

City Manager..... (802) 334-5136  
City Clerk/Treasurer ..... 334-2112  
Public Works/Parks ..... 334-2124  
Zoning Adm./Assessor .... 334-6992  
Recreation ..... 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, August 15, 2022, beginning at 6:30 p.m.**  
**Newport City Council Room**

**Google Meet joining info**  
**Video call link: <https://meet.google.com/zdp-nted-jza>**  
**Or dial: (US) +1 402-295-5220 PIN: 607 917 425#**

**\*\*Public Hearing on a CDBG Application\*\***

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

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

1. Call the Regular Council Meeting to Order
2. Approve Minutes of August 1, 2022
3. Comments by Members of the Public
4. CDBG Application: North Country Hospital Construction and Renovation Project: Brian Nall, President and CEO, North Country Hospital; Frank Knoll Chair, North Country Hospital Board of Trustees; Steve Horton, Owner's Representative; and Karen Geraghty, Northern Community Investment Corporation;  
VOTE
5. Gardner Park Environmental Status Presentation
6. Purple Heart City Signage; VOTE
7. Water Meter Status - Authorization to Apply for USDA Grant/Loan Program; VOTE
8. New Business
9. Old Business
10. Set next meeting: Regularly Scheduled Council Meeting: September 12, 2022 @ 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:

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 ensure 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 limited 2 minute timeline 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 conversations. 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.

**DRAFT**

**Council Minutes**

**August 1, 2022**

A duly warned meeting of the Newport City Council was held on Monday, August 1, 2022, in the council room in the Newport Municipal building. Present were Mayor Paul Monette, Council President John Wilson, Council Members Melissa Pettersson, Kevin Charboneau and Chris Vachon, City Manager Laura Dolgin, City Clerk/Treasurer James D. Johnson, Public works Director Tom Bernier, Mike Welch, Francis Cheney III, and John Schmeltzer, and members of the Press and Public

Mayor Monette opened the meeting at 6:30PM.

**Approval of Minutes**

Mr. Wilson moved to approve the minutes of July 11, 2022. Seconded by Mr. Charboneau, motion carried unanimously.

**Comments by the Public**

Anne Chiarillo asked if city buildings are metered and if the city pays for the water. Ms. Dolgin responded yes; that city buildings are metered and that some buildings are billed.

**Acknowledgement of Environmental Restrictions & Right of Access Between Central Maine & Quebec Railway US Inc., and the State of Vermont Agency of Natural Resources (attached)**

Mr. Vachon moved to acknowledge the city has considered the Environmental Restrictions and Right of Access placed on Newport Rail Yard at 758 South yard Rd. between Central Maine & Quebec Railway US Inc., and the Vermont Agency of Natural Resources. Seconded by Mr. Charboneau, motion carried unanimously.

**Confirmation of Perpetual Maintenance of the Storm Drainage System for the Newport Marina Project. (attached)**

Mr. Vachon moved to agree to the perpetual maintenance of the storm drainage system for the Newport Marina. Seconded by Mr. Wilson, motion carried unanimously.

**Authorization for Grant Request from VTACCD (attached)**

Mr. Wilson moved to authorize the grant request from ACCD not to exceed \$40,000. Seconded by Mr. Vachon, motion carried unanimously.

**Zoning Administrator Appointment.**

Mr. Wilson moved to appoint Francis Cheney III, Zoning Administrator. Seconded by Mr. Charboneau, motion carried unanimously.

**New Business**

Mr. Johnson presented a Special Events Permit for council approval. Mr. Charboneau moved to approve a Special Events Permit for Eden Ice Cider. Seconded by Mr. Charboneau, motion carried unanimously.

Mr. Johnson presented a vendors permit for council approval. Mr. Charboneau moved to approve a vendors permit for Smokin Barrels BBQ. Seconded by Mr. Vachon, motion carried unanimously.

Mr. Wilson noted the Purple Heart Ceremony at Gardner Park on Sunday, August 7, 2022.

Ms. Dolgin announced routine maintenance is taking place on the Westside Water Tower. Users may experience intermittent changes in water pressure. The project is expected to last 6 weeks. If the issues do not correct themselves let us know.

**Old Business**

Mayor Monette requested a timeline for the installation of water meters and the number of meters left to install by the August 15<sup>th</sup> meeting.

Mayor Monette requested a detailed income and expense report for the new Parklet. He noted the paper reported that cost over runs would be charged to the Public Works Department. He understood there would be no cost to the taxpayer and has been telling people that when asked.

