

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, May 15, 2023 beginning at 6:30 p.m.
Newport City Council Room

Google Meet joining info
Video call link: <https://meet.google.com/kgj-inwx-vgx>
Or dial: (US) +1 240-532-3933 PIN: 279 868 698#

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 May 1, 2023, and the May 9, 2023 Special Meeting Minutes
3. Comments by Members of the Public
4. Permission to Install a Plaque for a Family Member: Amy Gillespie, VOTE
5. NCIC Grant Contract Continuation of Services: Mike Welch, Senior Project Manager, VOTE
6. Memphremagog Community Maritime Presentation and Possible Second Floor Lease: Felicia Updyke & Doug Couttes, Possible VOTE
7. Planning Commission Appointment: VOTE
8. Delinquent Tax Collector Appointment: VOTE
9. Annual Local Emergency Management Plan (LEMP) Acceptance: Chief John Harlamert, VOTE
10. Water and Sewer Rate Adjustment: VOTE
11. Mayor's Update
12. New Business
13. Old Business
14. Set next meeting: Regularly Scheduled Council Meeting: June 5, 2023 @ 6:00 pm for a Public Hearing on the Capital Investment Plan, with the Regularly Scheduled Council meeting to immediately follow.
15. Executive Session to discuss Executive Session for Attorney-Client Communications,(1 VSA 313(a)(1), and Executive Session to Discuss the Appointment of a Public Officer or Employee, 1 VSA (3)(a)(3)
16. Adjourn

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

May 1, 2023

A duly warned meeting of the Newport City Council was held on Monday, May 1, 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, Public Works Director Tom Bernier, Recreation Director Mike Brown, Fire Chief John Harlamert, Police Chief Travis Bingham, Zoning Administrator Francis Cheney, Programs Administrator Rebecca Therrien, Asst. Clerk/Treasurer Stacey Therrien, Members of the Press and Public.

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

Approval of Minutes

Mr. Wilson moved to approve the minutes of April 17, 2023. Seconded by Mr. Vachon, motion carried unanimously.

Mr. Vachon moved to approve the minutes of April 24, 2023. Seconded by Mr. Curtis, the motion was carried unanimously.

Comments by the Public

Pam Ladds, Anne Chiarello, Jennifer Bjurling and Jennifer Hopkins commented on the proposed sewer/water rates.

Water and Sewer Rates Presentation

Stacey Therrien and Rebecca Therrien presented the sewer/water rates. (attached)

Appointment to the DRB

Mr. Wilson moved to appoint Denis Chenette as an alternate to the DRB. Seconded by Mr. Charboneau, the motion carried unanimously.

Capital Improvement Plan Presentation (attached)

Mr. Vachon moved to schedule public hearings on the plan for June 5, 2023, at 6:00 pm and July 10, 2023, at 6:00 pm. Seconded by Mr. Curtis, motion carried unanimously.

New Business

Mr. Charboneau moved to approve a vendors permit for Rhonda Quirion. Seconded by Mr. Vachon, motion carried unanimously.

Mayor Barnes noted she had met with the Mayor of Winooski and Ernie Pomerleau. Greenup Day is May 6, 2023, a hike with the Mayor at Bluff Side Farms is also on May 6, 2023, and keys were found on Elm St.

Old Business

None

Next Meeting Date

May 15, 2023

Executive Session to Discuss the Appointment of a Public Officer or Employee, 1 VSA (3)(a)(3)

Mr. Vachon moved to enter executive session. Seconded by Mr. Wilson, motion carried unanimously.

In open session Mr. Curtis moved to appoint Francis Cheney III to take on additional duties of Assessor, with assessor authority beginning May 15, 2023. Seconded by Mr. Vachon, motion carried unanimously.

Adjournment

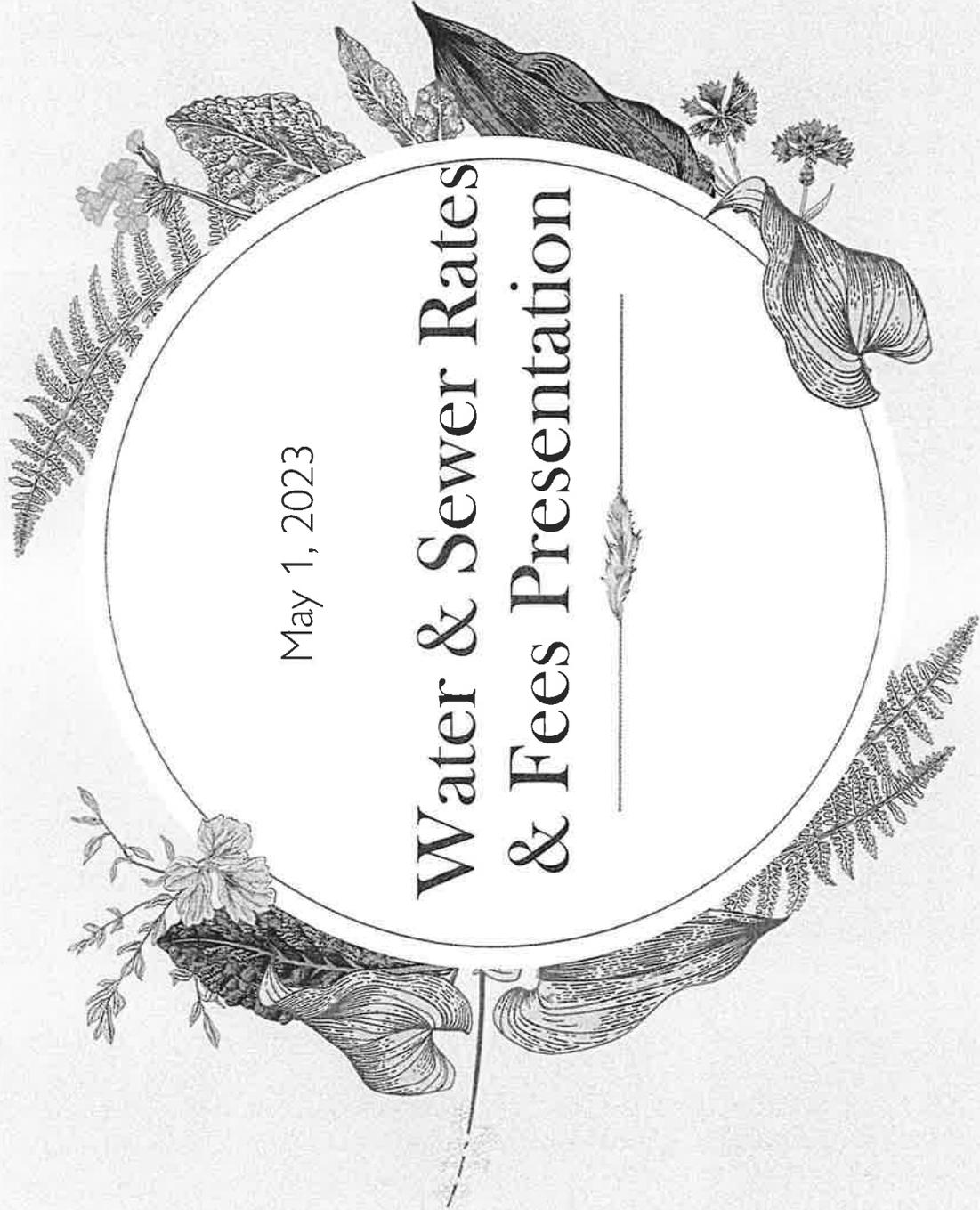
Mr. Charboneau moved to adjourn at 8:12 PM. Seconded by Mr. Wilson, motion carried unanimously.

