

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, April 17, 2023 beginning Immediately after the Public Hearing.
Newport City Council Room

Google Meet joining info
Video call link: <https://meet.google.com/mgq-ymxd-dwu>
Or dial: (US) +1 478-352-1646 PIN: 604 143 191#

****Public Hearing on an Interim Zoning Bylaw Amendment begins at 6:00pm ****

City Council: Beth Barnes, Mayor
John Wilson, Council President
Kevin Charboneau
Chris Vachon
Clark Curtis

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

1. Call the Regular Council Meeting to Order
2. Approve Minutes of April 3, 2023
3. Public Comment
4. Interim Bylaw Amendment, VOTE
5. Memphremagog Community Maritime Ticket Booth Lease, VOTE
6. Municipal Building Parklet Name, VOTE
7. Authorize the City Attorney to Conduct the Tax Sale, VOTE
8. National Opioid Settlement Participation, VOTE
9. Annual Appointment of Members to the Community Broadband Communications Union District, 30 VSA Chapter 82, VOTE
10. Discussion About When to Release Non-Confidential Materials from Council Packets to the Public, VOTE
11. New Business
12. Old Business
13. Set next meeting: Regularly Scheduled Council Meeting: May 1, 2023 @ 6:30pm
14. Executive Session to discuss the appointment of a public officer or employee, 1 VSA (3)(a)(3),
15. 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.

Council Minutes

DRAFT

April 3, 2023

A duly warned meeting of the Newport City council was held on Monday, April 3, 2023, in the council room in the Newport Municipal Building. Present were Mayor Beth Barnes, Council President John Wilson, Council Members Kevin Charboneau, Chris Vachon, and Clark Curtis, City Manager Laura Dolgin, City Clerk/Treasurer James D. Johnson, Asst. Clerk/Treasurer Stacey Therrien, Police Chief Travis Bingham, Fire Chief John Harlamert, Zoning Administrator Francis Cheney, Recreation Director Mike Brown, Program Administrator Rebecca Therrien.

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

Approval of Minutes

Mr. Vachon moved to approve the Council minutes of March 20, 2023. Seconded by Mr. Wilson, the motion carried unanimously.

Mr. Charboneau moved to approve the Special council Minutes of March 28, 2023. Seconded by Mr. Wilson, the motion carried unanimously.

Comments by the Public

None.

Clarify Parade Vote from February 6, 2023 (attached)

Ms. Dolgin read her memo on the clarification of the parade vote on February 6th. Chief Bingham and Public Works Director Bernier both stated their objections to the parade sighting staff shortages and safety on the requested date. Mr. Wilson read a February 3rd memo from Mr. Brown stating that there were five parade requests. Mr. Wilson also read a February 24th e-mail from former Mayor Monette stating that his understanding was that the council had approved all five parades. Mr. Wilson stated that as far as he was concerned the council had approved five parades including the Kingdom Games Parade. Mr. Wilson noted that on February 24th Mr. White was notified that he could not hold the parade. Wilson stated that neither the City Manager nor the Staff could override a council decision. Mr. Wilson moved to approve the Kingdom Games Pet and Swimmer Parade scheduled for July 28, 2023. Seconded by Mr. Charboneau, the motion carried unanimously. Mr. Wilson noted that the council would review the parade policy so there would be no confusion or misinterpretation in the future. Ms. Dolgin noted

the request must include the registration process, security, and traffic control etc. before the permit is issued.

Annual Roads and Bridge Standards (attached)

Mayor Barnes read the Clarification of Compliance for Town Road and Bridge Standards. Mr. Charboneau moved to accept the Road and Bridge Standards. Seconded by Mr. Vachon, the motion was carried unanimously.

Annual Financial Plan for Town Highways, Class 1, 2 and 3 Roads State Funds (attached)

Mr. Vachon moved to approve the Annual financial Plan for Town Highways. Seconded by Mr. Curtis, the motion carried unanimously.

