ 800T	<u>64,000</u>
		\$283,360
Misc. Expenses	Crack sealing/Gravel Stone/Fill, Concrete	<u>60,000</u>
Total		<u>\$343,360</u>

2025-2026 Paving Estimates @ \$80Ton

Lake Road 1 st half	1 ½ Inch Overlay @ 2840T	227,200
West Main Street	2 ½ Inch Base @ 1120T	<u>89,600</u>
		\$316,800
Misc. Expenses	Crack sealing/Gravel Stone/Fill, Concrete	<u>25,000</u>
Total		<u>\$341,800</u>

2026-2027 Paving Estimates @ \$81Ton

Lake Road 2 nd half	1 ½ Inch Overlay @ 2840T	230,040
West Main Street	1 ½ Inch Top @ 725T	58,725
Freeman St.	1 ½ Inch Overlay @ 205T	16,605
Veterans Avenue	1 ½ Inch Overlay @ 305T	<u>24,705</u>
		\$330,075
Misc. Expenses	Crack sealing/Gravel Stone/Fill, Concrete	<u>20,000</u>

Total
Grand Total:

\$350,075
\$1,698,175

Vehicle Replacement Schedule
2021-2022 2025-2026

Fiscal Equipment

Replacement

<u>Year</u>	<u>Year</u>	<u>Description</u>	<u>Cost</u>
20-21		Committed Fund Balance	159,443.50
		Capital Equipment Funds	<u>155,000</u>
			314,443.50
	2011 #6	Ford F750	130,000
	2012 #2	Ford F550	30,000
	2010 #18	Elgin Sweeper	245,000
		Trade	<u>-35,000</u>
			\$370,000
21-22		Capital Equipment Funds	155,000
	2010 #18	Elgin Sweeper	55,556.50
	2011 #7	Freightliner M2 1 st Installment	94,443.50
	2020	Midsota Trailer	<u>5,000</u>
			\$155,000
Sewer & Water		2012 #2 Ford F550	60,000
		2020 Midsota Trailer	10,000
22-23		Capital Equipment Funds	155,000
	2011 #7	Freightliner M2 2 nd Installment	40,556.50
	2010 #4	Ford F150	13,000
	2013 #14	Freightliner M2 1 st Installment	<u>101,443.5</u>
			\$155,000
Sewer & Water		2010 #4 Ford F150	26,000
23-24		Capital Equipment Funds	155,000
	2013 #14	Freightliner M2 2 nd Installment	36,556.50
	2001 #21	Caterpillar Grader 1 st Installment	<u>118,443.50</u>
			\$155,000
24-25		Capital Equipment Funds	155,000

2001 #21 Caterpillar Grader 2 nd t Installment	121,556.50
2012 #14 Freightliner/Vactor 1 st Installment	<u>33,443.50</u>
	\$155,000

Sewer & Water

2012 #14 Freightliner/Vactor 1st Installment 135,000

25-26

Capital Equipment Funds	155,000
2012 #14 Freightliner/Vactor 2 nd Installment	100,000
2015 #10 Freightliner 1st Installment	<u>55,000</u>
	\$155,000

Sewer & Water

2012 #14 Freightliner/Vactor 2nd Installment 135,000

<u>Total</u>	Capital Equipment Funds	\$775,000
	Sewer & Water Funds	\$366,000

Newport Police Department Capital Improvement Plan

2021-2026

Police vehicles face unusual wear and tear and are replaced when mileage is very high or the vehicle becomes too expensive to maintain. This is a cost-effective standard that should be sustained. This Capital Plan includes one new police vehicle purchase each year in order to keep the fleet rotation cost-effective. A variety of cost-effective financing strategies are available that respects the impact on taxpayer dollars from short term financing to purchasing. The city council makes the determination.

The Police Department consists of 4 main line patrol vehicles, one of which is a specialized kennel vehicle assigned to the K9 Patrol Officer. The 24/7 working schedule requires a minimum of 3 operational patrol vehicles. The Police Chief drives a 2018 Ford Explorer.

The Police Department received a grant in 2016 from the Department of Public Safety and an additional grant from the USDA, totaling \$286,000.00, which funded the installation of a dispatch facility, in response to the local VSP dispatch closing in 2015. The grant enabled the gradual evolution of 24/7 dispatch service and added dispatch staff by recruiting contracts to emergency service providers outside of the city. The voters adopted a 24/7 Dispatch Center effective July 1, 2019 which provides accurate dispatch coverage and has been a well-respected service since opening. As of January 2021 we are currently dispatching for 8 total agencies and have an obligation to sustain these services and maintaining our dispatching infrastructure.

This Capital Investment Plan considers that a small amount of funds will be set aside each year in the event of a dispatch equipment failure. Although redundancy does exist with the current technology, equipment replacement and repair are an inevitable part of functionality and small increments should be considered in advance of an emergency. The City Council authorized \$32,455.00 be set aside from the FY17-18 budget for this purpose which provides an advantage for the funding goal of \$100,000.00.

The Municipal Building basement remodel was completed in 2016 in response to vulnerabilities as a result of a break-in. The remodel consisted of a new sally port, interrogation room, garage facilities, additional ada access, and minor improvements to the senior center. The Capital Improvement Plan considers the need to remodel an existing basement office space for a police male/female locker room at an estimated cost of \$120,000 when all necessary security requirements are considered.

The longevity of Bullet Proof Vests are five years according to the National Institute of Justice. The Capital Improvement Plan considers that restocking the Department's Inventory of Bullet Proof Vests will take place every five years at a cost of \$17,000.00, which is incorporated into the Fiscal Year 2019-2020 operating budget. Going forward, small increment amounts will be set aside each year so that vest replacement can occur timely.

POLICE DEPARTMENT VEHICLE REPLACEMENT PLAN

FY 21-22	1 vehicle purchase + debt service	
	Total	\$35,500
FY 22-23	1 vehicle purchase + debt service	
	Total	\$35,500
FY 23-24	1 vehicle purchase + debt service	
	Total	\$35,500
FY 24-25	1 vehicle purchase + debt service	
	Total	\$35,500
FY 25-26	1 vehicle purchase + debt service	
	Total	<u>\$35,500</u>

FIVE YEAR VEHICLE REPLACEMENT PLAN \$177,500

Police Dept Vehicle Inventory:

- EQ 40 = Chief Vehicle
- EQ 41 = K-9 Vehicle
- EQ 42 = Sergeant Vehicle
- EQ 43 = Patrol Vehicle
- EQ 44 = Patrol Vehicle

DISPATCH REPLACEMENT RESERVE FUND

FY 21-22	\$10,000
FY 22-23	\$10,000
FY 23-24	\$10,000
FY 24-25	\$10,000
FY 25-26	<u>\$10,000</u>
FIVE YEAR DISPATCH REPLACEMENT RESERVE PLAN	\$50,000

Technology Reserve Fund

FY 21-22	\$5,000
FY 22-23	\$5,000
FY 23-24	\$5,000
FY 24-25	\$5,000
FY 25-26	<u>\$5,000</u>

FIVE YEAR TECHNOLOGY RESERVE PLAN \$25,000

POLICE LOCKER ROOM SINKING FUND/Debt Service

FY 20-21	\$35,000
FY 21-22	\$35,000
FY 22-23	\$35,000
FY 23-24	<u>\$15,000</u>

FIVE YEAR POLICE LOCKER ROOM SINKING FUND **\$120,000**

BULLETPROOF VEST REPLACEMENT FUND

FY 21-22	\$5,000
FY 22-23	\$5,000
FY 23-24	\$5,000
FY 24-25	\$5,000
FY 25-26	<u>\$5,000</u>

FIVE YEAR BULLETPROOF VEST REPLACEMENT FUND **\$25,000**

POLICE DEPT 5-YEAR CAPITAL INVESTMENT PLAN **\$372,525**

Newport Parks & Recreation

2020-2025

Restoration of Gardner Memorial Park, expansion of Prouty Beach, maintenance of lakeside amenities, fleet equipment and vehicle rotations account for the 5-year Capital Improvement Program for Parks & Recreation. A systematic approach to capital budgeting has helped establish capital reserves for each facility and equipment replacement. These reserves, which are carried over annually if unused, will accumulate over time and off-set major future expenses. Adopting this model provides consistency for taxpayers and ensures that funds are available when needed. Along with facility reserves, properly maintained vehicles and equipment is vital for the care of the City's recreational assets. Vehicle and equipment rotations are included in the capital reserve plan to ensure that equipment can be replaced when these items have reached the end of their lifespan. Below is a breakdown of annual expenses totalling \$70,000 for facility reserves, and \$12,500 for vehicles and equipment.

Facility Reserves* Annual Breakdown

Prouty Beach & Campground	\$10,000/year
Gardner Memorial Park	\$20,000/year
Newport City Dock	\$32,000/year
Gateway Building	\$ 3,000/year
Playgrounds	<u>\$ 5,000/year</u>
Total	\$70,000/year

Vehicle/Equipment Capital Reserves** Annual Breakdown

Vehicles & Equipment	\$10,000/year
Event & Program Equipment	<u>\$ 2,500/year</u>
Total	\$12,500/year

In addition to funds set aside in the annual capital reserves, fundraisers, private donations and grants will help offset the cost of these capital projects whenever possible. These types of funds are not guaranteed, but have been a viable source of revenue to support recreation facility improvements in the past.

Capital Projects & Expenditures

Many improvements are planned at Gardner Memorial Park, which is the facility most used by Newport residents, and with the most need for rehabilitation within the next five years. The 2015-2016 Gardner Park Planning Grant and the 2019 Waterfront and Downtown Master Plan recommend a phased approach beginning with an overhaul of the playground area and bathroom facility, followed by shoreline enhancements to provide better lake access. The first phase of the “Gardner Park Restoration Project” is planned for 2021 to reorganize the play area for more green space, add updated ADA playground structures and installation of a 40x40 splash pad. The goal is to have the \$598,000 project cost funded entirely by grants, fundraising and private donations, so we do not expect that capital funds will be needed for the cost of goods.

The second phase of the Gardner Park Restoration initiative includes improvements to shoreline amenities including dock expansion and development of a non-motorized rental fleet of recreational boats (paddle boards, kayaks, and peddle boats). Shoreline enhancements also include renovations to the lakeside ice hockey rink as we consider replacing aged parameter boards with seasonal fixtures that could be installed each winter and removed in the spring to allow for more open viewing of the lake during summer months at the park. Alternatively, the ice rink area could be upgraded with a roof or sheltered structure over top to allow for outdoor event and athletic space during the spring, summer and fall months. Both options will be evaluated.

Other long-term goals for the Gardner Park Restoration project include improved lighting on the softball fields and improved field quality. A power and utility improvement project is slated near the bandstand/Causeway to make the location more conducive to hosting events. Evidence of these projects can be found in Appendix D, “Newport Parks & Recreation - Capital Plan Project Outline” detailing the planned timeline for capital expenditures.