Ms. Dolgin reminded that the first hearing on the Municipal plan is scheduled for the Planning commission tomorrow night August 2nd second hearing will be in front of the city council September 12<sup>th</sup> and the third will be October 3<sup>rd</sup>.

**Next Meeting Date**

August 15, 2022, at 6:30 PM.

**DRAFT**

**Adjournment**

Mr. Vachon moved to adjourn at 7:28 PM. Seconded by Mr. Charboneau, motion carried unanimously.

**Attested** \_\_\_\_\_ **This** \_\_\_\_\_ **Day of** \_\_\_\_\_, **2022**

\_\_\_\_\_  
\_\_\_\_\_ **Mayor**

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# Gardner Park Newport, VT

## Update on Brownfields Assessments

August 15, 2022  
City Council Meeting

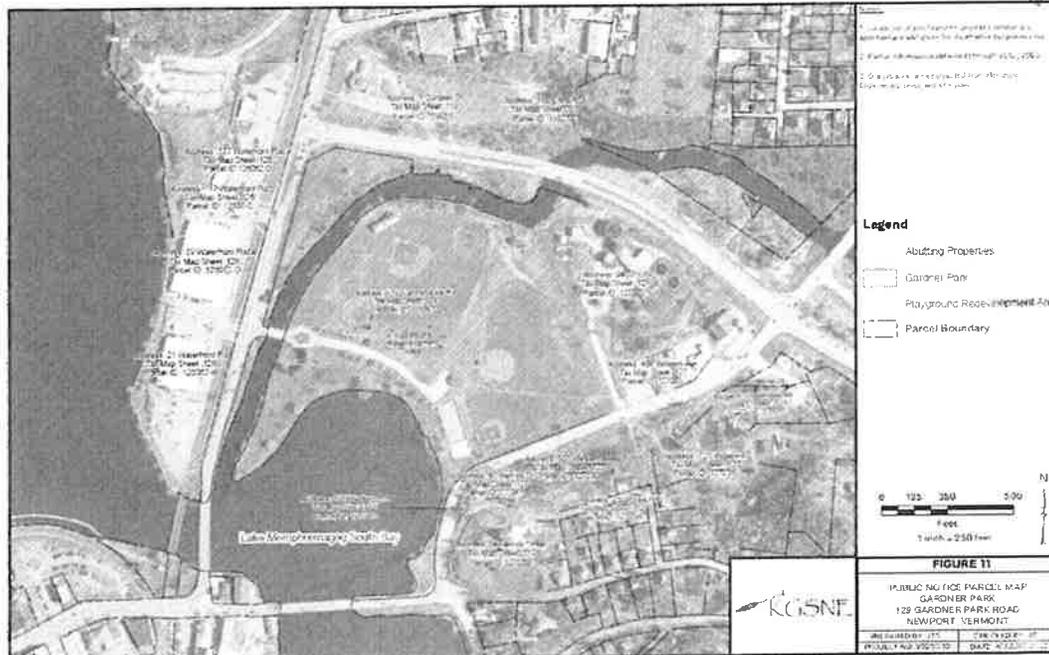


AERIAL PHOTO (credit: Newport Parks & Recreation)



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**Studies to Date on Gardner Park**

- City of Newport (Ross Environmental Associates)**
  - Phase II Environmental Site Assessment July 2015
- Waterfront and Downtown Master Plan (VHB) October 2018**
- Northeastern Development Association (NVDA) Coalition Grant Funding (Stantec)**
  - Phase I Environmental Site Assessment January 2020
  - Limited Phase II Environmental Site Assessment March 2020
- EPA Targeted Brownfield Assessment (KGSNE/Nobis Engineering)**
  - Supplemental Phase II - March 2021
  - Supplemental Phase II adding incremental soil sampling at ball fields- January 2022
  - Evaluation of Corrective Action Alternatives (specific to the Playground Area) - May 2022
  - Corrective Action Plan (specific to Playground Area) – August 2022