Municipal Building Parklet Name

Mr. Charboneau moved to table the item until the next meeting. Seconded by Mr. Vachon, the motion was carried unanimously.

New Business

Mr. Wilson moved to approve Liquor License applications for Northeast Pizza and Dusit Thai Cuisine.

Seconded by Mr. Vachon, the motion was carried unanimously.

Mr. Vachon noted the Purple Heart signs look good.

Mr. Vachon asked what time the ice went out. Mr. Brown stated the clock hadn't been retrieved yet.

Mayor Barnes stated since the last meeting she had attended a meeting with the Mayors from Stanstead and Magog, a Neighbor Up Presentation in St. Johnsbury, a meeting with the Director of Orleans Restorative Justice, attended a Jr. High and High School Scavenger Hunt attended the Legislative Breakfast, and had several one on one meetings with constituents.

Old Business

None

Next Meeting Date

April 17, 2023, at 6:30 PM.

DRAFT

Adjournment

Mr. Charboneau moved to adjourn at 7:15 PM. Seconded by Mr. Curtis, motion carried unanimously.

Attested _____ This _____ Day of April 2023

Mayor

To City Council

From: Laura Dolgin City Manager

Date: March 31, 2023



RE: Clarification of Parade Vote from February 6, 2023

On February 6, 2023, council meeting minutes reflect the following vote for the 2023 Parade Requests as follows: "The city received five parade requests. The City only funds four requests per year. Mr. White withdrew his request for funding but would still hold a parade. Mr. Vachon moved to approve the 2023 parade requests. Seconded by Mr. Charboneau, motion carried unanimously."

Internally, the city manager and department heads interpreted this vote as approving the four funding requests as this is all that is required from the council based on the Event's Policy.

We did not interpret the wording of this vote as the council had approved all five parade requests. We understand that some clarity is in order.

When we met with Phil White on March 16, 2023 per the Events Policy, it was with the understanding that the Department Heads are responsible for safety and coordination of all events that are required to file a permit, including parades.

Since then, we have come to understand that council members interpreted this vote as approving all five parades. We have no intention of undermining council votes.

We now understand that the city council voted on February 6, 2023, to approve permission for all five parades, assuming each parade meets all of the Event's Policy criteria, including Phil White's privately funded parade.

Our most important priority is safety for all public events. Parades require a substantial amount of manpower amongst all departments in order to maintain best practices for safety of participants, spectators, staff, and vehicular traffic. The weekend of July 28 has many trained staff on planned annual leave.

In order to prevent this type of misunderstanding in the future, we will recommend amending the Event's Policy so that any required votes are exceptionally clear to all.

**Certification of Compliance
for
Town Road and Bridge Standards
and
Network Inventory**

We, the Legislative Body of the Municipality of *City of Newport* certify that we have reviewed, understand and comply with the Town Road and Bridge Standards / Public Works Specifications and Standards passed and adopted by the City Council on *May 4, 2020*.

We further certify that our adopted standards do do not meet or exceed the minimum requirements included in the June 5, 2019 State-approved template.

We further certify that we do do not have an up-to-date highway network inventory which identifies location, size, deficiencies/condition of roads, bridges, causeways, culverts and highway-related retaining walls on class 1, 2, and 3 town highways, and estimated cost of repair.

Beth Barnes

Date: 3 April 2023

John A. Wilson

[Signature]

Chris Vach

(Duly Authorized Administrator)

For a summary of your community's road and bridge information please visit: tinyurl.com/rdsinfo

ANNUAL FINANCIAL PLAN - TOWN HIGHWAYS

TA-60

19 V.S.A. § 306(j)

(page 2)

We, the Legislative Body of the Municipality of City of Newport certify that funds raised by municipal taxes are equivalent to or greater than a sum of at least **\$300.00** per mile for each mile of Class 1, 2, and 3 Town Highway in the municipality. (19 V.S.A. 307)

Beth Bern L

Date: 3 April 2023

[Signature]

John A. Wilson

[Signature]

Chris Nash

(Duly Authorized Representatives)

The submitted Town Plan meets the requirements of Title 19, Section 306(j).