The Waterfront and Downtown Master Plan also suggests that the municipality focus on expansion of waterfront amenities and services at the Newport City Dock. The 5 Year Capital Plan prioritizes the replacement of deteriorating docks first, followed by upgrades to the service dock and re-location of fueling operations out on the pier to make fueling and pump-outs more accessible for boaters (Appendix D). The fuel-pier relocation will be in excess of \$100,000. Planning for 2024 implementation allows time for the capital reserves to build, avoiding a burdensome expense on the taxpayer all in one year.

Expansion at Prouty Beach also accounts for significant capital funding over the next five years as we prepare for impacts of the Bluffside Farm bridge and connector trail. With increased exposure from the new Waterfront Recreation Path, we expect the demand for campsites to continue to grow. Adding new campsites, upgrading restrooms, and restoring the public beach is planned to encourage increased patronage and outdoor recreation opportunities on the lake. See Appendix D for anticipated project schedule.

2021-2022

\$41,500	Annual Facility Reserves*
\$15,000	Annual Equipment/Vehicle Reserves**
\$26,000	Bottom Barriers for Marina

-\$22,000 Recreation Vehicles & Equipment (Harbor Master Boat)
\$104,500

2022-2023

\$70,000 Annual Facility Reserves*
\$12,500 Annual Equipment/Vehicle Reserves**
\$6,000 Gateway Improvements
\$5,000 Gardner Park Improvements
\$20,000 Recreation Vehicles & Equipment (Gardner Park Tractor)
\$113,500

2023-2024

\$70,000 Annual Facility Reserves*
\$12,500 Annual Equipment/Vehicle Reserves**
\$40,000 Gardner Park Improvements
\$122,500

2024-2025

\$70,000 Annual Facility Reserves*
\$12,500 Annual Equipment/Vehicle Reserves**
\$40,000 Recreation Vehicles & Equipment
\$122,500

2025-2026

\$70,000 Annual Facility Reserves*
\$12,500 Annual Equipment/Vehicle Reserves**
\$20,000 Gardner Park Improvements
\$20,000 Recreation Vehicles & Equipment
\$122,500

\$585,500 Total Five Year Parks & Recreation Capital Investment Plan

**City of Newport Fire Department
2019-2025**

The Newport City Fire Department is made up of one full time Fire Chief and 29 volunteer fire fighters each holding a special firefighting designation. The people who hold the positions of our 2 Assistant Chiefs, 2 Captains, and 2 Lieutenants are volunteers. Each volunteer firefighter, regardless of designation, voluntarily submits to 100's of annual training hours. Indeed, the City of Newport is lucky to have this qualified resource at our disposal.

The Fire Department has 5 vehicles with an average anticipated longevity of 20 years each. Periodically, fleet rotation must occur when the maintenance costs become prohibitive. The large scale items listed in the Equipment Replacement Schedule are planned to be financed, most likely through the bonding process.

The Fire Department has specialized personal safety equipment which must be rotated and fitted to each firefighter. This Five-Year Capital Investment Plan considers the potential to file grants while keeping our fighters safe.

FY 21-22	ATV	\$ 20,000.00
FY 22-23	Pave the Fire Station parking lot	\$ 19,000.00
FY 22-23	Replacement Pumper/Tanker (bond)	\$600,000.00
FY 24-25	Replacement Brush Truck	\$100,000.00
FY 25-26	Fire Chief Cruiser Replacement + Debt Service	<u>\$ 35,000.00</u>
TOTAL:		\$915,000.00

City Beautification Plan

The City Council authorized the creation of a City Landscaper in February of 2019. The initial budget was formulated by retooling portions of the Public Works and Recreation budgets. The addition of this position provided the city with expertise in implementing a City Beautification Plan as outlined in the Waterfront and Downtown Master Plan. While the City formerly engaged a landscaper as a vendor, bringing the position in house meant getting more for each dollar spent. The results of the first and second summers brought astounding in colors, landscaping, flower arrangements and the anecdotal uptick in city pride. The City intends to continue work towards identifying the City as a Botanical Garden as outlined in the Waterfront and Downtown Master Plan. As we continue to rehabilitate from the failed Main St. Development project, the landscaping provides a source of pride, as well as a 'can do' and inviting message for residents and visitors alike. Grant funding will be sought to subsidize the projects.

22-23	Botanical Gardens Annuals/Perennials	\$ 10,000.00
	City Landscaper Watering Pump	\$ 5,000.00
	Green House	<u>\$ 5,000.00</u>
		\$ 20,000.00
23-24	Botanical Gardens Annuals/Perennials	\$ 10,000.00
	Waterfront Parking & Boatyard	\$ 5,000.00
	Streetscape Amenities	<u>\$ 5,000.00</u>
		\$ 20,000.00
24-25	Botanical Gardens Annuals/Perennials	\$ 5,000.00
	Wayfinding Kiosk & info Center	\$ 10,000.00
	Streetscape Amenities	<u>\$ 5,000.00</u>
		\$ 20,000.00
25-26	Waterfront Landslide Overlook	\$ 5,000.00
	Botanical Gardens/Perennials	\$ 10,000.00
	Wayfinding Kiosk & Info Center	\$ 5,000.00
	Streetscape Amenities	<u>\$ 10,000.00</u>
		\$ 30,000.00
26-27	Botanical Gardens Annuals/Perennials	\$10,000.00
	Streetscape Amenities	\$10,000.00
	Vehicle/Equipment	<u>\$10,000.00</u>
		\$30,000.00

Five Year Total City Beautification:

\$120,000.00

Newport Municipal Building

22-23	Municipal Building Sinking Fund (roof, brick facade maintenance & modernization)	\$10,000
23-24	Municipal Building Sinking Fund	10,000
24-25	New Vault (Bond = debt service principal & Interest)	41,000
	Municipal Building Sinking Fund	10,000
25-26	Municipal Building Sinking Fund	10,000
	Vault Bond Debt Service	41,000
26-27	Municipal Building Sinking Fund	<u>10,000</u>
	Vault Bond Debt Service	<u>41,000</u>
	Total Five Year:	\$132,000

Enterprise Funds:

Water Fund

A major Water Fund capital expenditure to occur over the next 5 years is the construction of a new water tower on the east side of the city, funded through bonds and grants. The Water Tower will supply 450,000 gallons per day (gpd) to the East Side of the city including the Industrial Park and nearby residential areas and will relieve us of being reliant upon the Derby Village Trustees for water service. Additional benefits of this major upgrade include the costs of replacing the reservoir cover (if we can wait) and installing a booster pump station. The project is anticipated to cost in the range of three and a half to four million dollars. We have more work to do before we bring this to a vote. The new reservoir liner and cover must be replaced on the water reservoir with or without this project because the current cover was installed in 1999 and has fulfilled its useful life.

The Council approved a 15 year contract with SUEZ, (a company that collects, treats, and distributes drinkable water) to maintain the west side water tower at a cost of \$95,000.00 per year for the first five years, and then the cost reduces to approximately \$26,162 for the remainder of the contract. This provides the City with a level of confidence that our water tower investment and water supply supply is being maintained at the highest quality. We are planning to extend the water line at Lakemont to replace the galvanized 2" water line that serves the homeowners. The anticipated cost is \$93,000 with the Lakemont residents paying for the costs except the city's labor. We expect the financial arrangements to be mirrored after the Campbell Development.

Wastewater Fund

A major capital expense made in FY2019 was the purchase of a sludge dewatering pump that will be financed over the next five years at a principal amount of \$278,667.00. The pump is expected to reduce the amount of sludge disposal costs at a rate that will pay itself back within 5 years. The replacement of the oldest of three aeration blowers at \$60,000 will occur in FY20. The City Council authorized borrowing for a five-year term for these capital expenses utilizing the operating budget.

A new 8" diameter sewer line approximately 3,500 linear feet will be installed on St. Laurent Street extending to the pump station at Lakemont. This new sewer line will accommodate the expected Gillespie development that is adjacent to the Lakemont development. A preliminary feasibility study was done on this project in 2014. The engineers construction cost estimate was \$600,000. A multi-year capital funds approach is planned with a completion year of 2023.

**Long Range Capital Improvement Program
Water/Sewer Infrastructure
2021-2022 2025-2026**

<u>Fiscal</u> <u>Year</u>	<u>Street</u>	<u>Description</u>	<u>Cost</u>
2021-2022			
	Hillside Street	Sewer Main & Service Connections	20,000
	Prospect Street	Sewer Main & Service Connections	30,000
	Eastern Avenue	Sewer Main & Service Connections	10,000
	Gardner Park	Pipe Lining	50,000
	Sewer Siphon	Causeway	<u>50,000</u>
	Total	Sewer Infrastructure	\$160,000
	Hillside Street	Water Service Connections	10,000
		Sias Ave Water Engineering	15,000
		Sias Ave Water Project Fund	<u>150,000</u>
	Total	Water Infrastructure	\$175,000
2022-2023			
	Sewer Siphon	Long Bridge	100,000
	Glen Road	Sewer Main & Service Connections	<u>80,000</u>
	Total	Sewer Infrastructure	\$180,000
	Sias Ave Water Engineering		20,000
		Sias Ave Water Project Fund	<u>160,000</u>
	Total	Water Infrastructure	\$180,000
2023-2024			
	Coventry Street	Sewer Main & Service Connections	120,000
	Gateway & Indian Head Pump Stations	Debt Service	<u>-41,885</u>
	Total	Sewer Infrastructure	\$78,115
	Coventry Street	Water Main & Service Connections	100,000
		Sias Ave Water Project Fund	<u>160,000</u>
	Total	Water Infrastructure	\$260,000

2024-2025

St. Laurent Street	Sewer Main & Service Connections	<u>150,000</u>
Total	Sewer Infrastructure	\$150,000
West Main Street	Water Engineering	20,000
	West Main Street Water Project Fund	200,000
	1984 Water System Bond	<u>-41,850</u>
Total	Water Infrastructure	\$178,150

2025-2026

St. Laurent Street	Sewer Main & Service Connections	<u>150,000</u>
Total	Sewer Infrastructure	\$150,000
West Main Street	Water Engineering	20,000
	West Main Street Water Project Fund	<u>210,000</u>
Total	Water Infrastructure	\$230,000

Grand Total:

Sewer Infrastructure	\$718,115
Water Infrastructure	\$1,023,150

APPENDIX D

Newport Parks & Recreation

Capital Plan Project Outline

CAPITAL BUDGET	ANTICIPATED PROJECT EXPENDITURES
<p><u>2021-2022</u> \$41,500 Annual Facility Reserves* \$15,000 Annual Equipment/Vehicle Reserves** \$26,000 Bottom Barriers for Marina <u>\$22,000</u> Recreation Vehicles & Equipment \$104,500</p>	<p><u>2021-2022</u> -14,000 PB Campsite Expansion (4 Pull-Thru RV, 2 Lean-to) -19,500 PB Power Pedestal Replacement (Phase 2/3) -8,000 GW Kitchens & Bathroom Floor Replacement -70,000 CD Dinghy Dock Replacement -26,000 CD Bottom Barriers - Control Weeds at Marina <u>-22,000</u> Harbormaster Boat \$159,500</p>
<p><u>2022-2023</u> \$70,000 Annual Facility Reserves* \$12,500 Annual Equipment/Vehicle Reserves** \$6,000 Gateway Improvements \$5,000 Gardner Park Improvements <u>\$20,000</u> Recreation Vehicles & Equipment \$113,500</p>	<p><u>2022-2023</u> -8,500 PB Power Pedestal Replacement (Phase 3/3) -30,000 PB Beach House Bathroom Improvements -25,000 GP Rink & Waterfront Improvements -10,000 GP Fences & Backstops -30,000 Tractor <u>-19,000</u> Gateway Carpet Replacement \$122,500</p>
<p><u>2023-2024</u> \$70,000 Annual Facility Reserves* \$12,500 Annual Equipment/Vehicle Reserves** <u>\$40,000</u> Gardner Park Improvements \$122,500</p>	<p><u>2023-2024</u> -71,000 GP Ballfield LED Lights & Timers <u>-5,000</u> SUP & Peddle Boat Rental Fleet \$76,000</p>
<p><u>2024-2025</u> \$70,000 Annual Facility Reserves* \$12,500 Annual Equipment/Vehicle Reserves** <u>\$40,000</u> Recreation Vehicles & Equipment \$122,500</p>	<p><u>2024-2025</u> <u>-137,000</u> CD Fuel Pier Relocation & Upgrade \$137,000</p>
<p><u>2025-2026</u> \$70,000 Annual Facility Reserves* \$12,500 Annual Equipment/Vehicle Reserves** \$20,000 Gardner Park Improvements <u>\$20,000</u> Recreation Vehicles & Equipment \$122,500</p>	<p><u>2025-2026</u> -60,000 GP Bandstand Power Project <u>-30,000</u> PB Playground Improvements \$90,000</p>
<p><u>\$585,500</u> Total Five Year Parks & Recreation Capital Investment Plan</p>	<p><u>\$585,000</u> Total 5 Year Capital Expenditures</p>

Council Minutes

April 5, 2021

DRAFT

A duly warned meeting of the Newport City Council was held remotely on Monday, April 5, 2021. Participating in the meeting were Mayor Paul Monette, Council President Melissa Pettersson, Council Members Kevin Charboneau, John Wilson, and Chris Vachon, City Manager Laura Dolgin, City Clerk/Treasurer James D. Johnson, Fire Chief John Harlamert, Recreation Director Jessica Booth, David Snedeker, Zoning Administrator Erik Voegtlin, Rep. Woodman Page, David Converse, Denis Chenette, Michael Desmairais, Katelyn Robinson, Michael Straight, Becky Therrien and Evan Carlson.

Mayor Monette called the meeting to order at 7:05 Pm immediately following the Public Hearing on the Community Development Block Grant.

Approval of Minutes

Mr. Vachon moved to approve the minutes of March 15, 2021. Seconded by Mr. Charboneau, motion carried unanimously.

Comments by the Public

Christine Russell commented on the Recreation Department's Summer Camp Program.

Communication Union District Presentation

Evan Carlson gave a power point presentation on the NEK Community Broadband or Community Union District (CUD). The goal is to provide universal access to affordable high-speed internet to the area.

Mr. Vachon moved to join the NEK Community Broadband District. Seconded by Mr. Charboneau, motion carried unanimously.

The resolution will be on the April, 19 2021 agenda to appoint the District Representative and Alternates to the district.

CDBG Grant Application (attached)

Mr. Charboneau moved to apply for a CDBG Grant for the acquisition of the Bogner Building. Seconded by Mr. Wilson, motion carried unanimously.

Mr. Vachon moved to authorize the City Manager to submit the application and sign or execute all documents necessary to effectuate the potential CDBG contract. Seconded by Ms. Pettersson, motion carried unanimously.

Memphremagog Community Maritime Gateway Snack Bar Lease (attached)

Mr. Wilson moved to enter into a lease with Memphremagog Community Maritime for the Gateway Snack Ba. Seconded by Ms. Pettersson, motion carried unanimously.

Annual Local Emergency Management Plan Approval

Mr. Wilson noted that page 10 needed to be updated. The plan will be approved next meeting.

Record Retention Policy (attached)

Ms. Pettersson moved to approve the city's Record Retention Policy. Seconded by Mr. Vachon, motion carried unanimously.

Check Acceptance Policy (attached)

Mr. Vachon moved to approve the City Clerk/Treasurer's Check Acceptance Policy. Seconded by Mr. Charboneau, motion carried unanimously.

Executive Session, Real Estate Purchase

Ms. Pettersson moved to enter executive session for a real estate purchase. Seconded by Mr. Charboneau, motion carried unanimously.

In open session, Ms. Pettersson moved to approve the City's conveyance to Cass Insurance, Inc. of the 1.4-acre parcel of land at 5020 U.S. Route 5, Derby, Vt. for \$96,000, plus the city's transaction costs, including the Purchase and Sale Contract and the posting and publication of the Notice of Sale of Municipal Real Estate, and to authorize the City Manager to execute the Purchase and Sale Contract, Notice of Sale and Warranty Deed. Conveying the aforesaid parcel of land to Cass Insurance, Inc., as well as any other related closing documents, if no petition is submitted objecting to said conveyance. Seconded by Mr. Wilson, motion carried unanimously.

New Business

Mr. Wilson had questions on the Budget Status Report.

DRAFT

Old Business

None.

Next Meeting Date

April 19, 2021

Adjournment

Mr. Charboneau moved to adjourn at 8:01 PM. Seconded by Ms. Pettersson, motion carried unanimously.

Attested _____ this _____ day of April 2021.

Mayor

A RESOLUTION APPROVING THE TOWN JOINING NEK COMMUNITY BROADBAND COMMUNICATIONS UNION DISTRICT AND APPOINTING A REPRESENTATIVE TO THE GOVERNING BOARD THEREOF

WHEREAS, the ^{CITY}Town of Newport, at a the meeting of the legislative body thereof held on April 5, 2020 elected to join the NEK Community Broadband Communications Union District ("District", "NEKCB") under the provisions of 30 V.S.A. chapter 82 and

WHEREAS, the ^{CITY}Town of Newport, has good reason to believe that the NEK Community Broadband Communications Union District Governing Board has approved or will approve its membership,

WHEREAS, as provided in section 3059 of said chapter, the legislative body of each member town shall appoint annually on or before the last Monday in April a representative and one or more alternates to the governing board of the District for one-year terms, and

WHEREAS, as provided in section 3060 of said chapter, the governing board of the District shall hold its organizational meeting annually on the second Tuesday in May following the appointments contemplated in section 3059, and

WHEREAS, the Selectboard of the ^{CITY}Town of Newport desires to accomplish the joining of the NEK Community Broadband Communications Union District,

NOW, THEREFORE, BE IT RESOLVED THAT:

(1) The Selectboard of the ^{CITY}Town of Newport hereby approves joining the NEK Community Broadband Communications Union District under the provisions of 30 V.S.A. chapter 82.

(2) The Selectboard of the ^{CITY}Town of Newport hereby appoints the following representative and one or more alternates to the Governing Board of the NEK Community Broadband Communications Union District for terms of one year each:

Representative: _____

Alternate: _____

Alternate: _____

Adopted at a regular meeting of the Selectboard of the ^{CITY}Town of Newport duly held on the 5th day of April 2020.

ATTEST:



Selectboard Chair

Paul Monette



Town Clerk

4/6/21

Date

NEK Community Broadband

Presentation to Newport Selectboard by Evan Carlson
March 5, 2021

Education

Economic Development

The value of a **connected community.**

Entertainment

Government
Services

Health Care &
Emergency Services

The Federal Communications Commission (FCC) currently defines broadband as speeds that reach a minimum of **25Mbps** downstream and **3Mbps** upstream (25/3).

— |
The FCC is likely change the definition to 100/100mbps in the next year.

While 99% of the addresses in Newport are served by 25/3mbps, less than 1% of the addresses are served with 100mbps.

Source: publicservice.vermont.gov

What is a CUD?

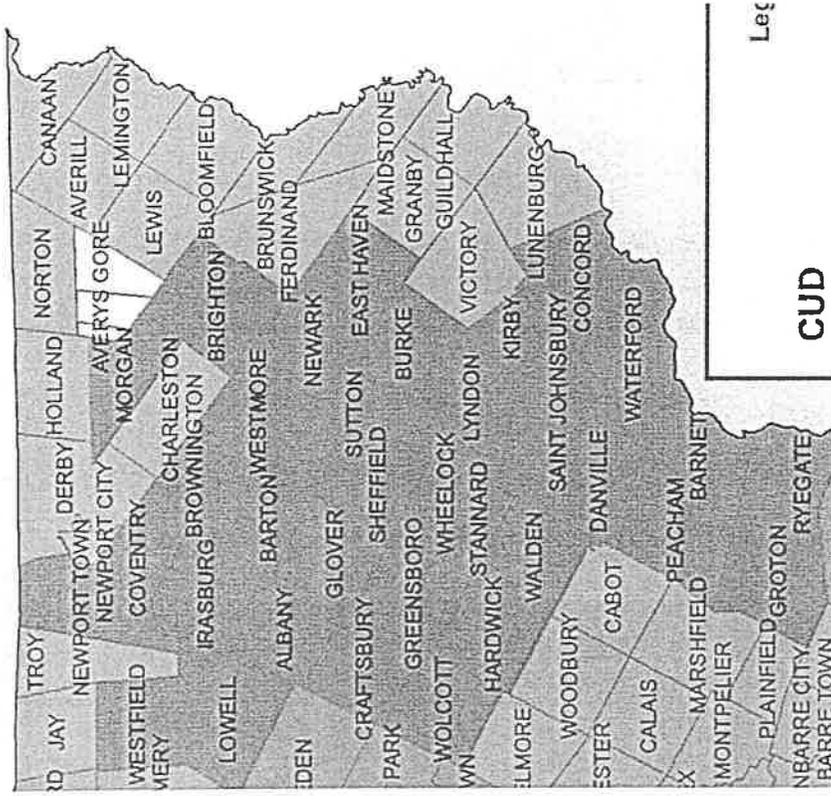
- A municipal entity, made up of 2 or more towns
- CUD builds out broadband infrastructure
- CUD builds critical mass through the grouping of towns
- No financial risk to taxpayer or municipality, risk falls on the assets of

CUD

NEK Broadbands Mission

- Provide universal access to affordable high-speed internet to every 911 address in the NEK
- Develop and maintain a network that serves our communities now and proactively evolves to anticipate and meet future needs, while balancing affordability, sustainability, and fiscal responsibility

Current NEK Broadband Member Towns



Committed to the CUD already?