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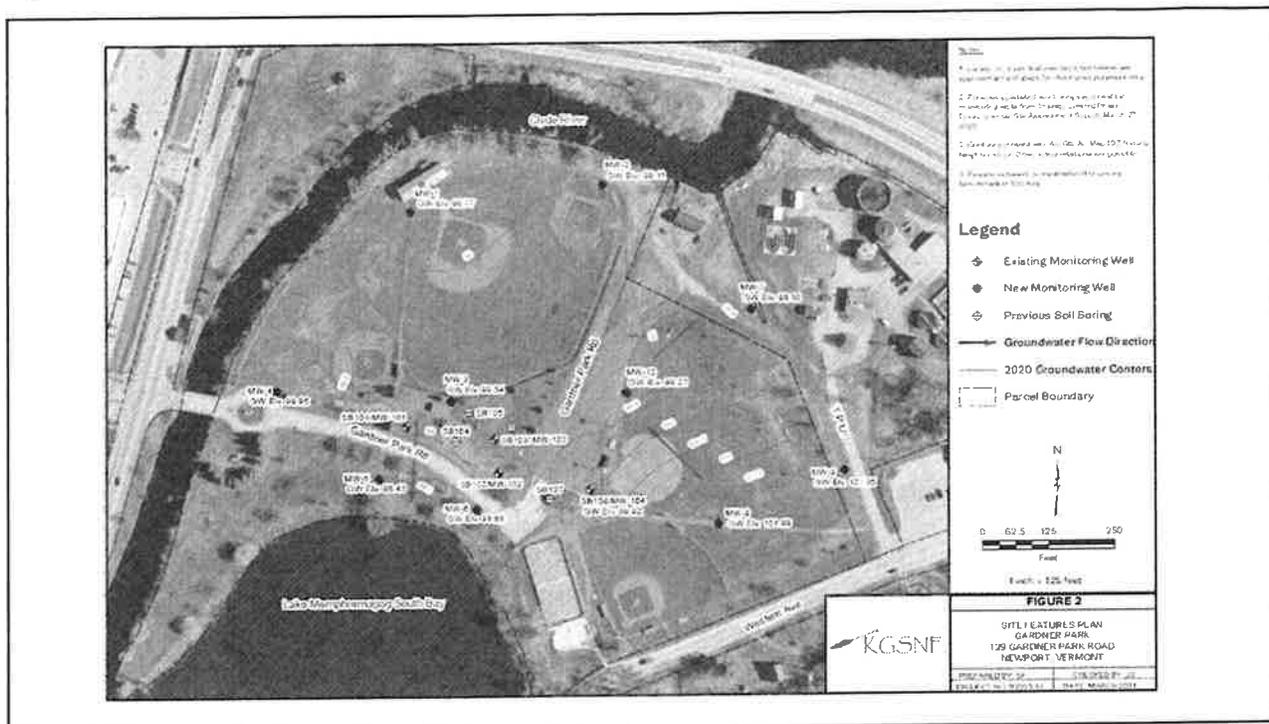
**RESULTS to date on Gardner Park**

**Phase 1 (2020) identified 4 Recognized Environmental Concerns (RECs)**

- Historic Fill
- Subsurface soil and groundwater contamination in exceedance of applicable regulatory standards
- Potential offsite impacts from the Wastewater Treatment Plant and Newport Car Wash and Mini Mart