_____ Date: _____

District Transportation Administrator

ANNUAL FINANCIAL PLAN - TOWN HIGHWAYS
19 V.S.A. § 306(j)

TA-60

Village of Newport Fiscal Year 2024 Begin 7/1/2023 End 6/30/2024

INCOME

DESCRIPTION	ESTIMATED
State Funds - 19 V.S.A. Section 306(a):	
Class 1 \$11,947.73 (6.637)	\$79,300.00
Class 2 \$4,389.36 (6.640)	\$29,100.00
Class 3 \$1,630.55 (22.950)	\$37,400.00
Town Tax Funds – 19 V.S.A. Section 307	\$1,390,678.00
Special Funds (e.g., bonds or earmarks):	
a. Paving-Reconstruction	\$264,000.00
b. St Capital Design-Equipment	\$240,000.00
c. Main St Maint.-Bridge & Culvert	\$35,000.00
TOTAL	\$2,075,478.00

EXPENSES

DESCRIPTION	ESTIMATED
Winter Maintenance	\$695,339.00
Non-Winter Maintenance	\$695,339.00
Major Construction Projects	
a. Special Funds	\$539,000.00
b. State Aid to Highway	\$
c. Off Set Funds	\$145,800.00
TOTAL	\$2,075,478.00

Comments:

This form shall be signed by the appropriate town officials and forwarded to the District Transportation Administrator.

Memo

March 20, 2023

To: Newport City Council
From: Frank Cheney Zoning Administrator
RE: Notice of Public Meeting

Dear City Council Members,

The Newport Planning Commission is requesting that the Newport City Council approve the scheduling of a publicly warned hearing on April 17, 2023, at 6:00 p.m. to consider a proposed Interim amendment to the Newport City Zoning Bylaws.

The purpose of the Interim Bylaw is to clarify and expand the range of uses allowed on the ground floor of some downtown buildings where that use is currently limited to 'retail' while Newport undertakes and completes a comprehensive review and amendment of its Zoning & Subdivision Bylaws. The proposed Interim Bylaw will affect properties currently located within the Form 1 or Form 2 form-based code districts. The full text of the current bylaw and proposed Interim Bylaw is provided below:

Currently Adopted Bylaw

§210 Retail General Intentions

Retail is required on the ground level at primary streets and to a lesser degree, on secondary street see specific BES §211. The inclusion of retail enlivens the street and creates a purpose for pedestrians to make use of the streets. Unless otherwise noted, retail is an inclusive phrase that encompasses consumer comparison - goods, general merchandise, apparel, furnishings and other types of similar merchandise, convenience goods, food/deli, gifts, drugstore items, cards/stationary, business services, restaurants, grocery stores, lodging, hotel, theater, and other uses that provide visual interest and create an active street life.

Retail types:

Retail 1: Uses that provide for direct exchange of goods/commodities with the consumer and or venues that provide entertainment or leisure activities. Generally, Retail 1 promotes high walk-in customer counts, or are shopping destinations. Retail 1 includes stores, restaurants, barber shops, beauty salons, theater/ entertainment venues and hotel lobbies.

Retail 2: Uses that provide business/professional services. Generally, Retail 2 provides essential services that are not typically high-volume foot traffic. All direct to consumer goods and services (retail) are divided into these two categories/types. Unless otherwise noted, in BES all ground floor retail refers to definition #1: Retail 1. When Retail 1 is required on ground level. Retail 2 is allowed on all levels above ground floor.

Proposed Interim Bylaw

§210 Active Ground Floor Use

Active ground floor uses are required in the story at sidewalk level on primary streets and, to a lesser degree on secondary streets as specified in BES §211. Active ground floor uses include any retail, dining (including drinking establishments), lodging, service (including government, professional, financial, healthcare, personal and social service uses), recreation, arts or entertainment uses that regularly generate pedestrian traffic from customers or clients and contribute to an active street life.