Here is sample motion language:

“Shall the City of Newport enter into the communications union district known as NEK Community Broadband, under the provisions of 30 V.S.A. Ch82?”

RESOLUTION FOR VCDP GRANT APPLICATION AUTHORITY
Single Applicant

WHEREAS, the City of Newport, VT (hereinafter "Applicant") is applying for a Grant under the Vermont Community Development Program; and
WHEREAS, it is necessary that an application be made and agreements be entered into with the State of Vermont.
Now, THEREFORE, BE IT RESOLVED as follows:

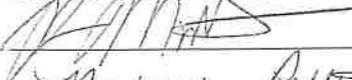
1. that Applicant possesses the legal authority as defined in the State Act [10 VSA §683(8)] to apply for the grant and to administer the program; and
2. that Applicant apply for a grant under the terms and conditions of said program and agree hereby to enter into Certifications and Assurances there of; and
3. the Applicant has a duly adopted and current Municipal Plan March 2, 2020 (Date Adopted) and that the project is consistent with said plan; and

OR

- the Applicant has a duly adopted Community Development Plan _____ (Date Adopted) and that the project is consistent with said plan; and
4. the Applicant has received documentation from the Regional Planning Commission that the project is consistent with the "Regional Plan; and
5. that Laura Dolgin, City Manager is hereby authorized to be Contact Person and as such to provide, on behalf of Applicant, all documents and information necessary for the completion of said application and to provide such coordination as may be necessary for said application; and
6. that (Name) Laura Dolgin Title City Manager who is either the Chief Executive Officer (CEO), as defined by 10 VSA §683(8), or is the Town Manager, the City Manager, or the Town Administrator, is hereby designated to serve as the Authorizing Official (AO) for the Grants Management On-line System, Intelligants; and
7. that it is understood that, if the application is funded, the receipt of VCDP funds, as federal funds passed through the State of Vermont, may require that an audit of the Applicant be conducted under the provisions of the Single Audit Act, as amended, and that VCDP funds may be used to fund only a limited portion of the audit cost.

Passed this 5th day of April, 2021.

LEGISLATIVE BODY

	_____
<u>Melissa Pelton</u>	_____
<u>John A. Wilson</u>	_____
<u>Chris Vasek</u>	_____
_____	_____

The above resolution is a true and correct copy of the resolution as adopted at a meeting of the Legislative Body held on the 5th day of April, 2021, and duly filed in my office.

IN WITNESS WHEREOF, I hereunto set my hand this 5th day of April, 2021.

James D. Johnson
Clerk

James D. Johnson
Signature

**CITY OF NEWPORT
RECORDS MANAGEMENT POLICY & RETENTION PLAN**

I. PURPOSE

All Vermont public agencies are responsible for creating, managing and disposing of records in accordance with State and Federal laws and regulations. This policy is to ensure that all City of Newport employees conform with and are aware of those mandates.

II. SCOPE

All City of Newport records are public records defined by 1 V.S.A. § 317 as: “any written or recorded information, regardless of physical form or characteristics, which is produced or acquired in the course of public agency business.”

III. POLICY STATEMENT

It is the policy of the City of Newport to comply with 1 V.S.A. Chapter 5, Subchapter 3 (referred to as “Vermont’s Public Records Laws”.) All written or recorded information, regardless of physical form or characteristics, which is produced or acquired in the normal course of city business, shall be managed in accordance with the Record Retention Schedule below.

IV. UNIFORM LAWS, STANDARDS, AND PROCEDURES

- a. 1 V.S.A §§315-320: Access to Public Records, including V.S.A. § 317A:
Disposition of Public Records
- b. Records Retention
<https://sos.vermont.gov/vsara/manage/retention-disposition/#>
<https://sos.vermont.gov/vsara/manage/retention-disposition/agency-record-schedules/disposition-orders/>
- c. 3 V.S.A. § 117: Vermont State Archives and Records Administration
- d. <http://legislature.vermont.gov/statutes/section/03/005/00117>
- e. 3 V.S.A. § 218: Agency/Department Records Management Program
<http://law.justia.com/codes/vermont/2012/title03/chapter9/section218>

V. GENERAL RECORD SCHEDULES and DISPOSITION ORDERS

Vermont State Archives & Records Administration’s (hereafter referred to as VSARA) General Record Schedules (GRS) shall govern the management of records, specifically access, retention, and disposition. In limited circumstances Disposition Orders (DO) may continue to be used until superseded by GRS.

In a few instances VSARA has yet to issue a GRS to define the retention period. These documents will be retained until a ruling has been made.

VI. RECORDS MANAGEMENT GUIDELINE

On an annual basis beginning in (April, 2021) and every (April) thereafter, the City of Newport will review and dispose of any records that have been completed, closed, expired, or superseded as specified in the Record Retention Schedule (below) provided that:

1. The record has been authorized for destruction through a GRS or DO; and
2. The minimum retention requirement for the record, as stated in the applicable GRS or DO, has been fully met.
3. Any additional retention requirement adopted by the town/city and included in this policy has been fully met.

Records not yet covered by a GRS or DO will not be destroyed, and will be retained by the City of Newport.

VSARA has defined the term "permanent retention" as meaning until the State of Vermont no longer exists.

VSARA has defined the term "audit" as defined as an examination by a public accounting firm.

Documents may be scanned for ease of access, but this is not considered permanent retention unless provision is made by the City of Newport to transfer files to future file formats.

To bring the City of Newport into compliance with this policy, an internal review and subsequent destruction of records as authorized by this policy will take place beginning in (April, 2021).

This Policy supplants any Record Retention Policy or practices in existence prior to its effective date. All earlier revisions of this document are superseded by this revision.

The City of Newport City Council reviewed and approved this procedure at their most recent meeting on 4-5-2021.

VII. REFERENCES

The following references are used for determining the record retention schedule: Disposition Order (DO), State of Vermont Agency of Administration, Public Record Division, State of Vermont General Record Schedule (GRS) and VSARA, and the Environmental Protection Agency.)

<https://sos.vermont.gov/vsara/manage/information-governance/standards/>

<https://sos.vermont.gov/vsara/manage/retention-disposition/general-record-schedules/>

<https://sos.vermont.gov/media/gijefsdg/retentionrequirements.pdf>

VIII. RECORDS RETENTION PLAN

The attached Table A reflects the types of records maintained by the City of Newport, their location, GRS, SRS or DO retention references, retention required by the reference, and the city additional retention requirements. This policy authorizes city employees to properly dispose of records that have reached the end of their retention period.

Adopted by the Newport City Council

April 5, 2021

Attested James D. Johnson This 5th Day of April, 2021

Council:

[Signature]

Melissa Peterson

John A. Wilson

Chris Vard

Table A

Newport Retention Plan

3/24/2021

Record Type	Location of Record	Schedule	GRS Citation or DO #	Minimum Retention	City of Newport Retention	Disposal Method
941	financial files	Payroll Records 1009.1103	GRS-1009.1103.151	Retain until tax paid or due, whichever is later, plus 4 years	7 years	shred
Absentee Envelopes, General and Primary Elections	Ballot Bags	Primary Elections 1689.1103, General Elections 1690.1103	SRS-1689.1103.129, SRS-1690.1103.129	22 months	follow SRS	recycle
Absentee Envelopes, Local Elections	Ballot Bags	Local Elections, 1348-1103	SRS 1348.1103.129	90 days	follow SRS	recycle
Absentee Voter List, Local Elections	Elections Files	Local Elections 1348-1103	SRS 1348.1103.55	90 days	1 year	shred
Absentee Voter List, Primary and General Election	Elections Files	Primary Elections 1689.1103, General Elections 1690.1103	SRS-1689.1103.55, SRS-1690.1103.55	22 months	follow SRS	shred
Agendas	City website	Administrative Policy Records 1000.1102	GRS 1000.1102.4	If minutes reflect the agenda, end of calendar year plus one year	follow State GRS	delete from website
Accounts Payable Invoices (Vouchers)	vault	Vouchers GRS 1000.1002	GRS 1000.1002.101	until audit complete	3 Years	recycle
Accounts Receivable Invoices (Requisitions)	A/R Files	Requisitions 1000.002	GRS 1000.1002.84	until audit complete	3 years	recycle
Applications for a board or committee	temporary files	Appointment Records GRS 1493.1004	GRS 1493.1004.8	until obsolete	3 years	recycle
Applications for absentee ballot, local elections only (if applying for more than one election, use the longest retention)	Elections Files	Local Elections, 1348-1103	SRS 1348.1103.8	90 days	1 year	shred
Applications for absentee ballot, primary and general elections	Elections Files	Primary Elections 1689.1103, General Elections 1690.1103	SRS-1689.1103.8, SRS-1690.1103.8	22 months	follow SRS	shred
Appointment decisions		Appointment Records GRS 1493.1004	GRS 1493.1004.133	Permanent	Permanent	Record all appointments in the Selectboard minutes
Ballots, unused (not handed to a voter), all elections	vault	Municipal Clerk's Transitory Records 1714.1000	SRS 1714.1000.187	until obsolete	30 days	recycle
Ballots, unvoted (handed to voters but not used), primary elections	Ballot Bags, separate bag from voted ballots	Municipal Clerk's Transitory Records 1714.1000	SRS 1714.1000.187	until obsolete	30 days	recycle
Ballots, voted, spoiled, and sample, General and Primary elections	Ballot Bags	Primary Elections 1689.1103, General Elections 1690.1103	SRS-1689.1103.129, SRS-1690.1103.129	22 months	follow SRS	recycle
Ballots, voted, spoiled, and sample, Local Elections	Ballot Bags	Local Elections, 1348-1103	SRS 1348.1103.129	90 days	follow SRS	recycle
Bank Statements	financial files	Accounting Records 1000.1002	GRS-1000.1002.53	until audit complete	7 years	recycle or shred
BCA decisions related to registration	Elections Files	Voter Registration 1319.1109	SRS 1319.1109.133	2 years following the next election	follow SRS	recycle
Bid Award Letters	temporary files	Contracting GRS 1000.1126	GRS 1000.1126.133	expired plus 3 years	follow State GRS	recycle
Bids	temporary files	Contracting GRS 1000.1126	GRS 1000.1126.149	expired plus 3 years	follow State GRS	recycle
Budget reports	financial files	Budget Records GRS 1000.1012	GRS 1000.1012.144	end of fiscal year plus 3 years	follow State GRS	recycle
Calendar of meetings	town website	Administrative Policy Records 1000.1102	GRS 1000.1102.19	end of calendar year plus 1 year	follow State GRS	delete from website
Cancelled checks	financial files	Accounting Records 1000.1002	GRS-1000.1002.101	until audit complete	7 years	recycle
Cash Received Report	financial files	Accounting Records 1000.1002	GRS-1000.1002.104	until audit complete	7 years	recycle
Challenge notices	Elections Files	Voter Registration 1319.1109	SRS 1319.1109.5	4 years following the next election	follow SRS	recycle