Attested _____ this _____ day of _____, 2023.

_____ Mayor

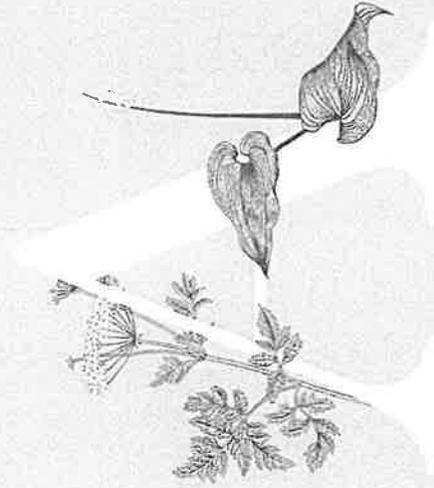
May 1, 2023

Water & Sewer Rates & Fees Presentation



Agenda

- Water/Sewer Current Status
- How We Got Here
- Solution - Improvements
- Timeline
- Summary – Meter Installations
- Council Questions





Current Status

- Although the rates were scheduled for an increase in 2019/2020, the City was reluctant to raise water and sewer rates during the pandemic because the country was facing unprecedented financial challenges.
- The City attempted to increase the rates in 2022 after the intensity of the pandemic subsided. The proposal never made it to a vote. Today, the enterprise funds are facing dire financial consequences as a result.
- Loss of Leachate in 2019 = need to make up \$180,000 per year



How We Got Here

- Out of 1788 Accounts, 969 meters are installed, leaving 819 left. As meters get installed, revenues go down.
 - The pandemic interfered with our ability to recommend an adjustment in 2020
 - Failure to adjust in 2022
 - Sewer loss in 2022 was \$378,456. (70%)
 - Water loss in 2022 was \$163,130 = **\$541,586**. (30%) (2022 Audit Page 8)
 - Best Case Scenario is small incremental increases. Unfortunately, that opportunity is gone.
 - This year requires an immediate correction.
- Upcoming Necessary Projects:
- Water Tower
 - Gardner Park Syphon Project
 - Sias Ave Waterline Upgrade
 - Bluff Road Pump Station Upgrade
 - Combined Sewer Overflow for Storm Water Mandates
 - Road Reconstruction replaces aging water and sewer infrastructure.

Keep in Mind

- An enterprise fund is a self-supporting government fund that sells goods and services to the public for a fee. An enterprise fund uses the same accounting framework as Generally Accepted Accounting Practices (GAAP).
- Must do something now or the loss will be greater. Making up for the loss of the leachate in 2019 has compounded the matter. The leachate revenues kept the rates down for years.
- Water & Sewer Ratepayers and Property taxpayers may not be the same.
- 26% of the grand list meets the definition of tax exemption so they do not pay taxes. Out of this 26%, all pay water and sewer rates.
- Newport City pays fees to Derby Village for the use of water on the Derby Road.
- Although some existing sewer debt service will get paid off over the next 2 years, more debt is coming with needed maintenance and repairs. The water tower is expected to be a \$20 per quarter increase once the loan is activated.



Solution

An immediate substantial increase with others to follow soon thereafter. Flat fees will be rounded to the nearest dollar.

Timeline

A change to the current ordinance will take affect 60 days after the commissioner's vote. If the commissioners vote in May, the December 2023 billing will reflect the new rates. Another similar adjustment will be needed as soon as possible to take affect in 2024.





Meter Installations

- The Council ordered that all meters be installed by 2027 for water efficiency and to identify leaks in the system.
- As more meters get installed, revenues will go down. As revenues go down, rates need to increase.
- Rate increases need to happen to correct the current deficit and then stay on par with revenue reductions and new debt.
- How do the Commissioners wish to incentivize meter installation?





Council Questions and Ideas?





**Will the
Council
Vote on May
15, 2023?**



If so, questions from the public should be submitted in writing to the city manager no later than May 9 in preparation of the May 15 Council Meeting when questions from the public will be taken. This will give us time to prepare.



**Newport City Five Year Capital Investment Plan
City of Newport, Vt.
2022 - 2027**

Public Hearing # 1 June 5, 2023

Public Hearing #2 July 10, 2023

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

_____2023.

Mayor Beth Barnes

John Wilson, Council President

Kevin Charboneau

Chris Vachon

Clark Curtis

Table of Contents

Newport City Five Year Capital Budget Program Introduction.....	2
Definitions.....	3
Funding Sources for the Capital Budget Program.....	3
Capital Program Descriptions and Justifications.....	4
Enterprise Funds Capital Program.....	13

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 (88 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 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, June 5, 2023, at 6:30 p.m., and the second Public Hearing will be held on Monday, July 10, 2023, 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.

The Waterfront & Downtown Master Plan is a multi-year plan targeting the waterfront, various main intersections, and Main St. Improvements. 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. While grants can be labor intensive, often the cost 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 review of needs, the availability of funding, or other circumstances which cannot be predicted with any certainty 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 based on the council approved rates and fees structure.
- F. Fundraiser - Capital projects, such as the Gardner Park Playground 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 Main Street was completed in FY21. The street resurface project was part of the intersection rebuild project at Main St., Field Ave., and Second St.