Where a use will be in a building with storefront windows, those window openings must be retained in a manner that enlivens the street with merchandise displays or views into an active interior space (this will not be interpreted to prevent use of interior window blinds or curtains as needed to filter light or provide privacy). Fully or partially filling in ground floor window openings will only be permitted if necessary to meet fire safety code or access requirements.

Where an active ground floor use is maintained along the street frontage for a depth into the building of at least 30 feet, interior ground floor space may be converted to a non-active, non-residential use.

All references to retail, Retail 1, and Retail 2 in any of the charts and diagrams in §211 will be interpreted to refer to active ground floor use in accordance with this section.

I have attached a copy of a draft Public Meeting Notice for your convenience. Please feel free to contact me anytime if you require additional information relevant to the proposed bylaw amendment. Thank you for your consideration.

Frank Cheney Zoning Administrator

CC: Laura Dolgin City Manager

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

City Of Newport

Notice Of Public Hearing- Zoning Bylaw Amendment

Notice is hereby given to the residents of Newport, Vermont that the Newport City Council will hold a public hearing in the Newport City Council Room on Monday, April 17, 2023, at 6:00 p.m. The hearing will be held for public review and comment on a proposed Interim amendment of the Newport City Zoning Bylaws, pursuant to Title 24 VSA, Chapter 117.

The purpose of the Interim Bylaw is to clarify and expand the range of uses allowed on the ground floor of some downtown buildings where that use is currently limited to 'retail' while Newport undertakes and completes a comprehensive review and amendment of its Zoning & Subdivision Bylaws. The proposed Interim Bylaw will affect properties currently within the Form 1 or Form 2 form-based code districts. The full text of the proposed Interim Bylaw is provided below:

Proposed Interim Bylaw

Strike §210 Retail General Intentions in its entirety and replace with:

§210 Active Ground Floor Use

Active ground floor uses are required in the story at sidewalk level on primary streets and, to a lesser degree on secondary streets as specified in BES §211. Active ground floor uses include any retail, dining (including drinking establishments), lodging, service (including government, professional, financial, healthcare, personal and social service uses), recreation, arts or entertainment uses that regularly generate pedestrian traffic from customers or clients and contribute to an active street life.

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Disaster Money

Continued from Page 1

The Major Disaster declaration allows municipalities and qualifying non-profits like public utilities in those counties to receive 75 percent federal reimbursement for storm response and recovery.

Those costs include power restoration for municipal utilities, repairs to public roads, bridges, and other infrastructure that was damaged during the storm, as well as removal of debris from public rights of way.

"I'm thankful that President Biden has approved our request and appreciate the continued support and collaboration of our Congressional Delegation," said Governor Scott. "This storm was particularly difficult, occurring in the heart of the holiday season, and I'm so grateful to all our public servants, first responders, utility crews and more for their hard work to keep Vermonters safe."

"It is good news for Vermont that President Biden has approved the federal funding and support we need to recover from December's storm," said Sen. Sanders. "I very much appreciate the work of Governor Scott's team and local emergency managers to keep Vermonters safe during the storm, and the efforts of our local utilities and line workers through the holidays to get people's power back on. The reality is, dangerous and costly storms like this are becoming more common because of climate change. I will continue to push for meaningful steps to address the existential threat of climate change in the Senate, while also ensuring sufficient federal funding is available when we need it to recover and rebuild."

"This storm did serious damage across Vermont during the holiday season, and we couldn't have made it through without the dedicated emergency responders who kept our communities safe," said Sen. Welch. "From utility workers to public safety officials, so many folks played a role in protecting Vermonters and mitigating damage from the storm. I'm grateful to everyone who worked around the clock on the ground and to the Biden Administration for streamlining these funds as we work to rebuild stronger and more resilient."