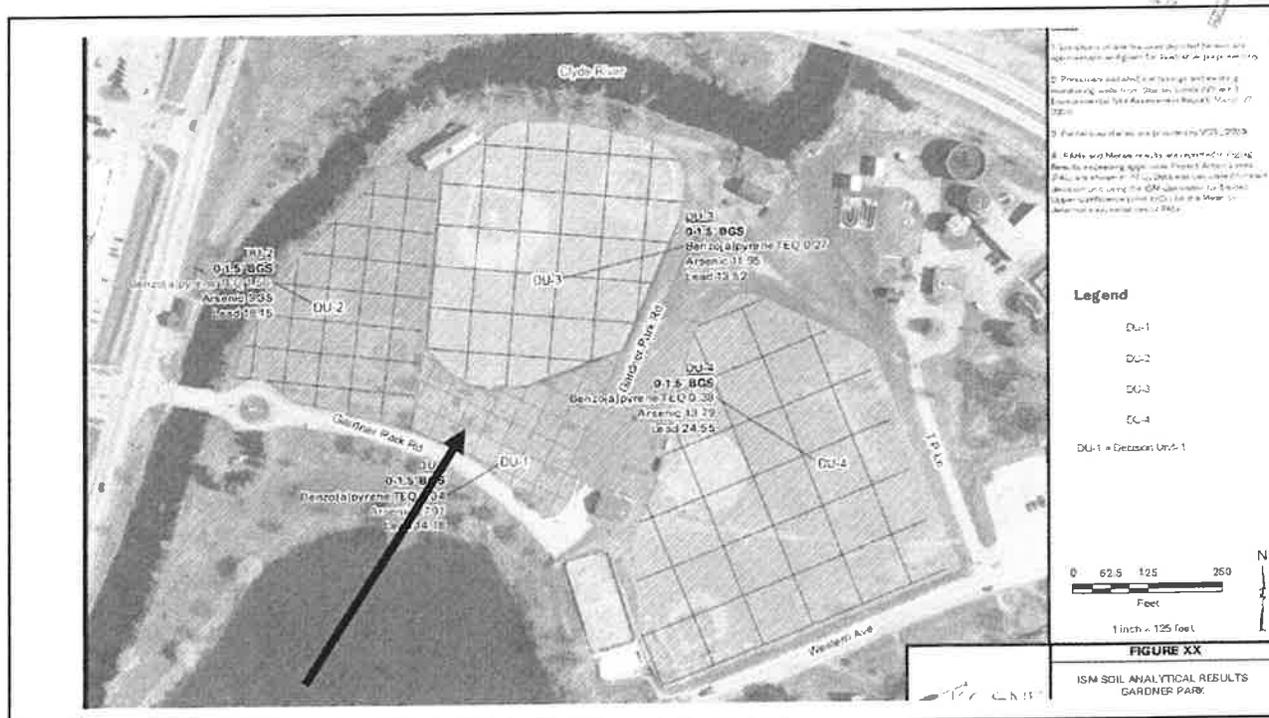
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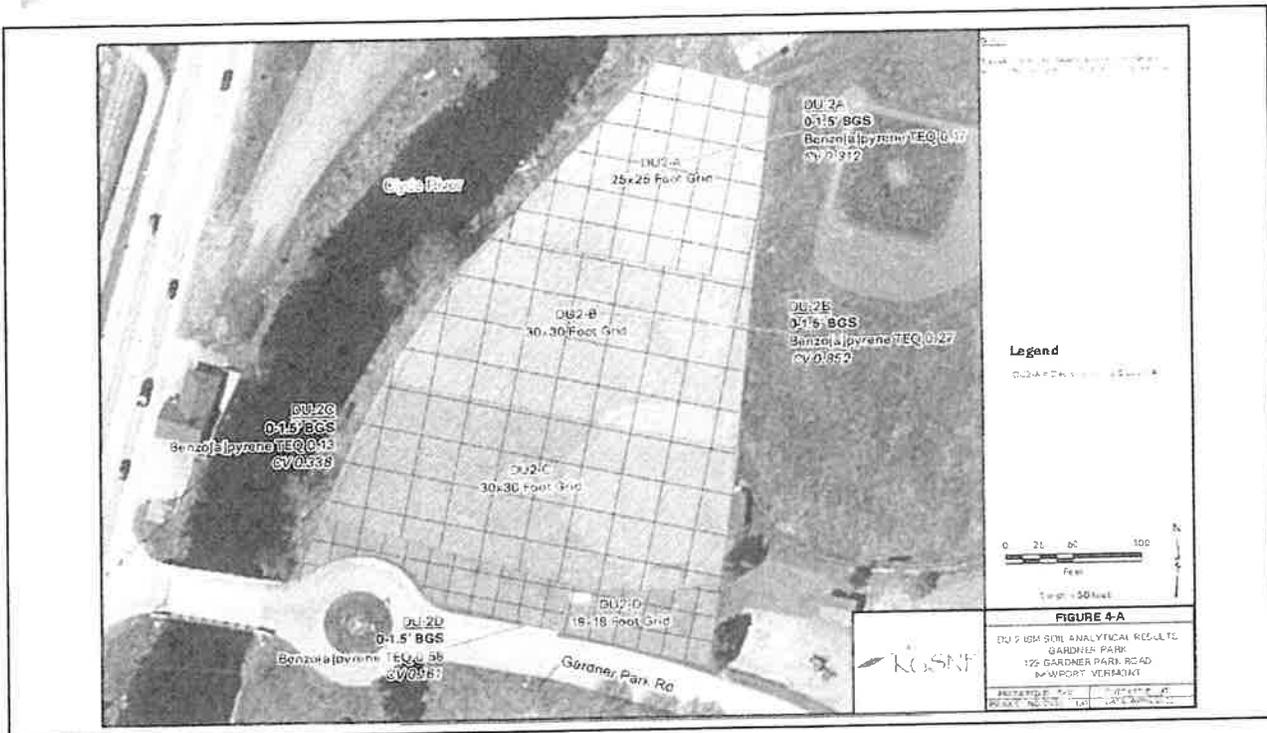
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## RESULTS to date on Gardner Park

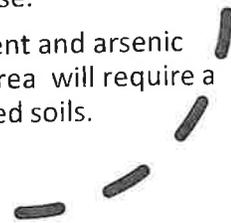
### Additional Phase II Investigations Summary

#### GROUNDWATER

- Groundwater beneath the Park contains heavy metals (arsenic and lead), polycyclic aromatic hydrocarbons (PAHs)/naphthalene, and per- and polyfluoroalkyl substances (PFAS) above Project Action Limits (PALs) based on Vermont Department of Environmental Conservation (VTDEC) standards.