Vehicles and Equipment

We continuously rotate our fleet of vehicles and equipment when the maintenance becomes cost prohibitive. The City seeks vehicle and equipment grant funding wherever possible and appropriate to offset taxpayer expenses. We extend the life of our equipment by practicing proper maintenance and care. Our replacement cycle for our large dump trucks sometimes stretches 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, maintenance, city beautification, and user experience is a high priority for the City Council. Recent operational restructuring has invigorated facility maintenance and improvements at Prouty Beach, the Waterfront, Pomerleau Park, and Gardner Park. The plan for improving the Gardner Park Playground area, skate shack and skating rink, the ball fields, lighting, and dugouts are ongoing and substantiates our efforts to support the Outdoor Recreational Economy. The completion of Newport's City's Waterfront and Recreation Trail is the impetus for new and exciting public and private collaborations that take advantage of the City as a sought after destination. Now it is time for our infrastructure to meet the expectations of visitors and locals through wayfinding signage and other amenities that compliment a growing tourism economy.

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 common theme of recent grant applications is to support infrastructure improvements for the purpose of reinventing the city to highlight and take advantage of our outdoor recreational assets. The recently expired RCDI grant provided professional grant writers, administrative support to see the grant through to completion, and assisted with proper and timely record keeping and accountability. The RCDI grant expired in late 2022. Continuity of these grant writing services is critical for the City to continue to evolve.

Long Range Capital Improvement Program Street Reconstruction/Resurfacing

Fiscal Year	Street	Description	Cost
2023-2024	Paving Estimates @ \$87Ton		
	<u>Committed Fund Balance</u>		<u>\$154,347</u>
	Prospect Street	2½ Inch Base @ 645T	56,115
	Green Place	1 ½ Inch Overlay @ 40T	3,480
	Eastern Avenue	2½ Inch Base @ 197T	17,139
	Central Street	1 ½ Inch Overlay @ 172T	14,964
	East Main Street	1 ½ Inch Overlay @ 2600T	230,000
	Pleasant and Coventry	1 ½ Inch Overlay @ 1500T	<u>130,500</u>
			\$452,198
	2024-2025	Paving Estimates @ \$87Ton	
Prospect Street		1½ Inch Top @ 645T	56,115
Eastern Avenue		1½ Inch Base @ 197T	17,139
Outlook Street		1 ½ Inch Overlay @ 90T	7,830
Summer Street		1 ½ Inch Overlay @ 88T	7,656
Winter Street		1 ½ Inch Overlay @ 132T	11,484
Second Street		2½ Inch Base @ 417T	36,279
Hillside Street		2½ Inch Base @ 216T	18,792
Gardner Park Road		1 ½ Inch Overlay @ 300T	26,100
Glen Road-1 st Mile Section		2 Inch Overlay @ 2400T	<u>53,605</u>
			\$235,000
Gardner Park Sidewalks		1425'x5'x5" 132c.y. @170	22,240
East Main Street Retaining Wall			70,000
Reconstruction Expenses		Pavement Planning/Gravel Stone/Fill	\$35,000
ST. Capital Design Projects			<u>\$80,000</u>
Total		\$442,240	
2025-2026	Paving Estimates @ \$88Ton		
	Glen Road-1 st Mile Section	2 Inch Overlay	\$240,000
	Misc. Expenses	Pavement Planning/Gravel	

	Stone/Fill	\$35,000
	East Main Street Retaining Wall	70,000
	ST. Capital Design Projects	<u>\$100,000</u>
	Total	\$445,000

2026-2027 Paving Estimates @ \$89Ton

Sias Avenue	2 ½ Inch Base @ 1120T	99,680
Farrant Street	1 ½ Inch Overlay 352T	31,328
Scottsdale Drive	1 ½ Inch Overlay @ 246T	21,894
Colodny Terrace	1 ½ Inch Overlay @ 40T	3,560
Bluff Rd.	2 ½ Inch Base @ 1100T	<u>97,900</u>
		\$254,362
Misc. Expenses	Crack sealing/Gravel Stone/Fill, Concrete	40,000
	ST. Capital Design Projects	<u>\$150,638</u>
	Total	\$445,000

2027-2028 Paving Estimates @ \$90Ton

Lake Road 1 st half	1 ½ Inch Overlay @ 2840T	255,600
West Main Street	2 ½ Inch Base @ 1120T	<u>100,800</u>
		\$340,560
Misc. Expenses	Crack sealing/Gravel Stone/Fill, Concrete	40,000
	ST. Capital Design Projects	<u>\$69,440</u>
	Total	\$450,000

2028-2029 Paving Estimates @ \$91Ton

Lake Road 2 nd half	1 ½ Inch Overlay @ 2840T	258,440
West Main Street	1 ½ Inch Top @ 725T	65,975
Freeman St.	1 ½ Inch Overlay @ 205T	18,655
Veterans Avenue	1 ½ Inch Overlay @ 305T	<u>27,755</u>
		\$370,825
Misc. Expenses	Crack sealing/Gravel Stone/Fill, Concrete	40,000
	ST. Capital Design Projects	<u>\$39,175</u>
	Total	\$450,000

Grand Total: \$2,684,438

**Long Range Capital Improvement Program
Vehicle Replacement Schedule
2023-2024 2027-2028**

<u>Fiscal Year</u>	<u>Equipment Description</u>	<u>Replacement Cost</u>
22-23	Assigned Funds	51,446.90

	22/23 Budget	154,346
	2011 #7 Freightliner M2 on Order	<u>-185,310</u>
	Remaining	\$22,482.90
23-24	Remaining	22,482.90
	2015 #30 & 31 John Deere L3560HSTC & Plows	120,000
	2015 #10 Freightliner M2 1 st Installment	<u>62,482.90</u>
		\$160,000
24-25	2015 #10 Freightliner M2 2 nd Installment	130,000
	2001 #21 Caterpillar Grader 1 st Installment	<u>40,000</u>
		\$170,000
25-26	2001 #21 Caterpillar Grader 2 nd Installment	20,000
	2016 #16 International 4300 1 st Installment	100,000
	2012 #14 Freightliner/Vactor 1 st Installment	<u>60,000</u>
		\$180,000
26-27	2001 #21 Caterpillar Grader 3 rd Installment	90,000
	2016 #16 International 4300 2 nd Installment	<u>90,000</u>
		\$180,000
27-28	2001 #21 Caterpillar Grader 4 th Installment	180,000
		\$180,000
<u>Total</u>	Capital Equipment Funds	\$870,000

Newport City Police Department

2023-2028

Police vehicles face unusual wear and tear and are replaced when mileage is very high or the vehicle becomes too expensive to maintain. 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 5 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 at all times. The Police Chief drives a 2018 Ford Explorer due to be replaced in 2023.