"Destructive weather patterns due to climate change are unfortunately becoming the norm. To prevent and recover from these kinds of disasters it's critical we take action to confront the causes of climate change while providing necessary funding to address its effects. I'm grateful for President Biden's support in helping to rebuild our communities following last year's devastating winter storms. The Congressional Delegation will continue to work alongside the Governor and our state's first responders to keep Vermonters safe and our communities resilient," said Rep. Becca Balint.

The Public Assistance disaster declaration also includes funds from the federal Hazard Mitigation Grant Program (HMGP). The program provides funds for any Vermont city or town to make improvements to roads, riverbeds, and other projects to increase the resilience to flooding and other hazards in a particular area.

Municipal leaders in Chittenden, Essex, Franklin, Grand Isle, Lamolle, Orange, Orleans and Washington Counties can begin the process to apply for reimbursement for damages incurred in the storm by attending an upcoming applicant briefing, which will outline the requirements for receiving federal awards and maximizing eligibility of repairs. The dates and locations of those meetings are listed below. All are in person.

- Tuesday, March 28, 10 a.m.: Vermont Electric Co-Op, 42 Wescom Road, Johnson
- Wednesday, March 29, 10 a.m.: Vermont Department of Public Safety, 45 State Drive, Waterbury — A VIRTUAL OPTION WILL ALSO BE OFFERED FOR THIS SESSION (details will be listed at www.vermont.gov)
- Thursday, March 30, 10 a.m.: Washington Electric Co-Op, 1 Kelson Road, East Montpelier

Information on the Public Assistance program and how municipalities can apply is available at: <http://vem.vermont.gov/funding/pa>.

1 Million March in France, Unions Call New Pension Protests

PARIS (AP) — French unions called for new nationwide strikes and protests next week, coinciding with King Charles III's planned visit to France, after more than 1 million people demonstrated throughout the country Thursday against unpopular pension reforms.

The Interior Ministry said the march in Paris — marred by violence, as were numerous marches elsewhere — drew 119,000 people which was a record for the capital during the pension protests. Polls show that most French oppose President Emmanuel Macron's bill to increase the retirement age from 62 to 64, which he says is necessary to keep the system afloat.

Building on the strong turnout, unions swiftly called for new protests and strikes on Tuesday when the British king is scheduled to visit Bordeaux on the second day of his trip to France. The heavy wooden door of the elegant Bordeaux City Hall was set afire and quickly destroyed Thursday evening by a members of an unauthorized demonstration, the Sud Ouest newspaper said.

Nationwide, more than a million people joined protest marches held in cities and towns around the country Thursday, the ministry said.

Interior Minister Gerald Darmanin, visiting police headquarters Thursday night as fires still burned in some Paris neighborhoods, gave assurance that security "poses no problem" and the British monarch will be "welcomed and welcomed well."

He said there was "enormous degrading" of public buildings and commerce Thursday, "far more important than in precedent demonstrations."

"There are troublemakers, often extreme left, who want to take down the state and kill police and ultimately take over the institutions," the minister said.

The demonstrations were held a day after Macron further angered his critics by standing strong on the retirement bill that his government forced through parliament without a vote.

"While the (president) tries to turn the page, this social and union movement ... confirms the determination of the world of workers and youth to obtain the withdrawal of the reform," the eight unions organizing protests said in a statement. It called

for localized action this weekend and new nationwide strikes and protests Tuesday.

Strikes upended travel as protesters blockaded train stations, Charles de Gaulle Airport in Paris, refineries and ports.

In Paris, street battles between police and black-clad, masked groups who attacked at least two fast food restaurants, a supermarket and a bank reflected intensifying violence and drew attention away from the tens of thousands of peaceful marchers.

Police, pelted by Molotov cocktails, objects and fireworks, charged multiple times and used tear gas to disperse rioters. A haze of tear gas fumes covered part of the Place de l'Opera, where demonstrators converged at the march's end. Darmanin said radicals numbered some 1,500.