#### SURFICIAL SOILS

- Ball field soils (DU2, DU3 and DU4) are below (Project Action Limits (PALs) based on Vermont Department of Environmental Conservation (VTDEC) standards. No corrective action needed for current use.
- Playground Area (DU1) has PAHs present and arsenic exceeding PALs. The contaminated area will require a soil management plan for contaminated soils.



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**RESULTS to date on Gardner Park**  
**Evaluation of Corrective Action Alternatives (ECCA)**

The selected remedy for the Playground Redevelopment Area includes:

- removal of a limited amount of Polyaromatic Hydrocarbons and metals impacted soil
- installation of an engineered isolation barrier
- implementation of institutional controls

ECCA Approved by VTDEC May 2022



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ALTERNATIVE 3: LIMITED SOIL EXCAVATION WITH OFF-SITE DISPOSAL, ENGINEERED ISOLATION BARRIER AND INSTITUTIONAL CONTROLS						
Site: Gardner Park Location: Newport, Vermont Phase: ECCA		Description: Excavate and remove soil from splash pad area to a depth of 2.5 feet bgs and soil within the waterline trench to a depth of 5 feet bgs for off-site disposal. Installation of isolation barrier of a geotextile liner and clean fill material to a minimum thickness of 1.0 feet within the sidewalk area, 0.5 feet elsewhere. The IC alternative is included. Transportation and disposal cost estimate based on disposal of non-hazardous soil at Coventry, VT landfill (+\$75/ton tipping fee and \$15/ton trucking)				
Description	Qty.	Units	Unit Cost	Cost	Notes	
<b>Capital Costs</b>						
Institutional Controls	1	ls	\$11,000	\$11,000	IC subtotal	\$11,000
Playground Redevelopment Excavation						
Professional oversight	15	day	\$1,200	\$18,000		
Excavation and backfill	15	day	\$3,500	\$52,500		
Characterization sampling	1	sample	\$694.00	\$694		
Transportation	655	ton	\$85.00	\$55,675		
Geotextile Liner	49,158	sq ft	\$0.15	\$7,374		
Clean fill, subbase material, topsoil	2,471	ton	\$26.00	\$64,186		
Stockpile samples for use as fill (1 sample per 200 tons)	3	sample	\$150.00	\$450		
<b>SUBTOTAL</b>				<b>\$207,461</b>		
Contingency	20	%		\$41,492		
Engineering, Design, and Regulatory Support	5	%		\$10,373		
Project Management	5	%		\$10,373		
<b>Total Capital Costs:</b>				<b>\$289,699</b>		
Cost type	Year	Total Cost	Total Cost per Year	Discount Factor (5%)	Present Value	Notes
<b>Present Value Analysis</b>						
Capital Cost	0	\$289,699.36			\$289,699	
Site Inspection and Limited Maintenance Cost	1-30		\$2,800	15.3725	\$30,745	
<b>Total Cost</b>					<b>\$320,444</b>	

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RESULTS to date on Gardner Park

Corrective Action Plan (CAP) for Playground Area

- The CAP was submitted to VTDEC and EPA for Review and Approval on August 2, 2022. The CAP assumes redevelopment of the playground area.
- The CAP will still need to be implemented and the area will still need to be remediated even if the playground project does not move forward based on contaminant levels.

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CLEAN UP Funding Discussion

local resources are available to help offset costs

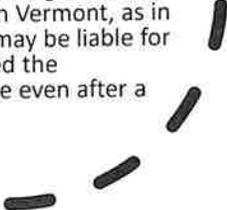
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**Brownfields Reuse and Environmental Liability Limitation Program (BRELLA)**

- **WHAT:** The environmental liability limitation program is established under the **Brownfields Reuse and Environmental Liability Limitation Act (BRELLA)** codified at 10 V.S.A. §6641-§6656.
- **WHY:** Participation in Vermont’s environmental liability limitation program (BRELLA) provides a way out of the liability chain and enables redevelopment to proceed knowing that legal and financial risks associated with contamination have been put to rest.
- **WHO:** Participation in the program is open to persons who intend to purchase a brownfield property, as well as persons who already own a brownfield property, provided that they did not cause or contribute to the contamination (i.e. a responsible party).