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 evolution of 24/7 dispatch service and added dispatch staff by adding 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 March 2022 we are dispatching for 19 area agencies within Orleans County.

This Capital Investment Plan considers a predictable incremental '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 these small 'set aside' increments are proactively planned in advance of an emergency.

The longevity of Bullet Proof Vests is five years according to the National Institute of Justice. The Capital Improvement Plan includes restocking the Department's inventory of bullet proof vests every five years at a cost of approximately \$20,000.00. Small predictable incremental amounts are set aside each year so that vest replacement can occur timely and without a surprise expense.

POLICE DEPARTMENT VEHICLE REPLACEMENT PLAN

FY 23-24	1 vehicle purchase + debt service	
	Total	\$50,000
FY 24-25	1 vehicle purchase + debt service	
	Total	\$50,000
FY 25-26	1 vehicle purchase + debt service	
	Total	\$50,000
FY 26-27	1 vehicle purchase + debt service	
	Total	\$50,000
FY 27-28	1 vehicle purchase + debt service	
	Total	<u>\$50,000</u>

TOTAL FIVE YEAR VEHICLE REPLACEMENT PLAN \$250,000

Police Dept Vehicle Inventory:
EQ 40 = Chief Vehicle
EQ 41 = K-9 Vehicle
EQ 42 = Patrol Vehicle
EQ 43 = Patrol Vehicle
EQ 44 = Patrol Vehicle
EQ 45 = Sergeant Vehicle

DISPATCH REPLACEMENT RESERVE FUND

FY 23-24	\$10,000
FY 24-25	\$10,000
FY 25-26	\$10,000
FY 26-27	\$10,000
FY 27-28	<u>\$10,000</u>

TOTAL FIVE YEAR DISPATCH REPLACEMENT RESERVE PLAN **\$50,000**

TECHNOLOGY RESERVE FUND

FY 23-24	\$10,000
FY 24-25	\$10,000
FY 25-26	\$10,000
FY 26-27	\$10,000
FY 27-28	<u>\$10,000</u>

TOTAL FIVE YEAR TECHNOLOGY RESERVE PLAN **\$50,000**

BULLETPROOF VEST REPLACEMENT FUND

FY 23-24	\$5,000
FY 24-25	\$5,000
FY 25-26	\$5,000
FY 26-27	\$5,000
FY 27-28	<u>\$5,000</u>

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

POLICE DEPT 5-YEAR CAPITAL INVESTMENT PLAN **\$375,000**

Proposed 5 Year Capital Plan

Recreation Department in Coordination with Public Works

Maintaining and enhancing our existing facilities and acquiring additional equipment to promote and encourage rural tourism account for the 5-year capital plan. This plan coincides with the Waterfront and Downtown Master Plan to enhance activities along the lake and bike path to promote tourism as well as providing for more outdoor activities for residents.

A systematic approach to capital budgeting has helped establish capital reserves for each facility and equipment purchase. 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, vehicle and equipment rotation are included in the capital reserve plan to ensure that equipment can be replaced or upgraded when items have reached the end of their lifespan. Below is a breakdown of annual expenses totaling \$78,000 for facility reserves and \$12,500 for vehicle and equipment.

Facility Reserves Annual Breakdown

Prouty Beach and Campground	\$10,000
Gardner Memorial Park	\$30,000
Newport City Dock	\$32,000
Gateway Building	<u>\$6,000</u>
TOTAL	\$78,000

Vehicle/Equipment Capital Reserves Annual Breakdown

Vehicles & Equipment	\$10,000
Event and program equipment	<u>\$2,500</u>
TOTAL	\$12,500

Gardner Park

Fiscal year 2023-2024 we will renovate the ice rink and ice shack which is a highly utilized asset, although in need of repair. We will take advantage of the waterfront area by looking into offering a small boat sailing pilot program for lessons to utilize the dock and inner bay. This will enhance outdoor activities, attract visitors, and provide a fresh new accessible way to take advantage of the lake. In addition, we are poised to start the playground and splash pad project once the corrective action plan is approved by VTDEC. We will install a propane heating system in the garage to allow for year round use.

Fiscal year 2024- 2025 We will continue with expanded waterfront improvements by installing a new dock system. We will also work on skate shack upgrades.

Fiscal Year 2025-26: Continued improvements to the ice rink by installing a steel roof to expand the skating season and protect the ice longer from winter warming trends.

Fiscal Year 26-27/ 27-28: Assess continued maintenance needs and keep up with general improvements.

Prouty Beach

Fiscal year 23-24: the Prouty Beach playground will undergo necessary upgrades and repairs. Continue expansion of permanent sites on the overflow field.

Fiscal year 24-25: Assess the need for a permanent bathroom/shower house in the primitive tent site area.

Fiscal year 25-26: Refurbish laundry room and bathrooms in main shower house building

Fiscal year 26-27, 27-28: assess continued maintenance needs and keep up with general improvements

Gateway Center/ Harbor

Fiscal year 2023-2024: upgrade stove and refrigerator in the first floor kitchen. Finish replacing exterior locks and door handles. On the docks, the power pedestals have arrived and installation is occurring this spring along with new decking where needed.

Fiscal year 24-25,25-26 general improvements reserving funds for rug replacement in the gateway center.

Fiscal year 26-27 interior rug replacement. We will investigate relocation of the fuel pier at the Newport City Dock and upgrade the fuel equipment and other improvements in alignment with the Waterfront and Downtown Master Plan.

**City of Newport Fire Department
2022-2028**

The Newport City Fire Department is made up of one full time Fire Chief and 25 volunteer firefighters with each volunteer holding a special firefighting designation. Our two Assistant Chiefs, two Captains, and two 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 25 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 23-24	Equipment for New Truck & Upgrade existing Equip and Paint Apparatus Bay	\$100,000.00
FY 24-25	Replacement Brush Truck	\$100,000.00
FY 25-26	Fire Chief Cruiser Replacement + Debt Service	\$ 50,000.00
FY 26-27	Replace Firefighter Bunker Gear	\$ 75,000.00
FY 27-28	Replace Aerial Ladder Truck	\$ 2,000,000.00
TOTAL:		\$2,325,000.00

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. Each summer brought astounding colors, landscaping, flower arrangements and the anecdotal uptick in city pride. The City is rapidly becoming known as a destination famous for our Botanical Garden as outlined in the Waterfront and Downtown Master Plan. As we continue to transform into a desirable destination, the endless spectacular gardens and annual arrangements provide 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.