Table A

Newport Retention Plan

3/24/2021

Record Type	Location of Record	Schedule	GRS Citation or DO #	Minimum Retention	City of Newport Retention	Disposal Method
Challenge responses	Elections Files	Voter Registration 1319.1109	SRS 1319.1109.139	2 years following the next election	4 years following the next election	recycle
Check Registers	financial files	Accounting Records 1000.1002	GRS-1000.1002.144	until audit complete	7 years	recycle
Check stubs	financial files	Accounting Records 1000.1002	GRS-1000.1002.101	until audit complete	7 years	recycle
Checklists, Entrance and Exit, all elections	Elections Files	Primary Elections 1689.1103, General Elections 1690.1103, Local Elections 1348-1103	SRS 1689.1103.22, SRS 1690.1103.22, SRS 1348.1103.22	5 years	follow SRS	recycle
Checklists, Posted	Elections Files	Municipal Clerk's Transitory Records 1714.1000	SRS 1714.1000.80	until obsolete	follow SRS	recycle
Contract Award Letters	temporary files	Contracting GRS 1000.1126	GRS 1000.1126.133	expired plus 3 years	follow State GRS	recycle
Contracts	temporary files	Contracting GRS 1000.1126	GRS 1000.1126.26	expired plus 3 years	follow State GRS	recycle
Correspondence about Contracts, substantive	temporary files	Contracting GRS 1000.1126	GRS 1000.1126.53	expired plus 3 years	follow State GRS	recycle
Correspondence regarding appointments or resignations	correspondence files	Appointment Records GRS 1493.1004	GRS 1493.1004.53	3 years	follow State GRS	recycle or shred if personnel issues
Correspondence, Routine	miscellaneous file cabinets	Municipal Clerk's Transitory Records 1714.1000	SRS 1714.1000.28	until obsolete	1 year	recycle
Delinquent Tax Agreements/payment plans	DTC files	Tax Assessments GRS 1570.1170	GRS 1570.1170.5	expired plus 3 years	7 years	recycle
Deposit Receipts	financial files	Accounting Records 1000.1002	GRS-1000.1002.77	until audit complete	7 years	recycle
Deposit Slips	financial files	Accounting Records 1000.1002	GRS-1000.1002.77	until audit complete	7 years	recycle
Direct Deposit authorization	personnel files	Payroll Records 1009.1103	GRS-1009.1103.141	Keep current authorization, Keep superseded authorization until audit complete plus 1 year	follow State GRS	shred
Dog License Returns	financial files with Selectboard orders	Accounting Records 1000.1002	GRS-1000.1002.144	until audit complete	5 years	recycle
Dog Lists	temporary files	Dog Licenses 1350.1059	SRS-1350.1059.81	Until superseded plus 3 years	follow State SRS	shred
Dog Rabies Certificates, for dogs still in Newport	dog files	Dog Licenses 1350.1059	SRS-1350.1059.21	If not superseded, until expired	until superseded	shred
Dog Rabies Certificates, for dogs that have died	dog files	Dog Licenses 1350.1059	SRS-1350.1059.21	Until expired	10 days after the death of the dog	shred
Dog Rabies Certificates, for dogs that have moved out of Newport	dog files	Dog Licenses 1350.1059	SRS-1350.1059.21	Until expired	until expired	shred
Dog reminder letters	temporary files	Dog Licenses 1350.1059	SRS-1350-1059-50	Until closed plus 1 year	follow State SRS	recycle
Drafts of internal documents not requiring public review	miscellaneous file cabinets	Operational/Managerial Records GRS 1000.1103	GRS 1000.1103.37	until obsolete	follow state GRS	recycle
Drafts of ordinances/plans submitted to public review	vault	Administrative Policy Records 1000.1102	use citation for the type of document	Permanent	Permanent	archival files in vault
Financial Reports	financial files	Accounting Records 1000.1002	GRS-1000.1002.144	until audit complete	7 years if they can't be re-printed; otherwise until audit complete	recycle

Table A

Newport Retention Plan

3/24/2021

Record Type	Location of Record	Schedule	GRS Citation or DO #	Minimum Retention	City of Newport Retention	Disposal Method
Grant applications, not awarded	grant files	Administrative Policy Records 1000.1102	GRS 1000.1102.173	Until closed plus 3 years, or as specified in grant agreement, whichever is longer	follow State GRS	recycle
Grant documentation, not of significant administrative value	grant files	Administrative Policy Records 1000.1102	GRS 1000.1102.173	Until closed plus 3 years, or as specified in grant agreement, whichever is longer	follow State GRS	recycle
i-9	personnel files	Personnel Files GRS 1304.1103	GRS 1304.1103.32	until end of employment, plus 6 years	follow State GRS	shred
Insurance Coverage Docs - VLCT	temporary files	Contracting GRS 1000.1126	GRS 1000.1126.26	expired plus 3 years	follow State GRS	recycle
Interest allocation	financial files	Accounting Records 1000.1002	GRS-1000.1002.104	until audit complete	5 years	recycle
Invoices	financial files	Accounting Records 1000.1002	GRS 1000.1002.48	until audit complete	5 years	recycle
Invoices from the Town to others	financial files	Accounting Records 1000.1002	GRS-1000.1002.84	until audit complete	5 years	recycle
Invoices paid by the Town	financial files	Accounting Records 1000.1002	GRS-1000.1002.101	until audit complete	5 years	recycle
Marriage License Returns	financial files with Selectboard orders	Accounting Records 1000.1002	GRS-1000.1002.144	until audit complete	5 years	recycle
Minutes of any board or committee	Minute books	Administrative Policy Records 1000.1102	GRS 1000.1102.59	Permanent	Permanent	record in archival minute books
Minutes of Town Meeting	Elections Files	Local Elections 1348-1103	SRS 1348.1103.151	Permanent	Record, then retain original for 1 year	recycle after confirming recording
Notes	miscellaneous file cabinets	Municipal Clerk's Transitory Records 1714.1000	SRS 1714.1000.60	until obsolete	follow State GRS	recycle
Notice of Vacancy	temporary files	Appointment Records GRS 1493.1004	GRS 1493.1004.50	until filled plus 1 year	follow State GRS	recycle
Notices, routine (for regular or special meetings)	temporary files	Administrative Policy Records 1000.1102	GRS 1000.1102.50	Completed plus one year	follow state GRS	recycle/delete from website
Notices, substantive (for public hearings, adoption of ordinances, etc.)	temporary files	Administrative Policy Records 1000.1102	GRS 1000.1102.50	Completed plus one year	Permanent	record with minutes
Oaths	temporary files	Appointment Records GRS 1493.1004	GRS 1493.1004.108	Permanent	Permanent	record in town record book; recycle paper copy
Official Return of Votes, General and Primary Elections	Elections Files	Primary Elections 1689.1103, General Elections 1690.1103	SRS 1689.1103.151, SRS 1690.1103.151	Permanent	Record, then retain original for 22 months	recycle after confirming recording
Official Return of Votes, Local Elections	Elections Files	Local Elections 1348-1103	SRS 1348.1103.151	Permanent	Record, then retain original for 1 year	recycle after confirming recording
OSHA 300 log	temporary files	federal statutes	29 CFR § 1904.33	end of calendar year plus 5 years	follow federal statute	recycle or shred if personal info
Overweight Permits	temporary files	Disposition Orders	DO 9821 (#107)	2 years	follow DO	recycle
Paycheck stubs	financial files	Accounting Records 1000.1002	GRS-1000.1002.101	until audit complete	7 years	recycle or shred if ssn
Payroll Books	vault	Personnel Files GRS 1304.1103	GRS 1304.1103.81	Permanent	Permanent	boxes in vault
Payroll Deduction authorizations	personnel files	Payroll Records 1009.1103	GRS-1009.1103.141	Keep current authorization. Keep superseded authorization until audit complete plus 1 year	follow State GRS	shred

Table A

Newport Retention Plan

3/24/2021

Record Type	Location of Record	Schedule	GRS Citation or DO #	Minimum Retention	City of Newport Retention	Disposal Method
Performance Evaluations	personnel files	Personnel Files GRS 1304.1103	GRS 1304.1103.144	Keep 6 most recent; 6 years, if superseded	until no longer an employee, plus 6 years	shred
Petitions, General and Primary Elections	Elections Files	Primary Elections 1689.1103, General Elections 1690.1103	SRS-1689.1103.67, SRS-1690.1103.67	30 days	22 months	recycle
Petitions, Local Elections	Elections Files	Local Elections 1348-1103	SRS 1348-1103.67	30 days	1 year	recycle
Policies	Policy book	Administrative Policy Records 1000.1102	GRS 1000.1102.7	Superseded plus 3 years, then confirm (is it "substantive"?)	follow state GRS	file or recycle
Posting of Land	temporary files	Disposition Orders	DO 9819 (#74)	2 years	follow DO	recycle
Procedures, enacted by Selectboard	Procedures book	Administrative Policy Records 1000.1102	GRS 1000.1102.73	Superseded plus 3 years, then confirm (is it "substantive"?)	follow state GRS	file or recycle
Procedures, Town Clerk	Procedures book	Operational/Managerial Records GRS 1000.1103	GRS 1000.1103.73	Superseded plus 3 years	follow state GRS	file or recycle
Public Records Requests	temporary files (routine), correspondence files (substantive)	Municipal Clerk's Transitory Records 1714.1000	SRS 1714.1000.139	until obsolete	follow State GRS, unless substantive - then 1 year	recycle
Publications	reference files	Municipal Clerk's Transitory Records 1714.1000	SRS 1714.1000.74	until obsolete	follow State GRS	recycle
Reappraisal mailing	reference files	Tax Assessments GRS 1570.1170	GRS 1570.1170.9	superseded plus 3 years	follow State GRS	recycle
Receipts & Receipt Books	financial files	Accounting Records 1000.1002	GRS-1000.1002.77	until audit complete	7 years	recycle
Reference Sources	reference files	Municipal Clerk's Transitory Records 1714.1000	SRS 1714.1000.80	until obsolete	follow State GRS	recycle
Remittance Advice from the State	financial files	Accounting Records 1000.1002	GRS-1000.1002.77	until audit complete	7 years if they can't be re-printed; otherwise until audit complete	recycle
Requests for Proposals	temporary or correspondence files	Contracting GRS 1000.1126	GRS 1000.1126.83	expired plus 3 years	follow State GRS	recycle
Resignation from a board or committee	temporary	Appointment Records GRS 1493.1004	GRS 1493.1004.53	3 years	follow State GRS	recycle or shred if personnel issues
Selectboard orders	financial files	Accounting Records 1000.1002	GRS-1000.1002.102	until audit complete	5 years	recycle
Spreadsheets-financial/accounting	financial files	Accounting Records 1000.1002	GRS-1000.1002.104	until audit complete	5 years	recycle
Spreadsheets-bid comparisons	temporary files	Contracting GRS 1000.1126	GRS 1000.1126.104	expired plus 3 years	follow State GRS	recycle
Studies	miscellaneous file cabinets	Administrative Policy Records 1000.1102	GRS 1000.1102.116	Permanent	Permanent	archival files in vault
Summary Sheets, General and Primary Elections	Elections Files	Primary Elections 1689.1103, General Elections 1690.1103	SRS 1689.1103.104, SRS 1690.1103.104	22 months	follow SRS	recycle
Summary Sheets, Local Elections	Elections Files	Local Elections 1348-1103	SRS 1348.1103.104	90 days	1 year	recycle
Tally Sheets, General and Primary Elections	Ballot bags	Primary Elections 1689.1103, General Elections 1690.1103	SRS 1689.1103.104, SRS 1690.1103.104	22 months	follow SRS	recycle
Tally Sheets, Local Elections	Ballot bags	Local Elections 1348-1103	SRS 1348.1103.104	90 days	follow SRS	recycle