One impediment to reuse of brownfields is fear of legal liability for pre-existing environmental contamination. In Vermont, as in other states, owners of contaminated property may be liable for cleanup *regardless* of whether or not they caused the contamination. Liability for cleanup can continue even after a property is sold.



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**Financial Benefits of BRELLA**

**Grants and Loans for Clean Up ONLY available to properties that can enroll in BRELLA**

**Brownfields Revitalization Funds from VT ACCD**  
**State Funding or Federal Funding**

**US EPA Federal Assistance Programs**  
**Cleanup Grants competitive grant opportunity** to provide funding to carry out cleanup activities at brownfield sites owned by the applicant (next round fall 2022)

<https://dec.vermont.gov/waste-management/contaminated-sites/brownfields/apply>



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**Brownfields Reuse and Environmental Liability Limitation Program (BRELLA) and Gardner Park**

**How to fund Clean Up of the Playground (One Acre) Area (DU 1)**

- The city of Newport is NOT eligible to enroll in BRELLA since the city is a responsible party
- The city of Newport is NOT eligible to apply for State or Federal Brownfields clean up funds as a responsible party
- A third party, i.e. Development Association, could take ownership of the Playground area, enroll in the BRELLA program and would be eligible to pursue state and federal brownfields clean up funding
- At the end of a successful clean up the third party could:
  - continue to own the Playground area
  - "transfer" to another entity
  - broker a long-term lease to the city of Newport
- VTDEC Policy does not allow the Playground area to be returned the city of Newport because the city is the responsible party

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**Funds Raised for Park Redevelopment to date**  
**\$484,132**

94%		69%		20%		120%		127%		81%	
State & Federal Grants		Corporate Sponsors		In-Kind Labor Service & Goods		Recreation Committee		Individual & Community Gifts		Donor Bricks	
LWCF	162,000	ACF	40,000	Guest Electric	10,000	Fund-raiser	326,877.00	Gift-vouchers	113,800	Plaster/bricks	4,700
CBQ-3	100,000	Ziv Park	10,000							Other	3,100
		Homestead	1,000							Unbricks	400
		Carroll	10,000							Jess	1,100
		CHS	20,000							Jesse	400
		Wagner Parks	1,000							Quinn	1,400
		Hampshire	0,000							Shaw	0
										AJ	0
		Leslie's Center	1,000							Vaughn	800
		Carroll Community	1,000							Mia	300
		Community Project	1,000							Andy	100
		Big Bear Park School	1,000								
		People's United Bank	200								
		Reborn	138,700	Reborn	11,000	Reborn	139,877.00	Reborn	112,800	Reborn	11,400
Reborn	202,500	Reborn	200,000	Reborn	10,000	Reborn	24,000	Reborn	10,000	Reborn	14,000
Over	200,000	Reborn	200,000	Reborn	10,000	Reborn	24,000	Reborn	10,000	Reborn	14,000
Remaining	17,500	Remaining	61,300	Remaining	40,000	Remaining	-4,877	Remaining	-2,650	Remaining	2,600
										Amount Raised 484,132 Goal 595,000 Remaining 110,868	
										81%	

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**NEXT  
STEPS**

Corrective Action Plan dated August 2, 2022 for playground redevelopment under review by EPA and VTDEC.

Abutters are notified and the 30-day public comment period begins after VTDEC approval.

How to secure Cleanup Funds for implementation of the Corrective Action Plan?



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Laura Dolgin <laura.dolgin@newportvermont.org>

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## Purple Heart City - Signs

1 message

**Paul Monette** <Paul.Monette@newportvermont.org>

Thu, Aug 4, 2022 at 10:13 AM

To: "John A. Wilson" <johnwilson@newportvermont.org>, Melissa Pettersson <melissa.pettersson@newportvermont.org>, Chris Vachon <chris.vachon@newportvermont.org>, Kevin Charboneau <Kevin.Charboneau@newportvermont.org>, James Johnson <james.johnson.clerk@newportvermont.org>, Laura Dolgin <laura.dolgin@newportvermont.org>

Hello City Council,

I have been thinking and would like to propose that we install Purple Heart Signs on the two main entrances to Newport.

On my recent trip to Ohio I drove down Route 11 in New York State and saw a couple communities with signs. Since Newport is the first community in Vermont I thought it would be nice to have them as an honor to the brave men and women who have been recipients .

My thought is the signs could be placed on Route 5 and 105 as you enter Newport. I plan on having this on the next agenda for discussion. I have attached a couple examples.