23-24	Botanical Gardens Annuals/Perennials	\$ 10,000.00
	Green House	<u>\$ 5,000.00</u>
		\$ 20,000.00
24-25	Botanical Gardens Annuals/Perennials	\$ 10,000.00
	Streetscape Amenities	\$ 5,000.00
	Wayfinding Kiosk & info Center	<u>\$ 10,000.00</u>
		\$ 25,000.00
25-26	Botanical Gardens Annuals/Perennials	\$ 5,000.00

	Streetscape Amenities	<u>\$ 5,000.00</u>
	Waterfront Parking & Boatyard	\$ 5,000.00
		\$ 20,000.00
26-27	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
27028	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:	<u>\$125,000.00</u>

Newport Municipal Building

23-24	Municipal Building Sinking Fund (slate roof, ongoing brick facade maintenance & modernization)	\$10,000
24-25	Municipal Building Sinking Fund	10,000
25-26	Municipal Building Sinking Fund	10,000
26-27	Municipal Building Sinking Fund	10,000
	Vault Bond Debt Service	41,000
27-28	Municipal Building Sinking Fund	10,000
	Vault Bond Debt Service	<u>41,000</u>
	Total Five Year:	\$132,000

Enterprise Funds:

A major Water Fund capital expenditure to occur over the next 2 years is the voter approved construction of a new water tower on the east side of the city, funded through the one time ARPA funding and bonds. 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. The project includes a new storage tank and land acquisition, the work at the existing Palin Hill reservoir and water meters. Construction costs are increasing, and the water meters added an additional \$1,334,000. By including the water meters, the City qualifies for federal grants. 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 \$4,985,000, The new reservoir liner and cover will be replaced in June of 2023. As the city makes progress installing the 'free water meters' there will be less to borrow for this purpose.

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 existing water tower investment and water supply supply is being maintained at the highest quality. The water project has begun 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.

Long Range Capital Improvement Program Water/Sewer Infrastructure 2023-2024 2027-2028

<u>Fiscal Year</u>	<u>Street</u>	<u>Description</u>	<u>Cost</u>
2023-2024			
	Prospect Street	Sewer Main & Service Connections	20,000
	Eastern Avenue	Sewer Main & Service Connections	20,000
	Gardner Park	Pipe Lining	90000
	Sewer Siphon	Causeway	<u>60,000</u>
	Total	Sewer Infrastructure	\$190,000
2024-2025			
	Hillside Street	Sewer Main & Service Connections	30,000
	Sewer Siphon	Long Bridge – Sinking Fund	110,000
	Glen Road	Sewer Main & Service Connections	100,000
	Total	Sewer Infrastructure	\$240,000
	Hillside Street	Water Service Connections	40,000
		Sias Ave Water Engineering	20,000
		Sias Ave Water Project Fund	200,000
		1984 Water System Bond	<u>-41,850</u>
	Total	Water Infrastructure	\$218,150
2025-2026			
	Coventry Street	Sewer Main & Service Connections	120,000
	Bluff Road	Force Main Sinking Fund	120,000
	Gateway & Indian Head Pump Stations	Debt Service	<u>-41,885</u>

	Total	Sewer Infrastructure	\$198,115
		Coventry Street Water Main	60,000
		Sias Ave Water Project Fund	<u>160,000</u>
	Total	Water Infrastructure	\$220,000
2026-2027			
	Bluff Road	Force Main Sinking Fund	<u>200,000</u>
	Total	Sewer Infrastructure	\$200,000
	Coventry Street	Water Main & Service Connections	60,000
		Sias Ave Water Project Fund	<u>160,000</u>
	Total	Water Infrastructure	\$220,000
2027-2028			
		West Main Street Sewer System Fund	<u>200,000</u>
	Total	Sewer Infrastructure	\$200,000
		West Main Street Water Engineering	20,000
		West Main Street Water Project Fund	<u>200,000</u>
	Total	Water Infrastructure	\$220,000
	<u>Grand Total:</u>		
		Sewer Infrastructure	\$1,028,115
		Water Infrastructure	\$878,150

Special Council Meeting

Minutes

May 9, 2023

DRAFT

A duly warned meeting of the Newport city council was held on Tuesday, May 9, 2023, in the council room in the Newport Municipal Building. Present were Mayor Beth Barnes, Council President John Wilson, Council members Clark Curtis and Chris Vachon, City Manager Laura Dolgin, and City Clerk/Treasurer James D. Johnson. Council Member Kevin Charboneau was absent.

Mayor Barnes called the meeting to order at 3:30 PM.

Internal Discussion about the Appointment of a Public Officer 1 V.S.A. sec. 313(a)(3)

Mr. Curtis moved to enter executive session to discuss the appointment of a public officer 1 V.S.A. sec. 313 (a)(3), and to have the City Manager and City Clerk/Treasure present. Seconded by Mr. Wilson, motion carried.

In open session Mr. Wilson moved to authorize the City Manager to move forward with the proposal from Municipal Resources Inc. (MRI) for the purpose of City Manager transition and recruitment in an amount not to exceed \$10,000. Seconded by Mr. Vachon, motion carried.

Adjournment

Mr. Curtis moved to adjourn at 5:05 PM. Seconded by Mr. Vachon, motion carried.

Attested _____ this _____ Day of May 2023

Mayor

66 Main Street, Suite B
Plymouth, NH 03264

119 International Drive
Portsmouth, NH 03801



Telephone: (603) 279-0352
Toll Free: (866) 501-0352

all@mrigov.com
www.mrigov.com

PROFESSIONAL SERVICES PROPOSAL/AGREEMENT

I. PARTIES TO THE AGREEMENT

This Agreement, dated May 10, 2023, is to retain professional consulting services for the **City of Newport, Vermont (the Client)**, to be provided by **Municipal Resources, Inc. (MRI)**, and is lawfully entered into between the Client, by its authorized representative(s), and MRI, by its authorized representative, Alan S. Gould, President.