Violence marred other marches, notably in the western cities of Nantes, Rennes and Lorient — where an administrative building was attacked and the courtyard of the police station was set afire and its windows broken — and in Lyon, in the southeast.

Thursday's nationwide protests were the ninth union-organized demonstrations since January, when opponents still hoped that parliament would reject Macron's measure to raise the retirement age. But the government forced it through using a special constitutional measure.

In an interview Wednesday, Macron refused to budge from his position that a new law is necessary to keep retirement coffers funded. Opponents proposed other solutions, including higher taxes on the wealthy or companies, which Macron says would hurt the economy. He insisted the government's bill to raise the retirement age must be implemented by the end of the year.

The Constitutional Council must now approve the measure.

Manhattan DA Rejects GOP Demand for Info on Trump Case

WASHINGTON (AP) — The Manhattan district attorney investigating Donald Trump rebuffed House Republicans' request Thursday for documents and testimony about the case, dismissing it as an "unprecedented inquiry" with no legitimate basis.

In a letter obtained by The Associated Press, the general counsel for Manhattan District Attorney Alvin Bragg slammed the congressional request as "an unlawful incursion into New York's sovereignty."

"The Letter only came after Donald Trump created a false expectation that he would be arrested the next day and his lawyers reportedly urged you to intervene," Leslie Dubeck wrote in the letter. "Neither fact is a legitimate basis for congressional inquiry."

The Republican chairmen of three House committees on Monday sent a letter to Bragg seeking information about his actions in the Trump case. The Republicans criticized the grand jury investigation as an "unprecedented abuse of prosecutorial authority."

The chairmen requested testimony as well as documents and copies of any communications with the Justice Department to be turned over by Thursday. The request came as Republicans in the House quickly rallied around the former president as a grand jury in New York weighs whether to bring an indictment against him.

"If a grand jury brings charges against Donald Trump, the DA's Office will have an obligation, as in every case, to provide a significant amount of discovery from its files to the defendant so that he may prepare a defense," Dubeck wrote.

The five-page response from Bragg's office provides a rare insight into what has remained a secret grand jury process, marking one of the first public acknowledgments that there is a sitting grand jury currently investigating Trump. The DA's office has adhered closely to centuries-old rules that have kept grand juries under wraps to protect the reputations of people who end up not being charged and to encourage reluctant witnesses to testify.

Albany

Continued from Page 1

Mason said that come to find out, the road department operates their radios off their private channel, which he said is all well and good, but he prefers they operate their radios on scan mode so they can hear what the fire department is doing or if the fire department needs to get ahold of them.

"The problem is, if they are constantly dedicated to their private channel, you're not going to be able to talk to them on the scan channel," Mason told Pilbin. If the road department used scan, it could hear the fire department and could also hear other communications as well, he explained.

Mason also said he talked to Horner and discovered the road department was having issues with some of the channels in the scan bank, and they needed to get help to resolve the issue, which Mason provided.

"Hopefully moving forward, it's no longer an issue," he said. "The road department is also apparently having issues with the town road grader."

"We don't know what is going on for sure yet, but it's not good," said Goodridge. He said they could rent something until their grader is fixed. "We need to do something."

The selectboard also learned that the town is eligible for grant opportunities for town hall upgrades. Ed O'Leary from the Albany Planning Commission said that through Northeastern Vermont Development Association (NVDA), they found out there are two grant opportunities they could qualify for. The money is coming from the Vermont Building and General Services (BGS) budget. The first grant is for \$4,000. O'Leary said the town could use the funds to maybe get assistance to help with an overall energy efficiency update. The second is for a free energy audit. Neither grant would require a match, he said. O'Leary said the planning commission wanted to see if the selectboard was okay with them pursuing the grants.

"We think we should do the energy audit first to find out exactly where the building is in terms of energy needs," O'Leary told the selectboard. "Then you use the other one to start to implement those."