Paul

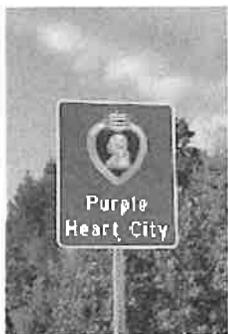
Paul L. Monette, Mayor  
City of Newport  
222 Main Street  
Newport, VT 05855

Office: 802.334.5136  
Home: 802.334.1021  
Cel: 802.673.9002  
Email: Paul.Monette@newportvermont.org

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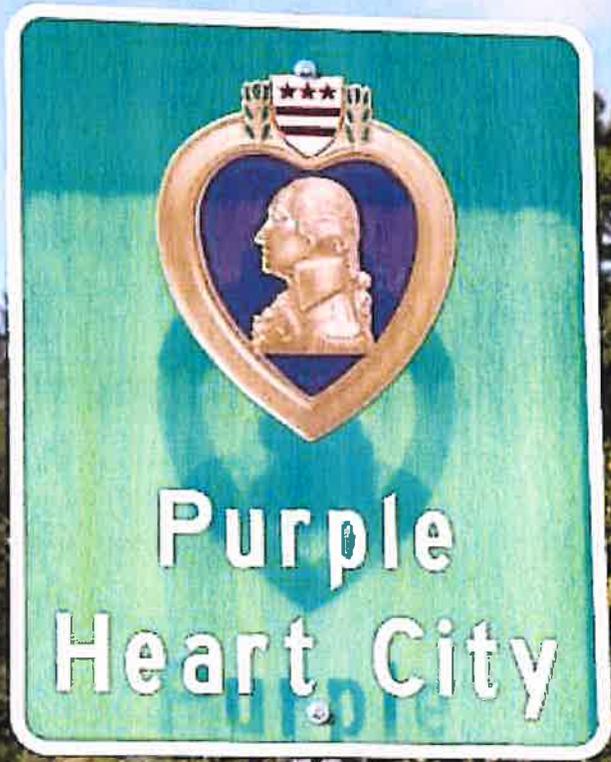
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### 2 attachments



**phsign2.jpg**  
61K

**phsign1.jpg**  
135K



Purple  
Heart City



PURPLE HEART  
CITY

To: City Council/Water Commissioners

From: Laura Dolgin, City Manager; and Tom Bernier, Director of Public Works

Date: August 15, 2022

LD

TB

Re: Water Meter Status

On September 21, 2020, a council presentation was made by Wayne A. Elliott, PE, President of Aldrich + Elliott, PC, who are the city's Water Resource Engineers; Public Works Director Tom Bernier; and the City Manager. At that time, the city was designing funding options in preparation for a water meter vote. Mandating water meters is a requirement to be eligible for USDA funding. The language of the vote, *"Mr. Charboneau moved that the City of Newport mandate water meters for all users. Further, the motions authorizes water meters to be installed at city expense for all existing residential users. All property that has a current meter will be required to be billed from it effective with the February 1, 2021 billing. Any application for allocation for new residential/commercial/industrial construction will continue to be required to pay for their meter and be billed from it. Seconded by Mr. Wilson, motion carried."*

The logic of this vote was that the city could potentially have an advantage of a lower total water tower cost by installing as many meters as possible, paid for out of the operational budget as part of the Free Water Meter Program, prior to solidifying any water tower funding. The anticipated budget for installing the water meters at that time was estimated to be \$1,034,000.00 (attached). Since this vote, and throughout the pandemic, the WasteWater Treatment Facility has successfully installed 227 meters.

As of August 2022, out of 1787 properties, 961 properties are metered and 826 properties are unmetered. In speaking to other municipalities who have provided meters to all users (at pre covid rates), an informal cost estimate of approximately \$1100 per meter is a rounded figure that considers a certain % will be complex installations. If we use this rough amount it provides an expectation that a meter installation program could cost the city approximately (\$1100 x 826 = \$908,600) so the original estimate of \$1,034,000.00 is not far off. Obviously, an updated estimate will be necessary to get a more accurate dollar amount as part of any grant or loan application.

USDA has indicated that a grant or loan program is possible. This will require time to accommodate writing a grant application, approval process, and if awarded, procurement for a contractor. If USDA funding is used, all of the procurement requirements have to be followed. This would involve a contractor to install the meters which has to be done by a VT licensed plumber. These metering projects are challenging because very few contractors have the installation resources, then sitework is involved in some cases with meter pits, etc. The timeline of completion would be included in the grant criteria and contractor availability.