II. SCOPE OF WORK

MRI will assist the City of Newport in its search for a City Manager by completing any of the following tasks as desired by the client:

1. We can develop ad copy, recommend advertising venues, and coordinate placement of the ads (advertising costs are billed directly to the client unless otherwise agreed). Resumes are typically received for 30 days, and, with the authorization of the client, can be reviewed on a "rolling" basis in order to expedite the hiring process in an extremely competitive hiring environment.
2. We can assist the hiring authority, as desired, throughout the selection and hiring process.
3. We can research MRI's database and contact potential candidates from other similar recruitments we have conducted in the past 12 months.
4. We can canvas MRI's professional network to identify and reach out to promising potential candidates to invite their application.
5. We will receive and hold all resumes in confidence until the semi-finalists are chosen for an interview. We have found that assured confidentiality will increase the number and quality of applicants rather significantly. We acknowledge receipt of all resumes and keep candidates apprised of their status at each selection point throughout the process.
6. We can screen and review all resumes.

7. We can distribute essay questions to the top tier of candidates. The essay questions will focus on areas of special interest to the City.
8. We can conduct a web search of the top candidates and canvas our consultants, to identify potential issues or controversies in other employment situations.
9. We can conduct telephone interviews with the remaining candidates, placing the focus on current position and reasons for leaving; career history of successes and failures; future personal and professional goals; and their understanding of best practices and contemporary professional thinking in the field, and if included, essay responses. We forward the submittals of the top candidates to the client for local interviews with the hiring authority.
10. We can assist and prepare the hiring authority for interviews and facilitate those interviews, providing technical input, if desired.

III ADVERTISING ALLOWANCE

We suggest an advertising budget of **\$1,000.00**. Advertising venues will be selected upon consultation with the client and MRI will be reimbursed for advertising expenses.

IV FEES AND CHARGES

Our services for this recruitment/selection assistance process will be provided at an **hourly rate of \$105.00**. Since this is not a comprehensive recruitment package, the client will pay for only those steps in the process that are authorized by the client. Travel time required by the client will be billed at half the regular rate after the first hour round trip and mileage will be billed at the usual IRS rate after the first 30 miles roundtrip.

V. OPTIONAL – FINAL CANDIDATE BACKGROUND CHECK

Once a candidate accepts a conditional offer of employment, MRI can perform an in-depth, background investigation on the final candidate which shall include, but not be limited to, previous employment, finances, references (independently developed as well as references provided by the candidate) and criminal and motor vehicle records checks for a flat fee of **\$1,500.00**. If the client selects this option, it will be billed separately upon completion.

V. MRI PERSONNEL IN CHARGE

Alan S. Gould, President, will serve as Principal-In-Charge of this engagement.

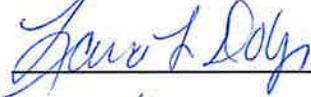
VI. TERM

This agreement shall remain in force and effect through completion of the assignment.

Either party may terminate the Agreement with 15 days advance written notice to the other party.

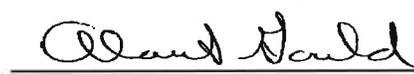
ACCEPTED AND AGREED

THE CITY OF NEWPORT



Date: May 10, 2023

MUNICIPAL RESOURCES, INC.



Alan S. Gould, President

Date: 5/5/23



Laura Dolgin <laura.dolgin@newportvermont.org>

Re: Agenda Item

1 message

Ag <amyrg44@gmail.com>

Mon, May 8, 2023 at 3:04 PM

To: Laura Dolgin <laura.dolgin@newportvermont.org>, Beth Barnes <beth.barnes@newportvermont.org>

Hi Laura and Beth,

Thank you for the follow up. :)

The plaque is 4x6 inches both ways.

It would be fitting to have in the middle of the bridge, as that is where he fished from when he was there.

We will be there eagerly attending with family members.

Thank you again,

Amy Gillespie

On Mon, May 8, 2023, 11:50 AM Laura Dolgin <laura.dolgin@newportvermont.org> wrote:

Hi Amy

Just following up on this email request. *Can you please confirm for me if the plaque is 4 inches by 6 inches? Can you also describe where on the bridge you hope to have this installed?*

I will include this in the council packets in preparation of the Monday, May 15, 2023, council agenda. The meeting begins at 6:30 p.m.

Laura Dolgin, City Manager

City of Newport

222 Main St.

Newport, Vt. 05855

(802) 334-5136

Please note that this email message, along with any response or reply, is considered a public record, and thus, subject to disclosure under the Vermont Public Records Law ([1 V.S.A. §§ 315-320](#)).

Thank You.

On Sat, May 6, 2023 at 2:38 AM Beth Barnes <beth.barnes@newportvermont.org> wrote:

Hi Amy,

This is a beautiful sentiment and such a fitting tribute. By way of this email I am asking the City Manager to place it on the agenda for a vote at the upcoming city council meeting, May 15, 2023 and also asking that the photo of the plaque be displayed on the three tv monitors at the time I introduce the agenda item and the vote is taken. I hope to see you and many of your family members there on the 15th. I will place it close to the start of the agenda so you don't all have to sit through the entire meeting.

Sincerely
Beth Barnes
Mayor

On May 5, 2023, at 8:43 PM, Ag <amyrg44@gmail.com> wrote:

Hello Laura & Beth,
I hope that you're both doing well.

I am writing to hopefully gain some insight on the process for getting a small memorial plaque on the Pedestrian part of the bridge that runs beside the Causeway- approved/put on the agenda for next Council meeting.

(In my research, after speaking to Douglas Morton (the Senior Transportation Planner from the Northeastern VT Development Association) it was confirmed that the City owns this part of the bridge and the Canadian railroad owns the actual tracks. He had checked with the Newport City Public Works.)

The plaque would be in honor of Tyler Collins who was an avid fisherman in our City that unexpectedly passed away last August.

His father, Dan Collins, has worked for the city for many many years.

Link to his obituary if interested:

<https://www.legacy.com/funeral-homes/obituaries/name/tyler-collins-obituary?pid=202630002&v=batesville>

His family has since been involved in our community and just held an ice fishing tournament this past February in honor of him here in Newport and also held a small giveaway for local kids at the end of last year.

I had seen that the memorial bench for Richard Hamblett at the Gateway City Dock had been approved in June of 2017 by the Council and figured that this could be a possibility for something as simple, yet meaningful as a plaque in one of his favorite past fishing spots. His family and community members frequent this spot often and I believe it would be an amazing tribute.

I have attached a photo of the 4 x 6 plaque.
Dan can easily mount this appropriately once approved.

(I also attached a photo of Tyler fishing on his favorite bridge.)