The town is also having someone identify other repairs the building needs, including looking for someone to paint the town hall.

There will be a PUBLIC HEARING before the Derby Development Review Board on Monday, April 10, 2023, at 6:00 p.m. at the Municipal Building, 124 Main Street, Derby Center to consider the following:

AGENDA

If you choose to participate remotely:
By Phone: dial 1-717-275-8940 and enter PIN: 5266671 #
By Video Conference:
<https://hello.freconferenc.com/conf/call/5266671>

CALL MEETING TO ORDER: 6:00 P.M.

APPROVE MINUTES:

PUBLIC COMMENT:

NEW BUSINESS:

Application 23-023 by Beverly Kilby, PIN #TRD33002114T, for conditional use approval for an 8 ft by 20 ft storage container. This property is located at 153 Christian Road and is in the Rural Residential (RR) district.

OTHER BUSINESS:

ADJOURNMENT:

Plans, application materials, and information related to the items above are available from the Zoning Administrator. Call 802-766-2017 or email dcbyzra@derbyvt.org for information.

PUBLIC PARTICIPATION IS WELCOMED AND ENCOURAGED

Dave LaBelle, Chair



City of Newport

Notice Of Public Hearing- Zoning Bylaw Amendment

Notice is hereby given to the residents of Newport, Vermont that the Newport City Council will hold a public hearing in the Newport City Council Room on Monday, April 17, 2023, at 6:00 a.m. The hearing will be held for public review and comment on a proposed Interim amendment of the Newport City Zoning Bylaws, pursuant to Title 24 VSA, Chapter 117.

The purpose of the Interim Bylaw is to clarify and expand the range of uses allowed on the ground floor of some downtown buildings where that use is currently limited to 'retail' while Newport undertakes and completes a comprehensive review and amendment of its Zoning & Subdivision Bylaws. The proposed Interim Bylaw will affect properties currently within the Form 1 or Form 2 form-based code districts. The full text of the proposed Interim Bylaw is provided below:

Proposed Interim Bylaw

Strike §210 Retail General Intentions in its entirety and replace with:

§210 Active Ground Floor Use

Active ground floor uses are required in the story at sidewalk level on primary streets and, to a lesser degree on secondary streets as specified in BES §211. Active ground floor uses include any retail, dining (including drinking establishments), lodging, service (including government, professional, financial, healthcare, personal and social service uses), recreation, arts or entertainment uses that regularly generate pedestrian traffic from customers or clients and contribute to an active street life.

Where a use will be in a building with storefront windows, those window openings must be retained in a manner that enlivens the street with merchandise displays or views into an active interior space (this will not be interpreted to prevent use of interior window blinds or curtains as needed to filter light or provide privacy). Fully or partially filling in ground floor window openings will only be permitted if necessary to meet fire safety code or access requirements. Where an active ground floor use is maintained along the street frontage for a depth into the building of at least 30 feet, interior ground floor space may be converted to a non-active, non-residential use.

All references to retail, Retail 1, and Retail 2 in any of the charts and diagrams in §211 will be interpreted to refer to active ground floor use in accordance with this section.

**RESOLUTION FOR ANNUAL APPOINTMENT OF A REPRESENTATIVE TO THE
NEK BROADBAND GOVERNING BOARD**

WHEREAS, the Town of _____ is a current member of the NEK COMMUNITY BROADBAND COMMUNICATIONS UNION DISTRICT (The "District", or "NEK Broadband") under the provisions of 30 V.S.A. Chapter 82 and

WHEREAS, as provided in Section 3059 of said chapter, the legislative body or 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,

NOW, THEREFORE, BE IT RESOLVED THAT:

(1) The Selectboard of the Town of _____ hereby appoints the following representative and one or more alternates to the Governing Board of NEK Broadband for terms of one year each:

Representative: _____
Email address: _____ Phone _____

Alternate 1: _____
Email address: _____ Phone _____

Alternate 2: _____
Email address: _____ Phone _____

Adopted at a regular meeting of the Selectboard of the Town of _____ duly held on the _____ day of _____, 20_____.