Our engineer reminded us that with the current supply chain issues, and if this does not improve, it will probably take longer even with using a contractor. With our current WWTF staffing issues, we do not have the expertise or resources to make good progress here. Additionally, once everyone is metered, it is important to gather some good data for a couple years on actual usage by customer category in order to assess and modify the billing structure as needed. With these considerations in mind, a completion date of early 2025 may be a realistic scenario.

USDA has grants and loan programs where the City of Newport could be eligible for **up to a 75% grant**. This will need to be explored more thoroughly with USDA as there are a number of factors that go into account. Any final recommendation or proposal will require city council authorization to proceed.

<https://www.rd.usda.gov/programs-services/water-environmental-programs/water-waste-disposal-loan-grant-program/vt>

If it pleases the council, we will start the grant application process and report back.

# Total Project Cost Summary and Bond Amount

Item Description	Total Estimated Cost
<b>Construction</b>	
Palin Hill Reservoir Liner & Cover Replacement	\$406,000
Derby Road Service Area Improvements & East Side Storage Tank	\$2,422,000
Water Meters	\$1,034,000
<b>Construction Subtotal</b>	<b>\$3,862,000</b>
<b>Construction Contingency</b>	
Construction Contingency (10%)	\$386,200
<b>Construction Contingency Subtotal</b>	<b>\$386,200</b>
<b>Step II - Final Design and Permitting</b>	
Final Design Basic Services	\$110,500
Subsurface Investigation	\$7,400
Special Services	\$25,400
<b>Step II Subtotal</b>	<b>\$143,300</b>
<b>Step III - Construction Phase Services</b>	
Construction Basic Services	\$432,000
Special Services	\$10,000
<b>Step III Subtotal</b>	<b>\$442,000</b>
<b>Other Costs</b>	
Permit Fees	\$10,000
Administrative	\$40,000
Legal & Fiscal	\$40,000
Short Term Interest	\$60,000
<b>Other Subtotal</b>	<b>\$150,000</b>
<b>Total Project Cost</b>	<b>\$4,983,500</b>
<b>Use</b>	<b>\$4,985,000</b>

➤ **Recommend Bond Amount:**  
**\$4,985,000**



August 4, 2022

Laura Dolgin, City Manager  
222 Main St. City of Newport  
Newport, VT 05855

Dear Laura,

Following is an outline of the scope of services related to a preliminary conceptual investigation of possible adaptive reuse of the Hebard building to include either hotel and or condominium uses.

The design tasks include the following:

- **Initial set up** to identify drawings from the full set which we have from previous work with the State on the building, converting pertinent drawings to a form for use in the study.
- **Review the building structural system** to determine what elements should likely remain and which could be removed or altered in relation to new uses. This would require further review in next steps should the conversion be pursued further.
- **Hotel investigation** We would look at each level, examining how rooms in one option or suites in another might lay out along with necessary support spaces and auxiliary functions.
- **Condominium or Luxury Apartment option** This investigates how the building might be converted into condominium or apartment units. Again, interior spaces would be looked at as possible meeting rooms, tenant storage, exercise room or office space available to tenants.
- **Some assumptions** discussed include that the retail functions of the Community National Bank, dress shop, and Belvedere would remain. Also, the lower level parking would remain, its users to be determined.

The fee for the above services would be \$8,800.

A primary challenge arises from the fact that the building was not designed for either hotel or condominium use. It has large internal areas without access to windows, a core requirement both for hotel rooms or residential use. The study as requested is a first look at how the hotel or condominium uses might fit. Should either or both options be pursued, further investigation of structure, HVAC, code, windows, market demand, etc. would need to be looked at. There would be other possible layouts, and or combinations. However, the study will give some initial sense of the viability for conversion.

Sincerely,

Jay Ancel, Architect

Acceptance: Jana F. Dolgin

Date: August 4, 2022

CC. Mike Welch NCIC

RECEIVED

AUG - 8 2022

CITY MANAGERS OFFICE  
NEWPORT, VERMONT

To: Newport City Manager

From: Walter Golub DMD

Re: Professionalism of Newport Employees

On Saturday July 30 I drove from Rochester, VT to Newport to visit a long-time friend. This was a prearranged visit. When my spouse and I reached the residence there was no answer, but his car was in the garage, an internal light was on along with the TV. We searched but found no key or open door. We called and texted but no response.

We proceeded to the police station, spoke with the dispatch person, and returned to the residence. Officers Jacobs and Lancaster responded, and it was determined that the fire and rescue needed to be involved. Long story short the city employees in all the branches contacted responded with empathy, compassion, and professionalism until it was determined that the occupant was conscious and basically OK.

Once again thank you to Newport employees for the welfare check of our friend.