I would love to have this on the agenda for the next Council Meeting. Please let me know what I need to have prepared for this to happen.

Thank you for your time.

Amy Gillespie
<Screenshot_20230505-201513.png>
<744e056e-5133-403e-bdbf-d5aa5ff05573.jpg>



Forever Fishing In Heaven

Tyler "Tiny" Collins

First Cast

6.20.95



Last Cast

8.13.22



Laura Dolgin <laura.dolgin@newportvermont.org>

DRAFT NCIC Contract July 1 - Sept 30

1 message

Mike Welch <mwelch@ncic.org>

Tue, May 9, 2023 at 8:59 AM

To: "laura.dolgin@newportvermont.org" <laura.dolgin@newportvermont.org>

Cc: Thomas Bernier <thomas.bernier@newportvermont.org>, Rebecca Therrien <Rebecca.Therrien@newportvermont.org>

Hi Laura,

Per our discussion, attached please find a draft Grant Management Services Contract between the City of Newport and NCIC for the three-month period beginning on July 1, 2023 and extending until September 30, 2023.

I have attached the contract that is currently in place for your reference.

Please note that I have modified this DRAFT to be focused on the projects that NCIC is currently working on – to try to advance those projects further in the process. I have not included projects such as Community Investment & Revitalization Program (CRRP), or new grant-writing.

Peter Corey, NCIC President, and Katelyn Robinson, NCIC Director of Economic Development, have approved offering this 3-month agreement.

Please note that the projects identified here will not be completed by September 30, 2023 – so the City administration and City Council will still need to identify how best to complete the projects, reporting and requisitions.

I plan to attend the City Council Meeting on Monday, May 15th and I am happy to address questions. In the event that the City Council does not want to extend the agreement with NCIC – that is absolutely fine. I will do everything I can to make sure the City staff has all of the information needed to keep projects moving.

You can contact me at any time to discuss. Have a super day.

Sincerely,

Mike Welch

Cell: 802-274-0899

Mike Welch

Senior Project Manager

Northern Community Investment Corporation

**TERMS AND CONDITIONS OF
CONTRACT
GRANT MANAGEMENT SERVICES
BETWEEN
CITY OF NEWPORT, VT
AND
NORTHERN COMMUNITY INVESTMENT CORPORATION**

This Contract made on this _____ day of _____, 2023 is entered into by and between the City of Newport, VT (hereinafter called the City), and Northern Community Investment Corporation, (hereinafter called NCIC).

Witnesseth

Whereas, on September 19, 2022, NCIC was selected by the City to provide grant writing and project management expertise to the City.

Whereas, the City desires to engage NCIC to render assistance in such activities;

Now, therefore, the City and NCIC do mutually agree as follows:

- 1) NCIC will provide the professional services as outlined in ARTICLE I.
- 2) The City shall pay NCIC for these professional services in an amount not to exceed \$10,125 for the period July 1, 2023 through September 30, 2023.

ARTICLE I

RESPONSIBILITY OF NCIC

The intent of this Grant Management Services Agreement is for the City to continue to utilize NCIC Services for Grant Projects that NCIC is currently working on, including:

FUNDING AGENCY	GRANT ID	GRANT AMOUNT	MATCH AMOUNT	PROJECT
LWCF	06130-LWCF-50-00660	\$182,510	\$182,510	Gardner Park Playground
VCDP	07110-IG-2018 Newport	\$100,000		Gardner Park Playground
NEWPORT	Corrective Action Plan		\$315,000	Gardner Park Playground
NBRC	NBRC19GVT10	\$250,000	\$362,500	Causeway Signals Streetlights
USDA	53-010-0595	\$119,637		Causeway Signals Streetlights
VAOT	CA-0679-Newport City	\$48,750	\$48,750	Wayfinding Signs
VT DTF	07110-DTF-2022-9	\$200,000	\$150,000	Coventry Street Intersection
VT-ACCD	07110-BMP-2022-12	\$27,500	\$2,500	Bylaw Modernization

A) NCIC shall perform the following services for the City:

Project and Grant Coordination. Understand and document grant's eligible use and match requirements. NCIC Grant Project Management Services will be discussed with the City Manager to ensure a clear plan is in place for implementation.

1. Grant Management and Invoice Processing.
 - a. Establish a financial management system acceptable for the funding of each grant which includes the review of invoices for accuracy, completeness and reasonableness,
 - b. Preparation of invoices with correct funding source and account code for submittal to City Treasurer for payment,
 - c. Prepare and submit financial reports and reimbursement requests to the funder,
 - d. Prepare and submit narrative reports to the funder,
 - e. Maintain adequate records of disbursement and receipt of grant funds in a manner acceptable to City Treasurer,
 - f. Prepare and submit closeout and final documentation for grant, if applicable within the contract period,
 - g. Maintain full and accurate records of all documentation on an ongoing basis. By request, make hard-copy binders, and/or electronic files, available for City audit,
 - h. Assist the City with and attend any monitoring visits by funding agencies and prepare City response to any findings.
2. Project and Grant Coordination. Understand and document grant's eligible use and match requirements.
 - a. Develop request for proposals/qualifications, as needed, place ad in the local newspaper, answer questions from respondents, review responses and make recommendation to City,
 - b. Develop contract for professional services which comply with state and federal regulations for City signature. Ensure selected consultant provides a W-9 and proof of insurance,
 - c. Monitor contracts for grant compliance and maximization of match including eligible use, ensure provisions of contract are met and monitor grant period including start and end dates including all environmental review reports as applicable,
 - d. Provide quarterly progress report on status of each grant/project,
 - e. Maintain adequate communications with City Representatives throughout project lifecycle,
 - f. Highlight critical points/decisions necessary to keep project progressing and clearly communicate these needs to City Representatives,
 - g. Coordinate all project activity and monitor project development.
3. Design Phase.
 - a. Coordinate with engineer and City for any required approvals or permits including ROW or property,
 - b. Obtain funder approvals as required,
 - c. Be available to provide updates and answer questions at public informational meetings.
4. Construction Phase.
 - a. Coordinate with engineer and/or City to ensure development of bid packages, bid opening, notice of award, notice to proceed, and construction contract are completed appropriately,
 - b. Be available to provide updates and answer questions at public informational meetings as well as respond to citizen inquiries or complaints,
 - c. Facilitate project meetings, as necessary, with owner, engineer, contractor, funder, partners, etc.
 - d. At project completion, assist the City in verifying the project has achieved all of the activities and outcomes proposed in the original application.