Table A

Newport Retention Plan

3/24/2021

Record Type	Location of Record	Schedule	GRS Citation or DO #	Minimum Retention	City of Newport Retention	Disposal Method
Tax Appeal Decisions	temporary files	Tax Appeals GRS 1570.1108	GRS 1570.1173.133	closed plus 3 years (but a copy is supposed to be in the grand list book)	follow State GRS	recycle, but put a copy in the grand list book
Tax Appeal files	temporary files	Tax Appeals GRS 1570.1108	GRS 1570.1108.36	closed plus 3 years	follow State GRS	recycle
Tax Appeal Notice of Hearing	Temporary files	Tax Appeals GRS 1570.1108	GRS 1570.1173.50	closed plus one year	3 years	recycle
Tax Appeal Requests	temporary files	Tax Appeals GRS 1570.1108	GRS 1570.1108.67	closed plus 3 years	follow State GRS	recycle
Tax bills	financial files	Tax Assessments GRS 1570.1170	GRS 1570.1170.182	closed plus 3 years	5 years	shred (state payment info is exempt)
Tax Books	vault	Accounting Records 1000.1002	GRS-1000.1002.144	until audit complete	5 years	recycle
Tax Receipts	financial files	Accounting Records 1000.1002	GRS-1000.1002.77	until audit complete	7 years	recycle
Timesheets	financial files	Payroll Records 1009.1103	GRS-1009.1103.144	audit plus 1 year	7 years	recycle
Town Plan	vault	Administrative Policy Records 1000.1102	GRS 1000.1102.69	Permanent	Permanent	Record in town record book and put a copy in the archival files
Town Plan, drafts and record of adoption	vault	Administrative Policy Records 1000.1102	GRS 1000.1102.69	Permanent	Permanent	archival files in vault
Town Report	vault	Administrative Policy Records 1000.1102	GRS 1000.1102.144	Permanent	Permanent	Bind 2 copies
Unemployment report	financial files	Payroll Records 1009.1103	GRS-1009.1103.151	Retain until tax paid or due, whichever is later, plus 4 years	follow State GRS	shred
Voter Applications	Elections Files	Voter Registration 1319.1109	SRS 1319.1109.8	4 years following the next election	follow SRS	shred
Voter's Oath forms	Elections Files	Voter Registration 1319.1109	SRS 1319.1109.8	4 years following the next election	follow SRS	shred
W-2	financial files	Payroll Records 1009.1103	GRS-1009.1103.151	Retain until tax paid or due, whichever is later, plus 4 years	follow State GRS	shred
W-4	financial files	Payroll Records 1009.1103	GRS-1009.1103.170	Keep until superseded, plus 4 years	follow State GRS	shred
Wage garnishments	personnel files	Payroll Records 1009.1103	GRS-1009.1103.141	Keep current authorization. Keep superseded authorization until audit complete plus 1 year	follow State GRS	shred
Warnings, Local Elections other than Town Meeting	Elections Files	Local Elections 1348-1103	SRS 1348-1103.50	1 year	follow SRS	recycle
Warnings, Primary and General Elections	Elections Files	Primary Elections 1689.1103, General Elections 1690.1103	SRS-1689.1103.50, SRS-1690.1103.50	1 year	22 months	recycle
Warnings, Town Meeting	Elections Files	Local Elections 1348-1103	SRS 1348-1103.50	Permanent	Record, then retain original for 1 year	recycle after confirming recording
Warrants	vault	Accounting Records 1000.1002	GRS-100.1002.102	until audit complete	7 years	recycle
WHT-434	financial files	Payroll Records 1009.1103	GRS-1009.1103.151	Retain until tax paid or due, whichever is later, plus 4 years	7 years	shred
WHT-436	financial files	Payroll Records 1009.1103	GRS-1009.1103.151	Retain until tax paid or due, whichever is later, plus 4 years	7 years	shred

CITY OF NEWPORT
OFFICE OF THE CLERK/TREASURER

CHECK ACCEPTANCE POLICY
(4/1/2021)

The following items are to clarify the City of Newport's check acceptance policy:

- There is a \$20.00 fee for each returned check
- Checks will not be "held" and post-dated checks will not be accepted. All checks will be deposited on the day they are received.
- A check received that is incorrectly filled out - where the dollar amount does not match the written amount - is the responsibility of the check holder. The line where the amount is written out governs. Therefore, the bank considers the amount written out to be the actual check amount even if it does not match the amount written in the dollars box. If the written amount is insufficient to cover payment, then late fees and penalties incurred due to incorrectly written checks are the responsibility of the check holder.

This policy shall become effective immediately upon adoption by the City Council.

Adopted by the Newport City Council
April 5, 2021

Attested  This 5th Day of April, 2021

Council Signatures:


Melissa Peterson
John A. Wilson
Chi Voel

**NOTICE OF AMENDMENT TO CITY OF NEWPORT ORDINANCE #120
REGULATING ALL-TERRAIN VEHICLES ON TOWN HIGHWAYS**

The City Council of the City of Newport does hereby ordain:

Pursuant to the provisions 24 V.S.A. Chapter 59, 24 V.S.A. § 2291(4), and 23 V.S.A. § 3510, and § 23 of the Charter of the City of Newport, and other such general enactments as may be material thereto, the City of Newport Ordinance #120 Regulating All-Terrain Vehicles on Town Highways, adopted on October 21, 2019, is hereby amended as follows:

Section IV of said Ordinance is amended and added to so Section IV states as follows:

SECTION IV. TOWN HIGHWAYS OPENED. The following Town Highways shall be open to ATV traffic in both directions (~~{[Road name]} from (street address/intersection) to (street address/intersection)~~each year from May 15th until October 1st:

- A. Newport City boundary line at Alderbrook Road to Highland Ave to Pleasant St. to Third St., Third St. to Main St., Main St. over the Veterans Memorial Bridge to access the Glenn Road, and to access Western Ave.
- B. Western Ave east, northeast and north across East Main St to access East Main as far as the intersection of East Main and Sias Ave., and continuing north on Sias Ave to the Newport City boundary line.
- C. Main St. to the Causeway to include Union St. to access the Public Works Garage for a Trail Head trailhead.
- D. Union St. to Lake St. Landing Street as far as access to 47 Landing St., currently known as The Eastside Restaurant.
- E. Main St. to Coventry St to allow access to a Trail Head trailhead at the Recycling Center.
- F. From the Causeway up East Main St. as far as the intersection of Sias Ave and Western Avenue and continuing to the Newport City boundary line.
- G. Union St. to Bluff Road to Freeman St. to Veterans Ave. to Prouty Beach Rd. to access Prouty Beach.
- H. Union St. to Prouty Drive then east to the Newport City boundary line.
- I. Main St. to Railroad Sq. to Mt Vernon St. to the Newport City boundary line.

Section V of said Ordinance is amended and added to so Section V states as follows:

~~G.~~ **SECTION V. OPERATION OF ATVs.** ATV operators shall comply with all state and federal laws regulating ATV operation, in addition to the following requirements regarding the operation of ATVs in the City of Newport:

Sections V(B) and V(G) of said Ordinance are amended so Sections V(B) and V(G) state as follows:

- B. ATVs ~~may~~ shall not be operated within the City of Newport between the hours of 10:00 P.M. and ~~8:00~~ 7:00 A.M.
- G. ATV operators and passengers ~~must~~ shall wear a U.S. Department of Transportation approved helmet ~~(unless operating an ATV equipped with seat belts).~~

Sections V(J) is added to said Ordinance and states as follows:

- J. Any resident of the City of Newport and their invitees may operate ATVs on the Town Highways that connect the resident's property to the Town Highways listed in Section IV hereof for access purposes only.

Adopted this 19th day of April, 2021.

NEWPORT CITY COUNCIL

Paul L. Monette, Mayor

Melissa Pettersson, Chair

Kevin Charbonneau

John Wilson

Christopher Vachon

This Amendment to City of Newport Ordinance #120 shall become effective on June 18, 2021, unless a petition signed by not less than 5% of the qualified voters of the City requesting a City meeting vote on the question of disapproving the Ordinance is filed with the City Clerk on or before June 2, 2021. The full text of the Ordinance may be viewed at the City Clerk's office.

For more information, contact:

James D. Johnson
Newport City Clerk
222 Main Street
Newport, VT 05855,
(802) 334-2112
James.Johnson.clerk@newportvermont.org,
<https://www.newportvermont.org/>

CITY OF NEWPORT
ORDINANCE # 120 REGULATING
ALL-TERRAIN VEHICLE USE ON TOWN HIGHWAYS

(Adopted October 21, 2019; Amended April 19, 2021)

SECTION I. AUTHORITY. Under authority granted in 24 V.S.A. Chapter 59, 24 V.S.A. §-§ 2291(4), and 23 V.S.A. § 3510, and § 23 of the Charter of the City of Newport, the City Council of the City of Newport hereby adopts the following civil ordinance regulating the time, manner, and location of operation of all-terrain vehicles ("ATVs") on town highways.

SECTION II. PURPOSE. The purpose of this ordinance is to protect the public health, safety, and welfare of the City, and to preserve residents' rights to quiet enjoyment of their homes and property, by regulating the time, manner, location, and operation of ATVs within the City.

SECTION III. DEFINITIONS.