ATTEST: _____
Selectboard Chair Date

Chair Email address: _____ Phone _____

Town Clerk Date
Email address: _____ Phone _____



Revised Governing Board Responsibilities

- Attend Meetings
 - At least one representative from each member town must be present at each governing board meeting.
 - All primary and alternate board members are welcome and encouraged to attend all meetings.
 - If governing board members are unable to attend a board meeting, we encourage you to review the videos found in the appropriate month's meeting folder within the [governing board drive](#).
 - Representatives from each member town are encouraged to meet regularly to discuss local issues as related to NEK Broadband.

- Stay Informed
 - Sign a confidentiality agreement and an annual conflict of interest statement
 - Read board meeting information, including agendas, minutes, reports (Director, Communications, Treasurer, Operations), budgets, and other supplemented documentation prior to each meeting.
 - Familiarize yourself with NEK Broadband web sites nekbroadband.org (our organizational and informational website) and get.nekbroadband.org (our Crowdfiber site where interested parties can sign up for updates, get on our newsletter list, and see if service is available in their neighborhood).
 - Understand & effectively communicate our mission, pricing, and service strategies
 - Take care to ensure that confidential information is not shared outside of board members as this can have a negative impact on our success

- Bring your personal expertise to the board
 - Join & contribute to Committees and Working Groups
 - Vote on Strategic Plans
 - Digest & offer feedback on strategic plans and options

- Engage your community
 - Understand & effectively communicate our mission, our pricing, and service strategies to others in your community and surrounding communities
 - Encourage those on your email lists to also register at get.nekbroadband.org
 - Work with your community and NEK Broadband to find ways to gather information about the actual condition of broadband in order to update erroneous state and federal information that impacts NEK Broadband's grant funding
 - Work with your community and NEK Broadband to develop interest within the community

- Be familiar with Governing Board responsibilities assigned in the Bylaws. The matters reserved to the Governing Board include the power to
 - Amend the Articles of Incorporation and Bylaws;
 - Set the budget;



- Make any amendments to the budget exceeding the major purchase limits approved in the Procurement Policy;
 - Employ or terminate the Administrator (Executive Director) of the District;
 - make major structural decisions, such as decisions that change the way the organization is going to operate, major staffing changes, or vendor partnerships that would take on substantial work on behalf of the CUD.
 - All completed action by the Executive Committee shall be reported for discussion to the Governing Board at its next meeting succeeding such action. At that meeting, the Governing Board shall affirm receipt and confirm no revision or alteration to such report, or append comments. The actions shall be subject to revisions or alterations by the Governing Board, provided that no acts or rights of third parties shall be affected by any such revision or alteration.
- **General Board Responsibilities**
 - Make it a priority to promote the mission and importance of the organization whenever appropriate/possible. Whether it be during casual conversation, at a local event, or when called upon by the organization, board members should be ready to deliver a targeted pitch that highlights the NEK Broadband mission, impact, and path for growth in a way that will speak to, inspire, and engage their audience.
 - Act as a liaison. Board members should engage personal and professional networks in an effort to support NEK Broadband. By doing so, board members can help operationally, recruit staff, and/or cultivate potential future board members.
 - Duty of Care: Take care of NEK Broadband by ensuring prudent use of all assets, including people, facilities, and good will.
 - Duty of Loyalty: Ensure that NEK Broadband activities and transactions are, first and foremost, advancing its mission; Recognize and disclose Conflicts of interest; Make decisions that are in the best interest of NEK Broadband and their community; and not in the best interest of the individual board member (or any other individual or for-profit entity).
 - Duty of Obedience: Ensure that NEK Broadband obeys applicable laws and regulations (including VT Open Meeting Laws); follows its own bylaws; and that NEK Broadband adheres to its stated corporate purposes and mission.