- A. "All-terrain vehicle" or "ATV" means any non-highway recreational vehicle, except snowmobiles, having no less than two low pressure tires (10 pounds per square inch, or less), not wider than 64 inches with two-wheel ATVs having permanent, full-time power to both wheels, and having a dry weight of less than 1,700 pounds, when used for cross-country travel on trails or on any one of the following or a combination thereof: land, water, snow, ice, marsh, swampland, and natural terrain. An ATV on a public highway shall be considered a motor vehicle, as defined in section 4 of this title, only for the purposes of those offenses listed in subdivisions 2502(a)(1)(H), (N), (R), (U), (Y), (FF), (GG), (II), and (AAA); (2)(A) and (B); (3)(A), (B), (C), and (D); (4)(A) and (B) and (5) of this title and as provided in section 1201 of this title. An ATV shall not include an electric personal assistive mobility device.
- B. "Enforcement Officer" means any certified law enforcement officer.
- C. "Operate" shall include any attempt to operate and shall be construed to cover all matters and things connected with the presence and use of all-terrain vehicles whether they are in motion or at rest.
- D. "VASA" means the Vermont All-Terrain Vehicle Association.
- E. "Town Highway" or "Town Highways" means all class 1, 2, 3, and 4 town highways located within the City of Newport.

SECTION IV. TOWN HIGHWAYS OPENED. The following Town Highways shall be open to ATV traffic in both directions each year from May 15th until October 1st: ~~[[Road-name] from (street-address/intersection) to (street address/intersection)].~~

- A. Newport City boundary line at Alderbrook Road to Highland Ave to Pleasant St. to Third St., Third St.

to Main St., Main St. over the Veterans Memorial Bridge to access the Glenn Road, and to access Western Ave.

- B. ~~Western Ave east, northeast and north across to access East Main St to as far as the intersection of East Main and Sias Ave, and continuing north on Sias Ave to the Newport City boundary line.~~
- C. Main St. to the Causeway to include Union St. to access the Public Works Garage for a ~~trailhead~~Trail-Head,.
- D. Union St. to ~~Lake St~~Landing Street as far as access to 47 Landing St, currently known as The Eastside Restaurant,;
- E. Main St. to Coventry St to allow access to a ~~Trail-Head~~trailhead at the Recycling Center. _____
- F. From the Causeway up East Main St. ~~as far as the intersection of Sias Ave and Western Avenue and continuing to the Newport City boundary line.~~
- G. Union St. to Bluff Road to Freeman St. to Veterans Ave. to Prouty Beach Rd. to access Prouty Beach.
- H. Union St. to Prouty Drive then east to the Newport City boundary line.
- I. Main St. to Railroad Sq. to Mt Vernon St. to the Newport City boundary line.

SECTION V. OPERATION OF ATVs. ATV operators shall comply with all state and federal law regulating ATV operation, in addition to the following requirements regarding the operation of ATVs in the City of Newport:

- A. All posted speed limits and traffic control devices on Town Highways shall apply to the operation of ATVs.
- B. ATVs ~~may~~shall not be operated within the City of Newport between the hours of 10:00 P.M. and 7~~8~~:00 A.M.
- C. ATV travel on Town Highways shall be single file. No racing shall be allowed.
- D. Hand signals are required to indicate all turns and stops, in the absence of street legal turn signal lights.
- E. ATVs shall not be operated on Town/public property not open to ATV operation, including: sidewalks, bike paths, hiking trails, recreation fields, on any public greens, in any burial ground or cemetery, on any school playground, child care center, in any wastewater treatment plant, or in the parking lots of any place of religious worship, "Park & Ride" areas, and hospital/clinic and nursing home, VAST snowmobile trails, or as otherwise prohibited by law—unless specific permission is granted by an authorized person or entity.
- F. ATV operators must have a valid driver's license in order to operate an ATV on Town Highways.
- G. ATV operators and passengers ~~must~~shall wear a U.S. Department of Transportation (DOT) approved helmet (~~unless operating an ATV equipped with seat belts~~).

- H. All ATVs operated in accordance with this ordinance must be registered with the State of Vermont, and all owners of ATV's operated in accordance with this ordinance must have and carry evidence of liability insurance.
- I. ATVs must be equipped with:
 - 1. At least one headlight and a rear light in working order, brakes in good mechanical condition, and any windshield free from sharp or jagged edges. (23 V.S.A. § 3505(a) and 23 V.S.A. § 3506(d)). In addition, lights shall be on during vehicle operation from 30 minutes after sunset to 30 minutes before sunrise; and
 - 2. An efficient muffler and exhaust system—an exhaust system with a cut-out, bypass, or similar device, or with the spark arrester removed or modified is NOT permitted. The maximum machine operating noise shall not be more than 82 decibels on the A scale at 50 feet, in a normal operating environment (23 V.S.A. § 3505(b)).
- J. Any resident of the City of Newport and their invitees may operate ATVs on the Town Highways that connect the resident's property to the Town Highways listed in Section IV hereof for access purposes only.

SECTION VI. ENFORCEMENT & PENALTIES. The violation of this ordinance shall be a civil matter which may be enforced in the Judicial Bureau in accordance with the provisions of 24 V.S.A. Chapter 59. For the purposes of enforcement in the Judicial Bureau, any Enforcement Officer shall have the authority to issue tickets provided in the Section and may be the prosecuting officer at any hearing:

- A. An Enforcement Officer is authorized to recover civil penalties for moving violations, or for the operation of an ATV in excess of the posted speed limit.
- B. An Enforcement Officer is authorized to recover civil penalties for violations of this Ordinance as set forth below:
 - 1. First offense\$100.00, waiver fee \$35.00
 - 2. Second offense\$150.00, waiver fee \$70.00
 - 3. Third and each subsequent offense\$300.00, waiver fee \$225.00
- C. Operators of ATVs shall be liable, in addition to the penalties above, for damages to Town Highways or other City property caused by the operation of an ATV in violation of this Ordinance.

SECTION VII. SEVERABILITY. If any section of this ordinance is held by a court of competent jurisdiction to be invalid, such finding shall not invalidate any other part of this ordinance.

SECTION VIII. EFFECTIVE DATE. This ordinance shall become effective 60 days after its adoption by the Newport City Council and shall supersede and replace all previous ordinances regulating the time, manner, and location of operation of ATVs in the City of Newport. If a petition is filed under 24 V.S.A. § 1973, that statute shall govern the taking effect of this ordinance.

Adoption History

1. Agenda item at regular City Council meeting held on ~~April 19, 2021~~.
2. Read and approved at regular City Council meeting on _____ April 19, 2021, and entered in the minutes of that meeting which were approved on ___.
3. Posted in five public places on _____.
4. Notice of adoption published in the _____ newspaper on _____ with a notice of the right to petition.
5. Other actions [petitions, etc.]:

A RESOLUTION APPROVING THE TOWN JOINING NEK COMMUNITY BROADBAND COMMUNICATIONS UNION DISTRICT AND APPOINTING A REPRESENTATIVE TO THE GOVERNING BOARD THEREOF

WHEREAS, the ^{CITY} Town of Newport, at a the meeting of the legislative body thereof held on April 5, 2020 elected to join the NEK Community Broadband Communications Union District ("District", "NEKCB") under the provisions of 30 V.S.A. chapter 82 and

WHEREAS, the ^{CITY} Town of Newport, has good reason to believe that the NEK Community Broadband Communications Union District Governing Board has approved or will approve its membership,

WHEREAS, as provided in section 3059 of said chapter, the legislative body of each member town shall appoint annually on or before the last Monday in April a representative and one or more alternates to the governing board of the District for one-year terms, and

WHEREAS, as provided in section 3060 of said chapter, the governing board of the District shall hold its organizational meeting annually on the second Tuesday in May following the appointments contemplated in section 3059, and

WHEREAS, the Selectboard of the ^{CITY} Town of Newport desires to accomplish the joining of the NEK Community Broadband Communications Union District,

NOW, THEREFORE, BE IT RESOLVED THAT:

(1) The Selectboard of the ^{CITY} Town of Newport hereby approves joining the NEK Community Broadband Communications Union District under the provisions of 30 V.S.A. chapter 82.

(2) The Selectboard of the ^{CITY} Town of Newport hereby appoints the following representative and one or more alternates to the Governing Board of the NEK Community Broadband Communications Union District for terms of one year each:

Representative: _____

Alternate: _____

Alternate: _____

Adopted at a regular meeting of the Selectboard of the ^{CITY} Town of Newport duly held on the 5TH day of April 2020.

ATTEST: 
Selectboard Chair
Paul Monette


Town Clerk

4/6/21
Date

Local Emergency Management Plan Municipal Adoption Form

**Town/City of MUNICIPALITY
STREET ADDRESS
MUNICIPALITY, VT ZIP**

The Local Emergency Management Plan (LEMP) must be (re)adopted annually, after town meeting day, and submitted to the appropriate Regional Planning Commission (RPC) by May 1st.

At a warned public meeting (regular selectboard/city council meeting), the municipality adopted the Local Emergency Management Plan (LEMP) on the date shown at right.

At a warned public meeting (regular selectboard/city council meeting), the municipality adopted the National Incident Management System (NIMS) on the date shown at right.

If Vermont Emergency Management needs to contact municipal leaders to determine status and support requirements during an emergency, the Emergency Management Director (EMD) and two other local Points Of Contact (POCs) who should have authoritative local information are listed at right.

Mark this block if a readopted plan has no changes since the previous year.

Municipality	
LEMP Adoption Date	
NIMS Adoption Date	
EMD Name	
Position	EMD
Primary Phone	
Alternate Phone	
Email	
POC 2 Name	
Position	
Primary Phone	
Alternate Phone	
Email	
POC 3 Name	
Position	
Primary Phone	
Alternate Phone	
Email	

I hereby certify that the LEMP meets Vermont National Incident Management System (NIMS) requirements and current LEMP Implementation Guidance as on page 2:

Signed* 

Printed Name; certifying individual must have taken, at a minimum, ICS402 or ICS100/IS-100 training

I hereby attest that the municipality has adopted NIMS and the LEMP as stated above:

Signed* _____

Printed Name, Selectboard / council member

Once completed, send adoption form (2 pages) and copy of Local Emergency Management Plan to Regional Planning Commission.

*A typed name is acceptable as an electronic signature if it represents an act of that person in accordance with 9 V.S.A. § 278.

Municipality: CITY OF NEWPORTDate Updated: 4-12-2021

Local Emergency Management Plan

1. Emergency Management (EM) planners

<i>These are the people who wrote and/or maintain this plan.</i>	
John Harlamert	

2. Municipal Emergency Operations Center (EOC)

<i>The EOC is an organization that coordinates information, support, and response across the municipality for Incident Commanders and town officials. Its main functions are to maintain situational awareness for municipal leaders, coordinate resource and information requests, and provide public information.</i>	
Who, by position, can activate the EOC? John Harlamert – Fire Chief Travis Bingham – Police Chief Laura Dolgin – City Manager	
Preferred EOC Positions and Duties	
John Harlamert	Supervises and directs all EOC activities coordinating municipal support and response
NPD Dispatcher	Staffs phones and radio
Laura Dolgin	Tracks and answers any Requests For Information (RFI)
Laura Dolgin	Tracks and coordinates any Requests For Support (RFS)
Travis Bingham	Produces and posts public information and press releases
Tom Bernier	Infrastructure
James Johnson	Finances
Potential EOC Staff Members	
<i>Name</i>	<i>Notes / Contact Information</i>
John Harlamert	Fire Chief – 802-334-7919/802-673-2284
Travis Bingham	Police Chief – 802-334-6733/802-274-8804
Laura Dolgin	City Manager – 802-334-5136/802-673-5071
Paul Monette	Mayor – 802-673-9002
James Johnson	City Treasurer – 802-334-2112
Tom Bernier	Public Works – 802-323-9734
Primary EOC Location	
Facility / Address:	Newport Municipal Building 222 Main St
Phone Numbers:	802-334-6733, 802-334-5136
Equipment/Notes:	Dispatching, WIFI, Bathrooms, Phones, Kitchen, Area Maps, Generator, Large Room
Alternate EOC Location	
Facility / Address:	Newport City Fire Station 350 Western Ave
Phone Numbers:	802-334-7919

Equipment/Notes:	Mobile Command Dispatching, Generator, Phone, WIFI, Area Map, Bathrooms, Kitchen, Large Room
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National Incident Management System (NIMS) Typed Resources*

Type	I	II	III	IV	Other	Type	I	II	III	IV	Other
Critical Incident Stress Management Team				N/A		Hydraulic Excavator, Large Mass Excavation				N/A	
Mobile Communications Center		1	1		1	Hydraulic Excavator, Medium Mass Excavation					
Mobile Communications Unit		1	N/A	N/A		Hydraulic Excavator, Compact					
All-Terrain Vehicles	N/A	N/A	N/A	N/A	3	Road Sweeper			1		
Marine Vessels	N/A	N/A	N/A	N/A	3	Snow Blower, Loader Mounted	1			1	
Snowmobile	N/A	N/A	N/A	N/A	2	Track Dozer					
Public Safety Dive Team						Track Loader					
SWAT/Tactical Team						Trailer, Equipment Tag-Trailer			1	N/A	
Firefighting Brush Patrol Engine	N/A	N/A	N/A		1	Trailer, Dump		N/A	N/A	N/A	
Fire Engine (Pumper)	2					Trailer, Small Equipment	1	1	N/A	N/A	
Firefighting Crew Transport			1	N/A		Truck, On-Road Dump				2	
Aerial Fire Truck	1		N/A	N/A		Truck, Plow		5	1		
Foam Tender			N/A	N/A		Truck, Sewer Flusher			1		
Hand Crew	5	25	4			Truck, Tractor Trailer				N/A	
HAZMAT Entry Team			25	N/A		Water Pumps, De-Watering					
Engine Strike Team	2					Water Pumps, Drinking Water Supply - Auxiliary Pump					
Water Tender (Tanker)				N/A		Water Pumps, Water Distribution					
Fire Boat				N/A		Water Pumps, Wastewater					
Aerial Lift - Articulating Boom						Water Truck		N/A	N/A	N/A	
Aerial Lift - Self Propelled, Scissor, Rough Terrain						Wheel Dozer			N/A	N/A	
Aerial Lift - Telescopic Boom						Wheel Loader Backhoe		2			
Aerial Lift - Truck Mounted						Wheel Loader, Large					
Air Compressor				1		Wheel Loader, Medium					
Concrete Cutter/Multi-Processor for Hydraulic Excavator						Wheel Loader, Small		1		N/A	
Electronic Boards, Arrow						Wheel Loader, Skid Steer		1		N/A	
Electronic Boards, Variable Message Signs						Wheel Loader, Telescopic Handler					
Floodlights				N/A		Wood Chipper		N/A	N/A	N/A	
Generator						Wood Tub Grinder					
Grader			1	N/A							

*Information about the NIMS Typed resources can be found at: <https://rtit.preptoolkit.fema.gov>

4. Public Information and Warning

<i>During a significant emergency, the Emergency Operations Center (EOC) and Incident Command Posts (ICPs) will coordinate and manage public information, both by producing accurate, timely reports and by tracking what is publicly reported to minimize confusion and help ensure a positive public response.</i>	
VT-Alert message - State: Other VT-Alert managers:	Vermont Emergency Management: 800-347-0488 VT-Alert Newport PD: 802-334-6733
Important Local Websites / Social Media channels:	Newport City Web Page, FD, PD and Rec Dept Facebook Page
Local Newspaper, Radio, TV:	Newport Daily Express, WCAX, WMOO 92.9/94.5, Orleans Record, WPTZ, My Champlain Valley News
Public Notice locations:	Newport City Municipal Building, 222 Main St
<i>Vermont 2-1-1 is a United Ways of Vermont system that provides 24x7x365 information and referral services in cooperation with a large number of state and local government and community based entities. 2-1-1 collects and maintains a database of local resource information and is available to take calls from the general public to inform and instruct them in relation to emergency events, and to refer them to the appropriate response and recovery resource, if necessary.</i>	
To provide information for 2-1-1	Dial 211 or (802) 652-4636

5. Vulnerable Populations

<i>If necessary, the EOC may contact organizations and facilities, below, that serve vulnerable populations to identify residents who are at risk based on the emergency. If there are residents at risk or in danger, the EOC should monitor their status and if required coordinate support for them until their situation stabilizes.</i>	
<i>Name / Notes</i>	<i>Contact Info</i>
CARE (Citizen Assistance Registration for Emergencies)	(Supporting PSAP)
North Country Hospital 189 Prouty Dr	Tom Frank 802- 334-3519
Newport Health Care 148 Prouty Dr	Nancy Craft 802- 334-7321
North Country Union High School 209 Veterans Ave	Dan Pickering 802-334-7921 ext 3023
Newport City Elementary School 166 Sias Ave	Elaine Collins 802-334-2455
United Christian Academy 65 School St	Kimberlee Strepka 413-626-8298
Bel-Aire Quality Care 35 Bel-Aire Dr	Rosemary Mayhew 802-334-2878

Lakeview Apartments 16 Governor Dr	Rural Edge Rep 802-334-1541
Lakeview Apartments 36 Field Ave	Rural Edge Rep 802-334-1541
Lakeview Apartments 236 Highland Ave	Rural Edge Rep 802-334-1541
Lake Bridge Housing 343 Main St	Rural Edge Rep 802-334-1541
Lake Bridge Housing 48 Pleasant St	Rural Edge Rep 802-334-1541
Lake Bridge Housing 14, 26, 50 Compass Dr	Rural Edge Rep 802-334-1541
Seymour Lane Apartments 72 Seymour Lane	Rural Edge Rep 802-334-1541
Governor Mansion Apartments 88 Second St	Rural Edge Rep 802-334-1541
Newport Senior Apartments 107 Main St	Rural Edge Rep 802-334-1541
Governor Prouty Apartments 26, 28, 54 Governor Dr	Rural Edge Rep 802-334-1541
Park View 143 Willet ST	Rural Edge Rep 802-334-1541
Newport Place 246 Elm St	Newport Place On-Call Rep 800-338-8538
Newport Head Start School 371 Main St	Kellie Tarryk 802-334-7253
Private Daycare 20 Masonic Lane	Pam Coffin 802-334-2425
Private Daycare 123 Cliff St	Susan Gonyaw 802-334-8538
Private Day Care 179 Blake St	Elizabeth Nadeau 802-334-5472
Private Day Care 88 Hinman St	Amanda Goad 802-673-5981
Private Day Care 208 Prospect St	Cindy Boyce 802-249-4141
Newport Promise Community	

6. Shelters

During some emergencies, the EOC will monitor or coordinate support for residents who are displaced due to property or infrastructure damage.

Spontaneous Sheltering

- Determine the approximate number of people who need sheltering
- Call the State EOC / Watch Officer at 800-347-0488 and request support
- Track the status of residents who need shelter until their situation stabilizes

Regional Shelter

Location / Address:	
Opening Contact:	State EOC, 800-347-0488; American Red Cross, 802-660-9130
Phone Numbers:	

Primary Local Shelter

Location / Address:	North Country Union High School 209 Veterans Ave, Newport, VT
Facility Contact(s):	Dan Pickering
Phone Numbers:	802-779-2320
Shelter Manager:	Dan Pickering
Staff Requirements:	Red Cross Staffing and Volunteers
Services:	Warm/Cool Overnight Food Prep Showers Healthcare
Notes:	This facility may be in session from August-June for school.
	Capacity: 1000 Generator? Y Pets Allowed? N

Alternate Local Shelter

Location / Address:	Newport Municipal Building 222 Main St, Newport, VT
Facility Contact(s):	Laura Dolgin
Phone Numbers:	802-673-5071
Shelter Manager:	Laura Dolgin
Staff Requirements:	Red Cross Staffing and Volunteers
Services:	Warm/Cool Overnight Food Prep Showers
Notes:	This would require the Red Cross trailer for sleeping supplies.
	Capacity: 50 Generator? Y Pets Allowed? N

Annexes (Optional, create and letter as needed)

See the Vermont Emergency Management (VEM) web site at <http://vem.vermont.gov> for samples and examples of annexes, such as: forms; delegations of authority; debris plans; incident-specific plans, checklists, and matrices; animal disaster references; etc.

Contact Information

Position	Name	Phone numbers - indicate Mobile, Home, Work			E-mail
		Primary	Alternate	Alternate	
Local Emergency Management Team					
EMD	John Harlamert	802-334-7919 Work	802-673-2284 cell		John.harlamert@newportvermont.org
EM Coordinator	Travis Bingham	802-334-6733 work	802-274-8804 cell		travis.bingham@newportpd.org
Local Response Organization Contacts					
Fire Chief	John Harlamert	802-334-7919 work	802-673-2284 cell		John.harlamert@newportvermont.org
Assistant/Deputy Fire Chief	Kevin Lacoss	802-282-2630 cell			
EMS Chief	Jeff Johanson	802-334-2023 work	802-673-4929 cell		Jeff.johansen@newportambulance.org
Chief of Police or Constable	Travis Bingham	802-334-6733 work	802-274-8804 cell		Travis.bingham@newportvermont.org
State Police or County Sheriff	Walter Smith	802-334-8881 work	802-522-7259 cell		Walter.smith@vermont.gov
Local Dispatch Center	Eric Miller	802-334-6733 work	802-334-6734 work		Eric.miller@newportpd.org
Local Public Works Contacts					
Road Foreman	Tom Bernier	802-334-2124 work	802-323-9734 cell		Thomas.bernier@newportvermont.org
Road Commissioner	Tom Bernier	802-334-2124 work	802-323-9734 cell		Thomas.bernier@newportvermont.org
Town Garage		802-334-8650			
Drinking Water Utility	Donald Grondin	802-334-8886 work	802-535-1020 cell		Donald.grondin@newportvermont.org
Wastewater Utility	Donald Grondin	802-334-8886 work	802-535-1020 cell		Donald.grondin@newportvermont.org
Municipal Government Contacts					