ARTICLE II

RESPONSIBILITY OF THE CITY

The scope of services is reliant on the City's willingness to work to accomplish all tasks as outlined in the scope of services. The City shall assume responsibility for assisting NCIC insofar as possible for the purpose of efficiency, but nothing herein shall be construed as relieving NCIC of its responsibility to provide the services described. This includes;

- Responding to communications in a timely manner
- Providing needed documentation in a timely manner
- Providing signatures on required forms in a timely manner
- Applying for and/or securing any necessary permits, easements, or right of ways, and
- Other responsibilities, as applicable

ARTICLE III

SUBCONTRACTS

- A) No subcontract may be awarded by NCIC, the purpose of which is to fulfill in whole or part, the services required by NCIC, without the prior written approval of the City.

TERMS OF CONTRACT

- A) All services to be performed hereunder shall commence July 1, 2023 and shall continue through and include the last day of September, 2023.
- B) This Contract may be extended or shortened by mutual consent of both parties.

ARTICLE IV

PAYMENT TERMS AND CONDITIONS

- A) For the administrative and grant management services as outlined in ARTICLE I of this Contract, NCIC will receive a fee of \$135 per hour through September 30, 2023 not to exceed \$10,125 (estimated 75 hours) in aggregate.
- B) NCIC will submit quarterly invoices to the City identifying the amount being charged and a detailed description of the services that were performed upon which payment will be based.

ARTICLE V

This Contract is subject to the following provisions:

A) Amendments

This Contract may be amended provided such amendment is agreed to in writing by all signatories hereto.

B) Personnel

All the services required hereunder will be performed by NCIC or under its supervision as approved under Article III.

The relationship of the parties is that of independent contractors. Nothing in this Contract shall be construed as creating any agency, partnership, joint venture or other form of joint enterprise, employment or fiduciary relationship between the Parties, and neither Party shall have authority to contract for or bind the other Party in any manner whatsoever. NCIC principals, officers, agents, employees, subcontractors and contractors are not employees or agents of the City within the meaning or application of any federal, state or local law, rule or regulation, including without limitation, laws, rules and regulations regarding or related to unemployment, benefits, workers' compensation, labor, personal injury, or taxes of any kind. NCIC shall assume sole and exclusive responsibility for the payment of wages and all applicable taxes and insurance.

C) Termination of Agreement for Cause

- 1) If through any cause, one party shall fail to fulfill its obligations under this Contract in a timely and proper manner, or if one party shall substantially violate one of the covenants, agreements or stipulations of this Contract, the other party shall thereupon have the right to terminate this Contract.
- 2) The City shall give NCIC ten (10) days written notice of its intention to terminate this Contract for cause. The specific cause(s) for termination must be stated in the notice of termination.
- 3) Within the 10-day period, NCIC shall furnish the City with written documentation, satisfactory to the City, that the conditions of the Contract are being fulfilled and that all the objections raised by the City under this section have been rectified.
- 4) If NCIC fails to furnish satisfactory documentation of fulfillment of the conditions as set forth in the preceding paragraphs, the City shall send a Letter of Termination, notifying NCIC that it shall incur no new obligations after receipt of the Letter of Termination.
- 5) Ten (10) days after receipt of the Letter of Termination, NCIC shall submit an accounting acceptable to the City of all outstanding obligations.
- 6) In the event of termination, NCIC shall be compensated by payment of an amount equal to the effort of NCIC as of the date of termination.

D) Interest of Parties

No officer, member, or employee of the City or NCIC, its designees or agents and no member of its governing body who exercises any functions or responsibilities in the review or approval of the undertaking or carrying out of this project, shall participate in any decision relating to this Contract which affects his/her personal interest or the interest of any corporation, partnership, or association in which he/she is directly or indirectly interested, or have any personal or pecuniary interest, direct or indirect, in this Contract or the proceeds thereof.

E) Compliance with Local Laws

NCIC shall comply with all applicable laws, ordinances and codes of the State and local government.

F) Assignability

NCIC shall not assign any interest in this Contract and shall not transfer any interest in the same (whether by assignment or notation) without written approval of the City, provided, however, that claims for money due or to become due NCIC from the City under this Contract may be assigned to a bank, trust company, or other financial institution, or to a trustee in bankruptcy, without such approval. Notice of any such assignment or transfer shall be furnished promptly.

G) Governing Law

Unless otherwise specified, this Contract shall be covered by the laws of the State of Vermont.

H) Extent of the Contract

This Contract represents the entire and integrated Contract between the City and NCIC and supersedes all prior negotiations, representations, or agreements, either written or oral. This Contract may be amended only by written instrument signed by both NCIC and the City.

I) Hold Harmless:

The City shall fully defend, indemnify, and hold harmless NCIC from any and all claims, lawsuits, demands, causes of action, loss, damage and/or injury, of any kind whatsoever (including without any limitation all claims for monetary loss, property damage, equitable relief, personal injury and/or wrongful death), whether brought by an individual or other entity, or imposed by a court of law or by administrative action of any federal, state, or local government body or agency, to hold harmless and indemnify NCIC for claims arising out of the operations of the City. This indemnification applies to and includes, without limitation, the payment of all penalties, fines, judgements, awards, decrees, attorney's fees, and related costs or expenses, and any reimbursements to NCIC for all legal fees, expenses, and costs incurred by it.

Laura Dolgin
City Manager
Newport, VT

Peter Corey
President
Northern Community Investment Corporation

TERMS AND CONDITIONS OF CONTRACT
GRANT MANAGEMENT SERVICES
BETWEEN
CITY OF NEWPORT, VT
AND
NORTHERN COMMUNITY INVESTMENT CORPORATION

This Contract made on this 19th day of September, 2022 is entered into by and between the City of Newport, VT (hereinafter called the City), and Northern Community Investment Corporation, (hereinafter called NCIC).

Witnesseth

Whereas, on Sept 19, 2022 NCIC was selected by the City to provide grant writing and project management expertise to the City, as detailed in ARTICLE I.

Whereas, the City desires to engage NCIC to render assistance in such activities;

Now, therefore, the City and NCIC do mutually agree as follows:

- 1) NCIC will provide the professional services as outlined in ARTICLE I.
- 2) The City shall pay NCIC for these professional services in an amount not to exceed \$30,000 from October 1, 2022 through June 30, 2023. At such time, the City and NCIC shall discuss an extension of this agreement for a minimum one year period. As additional grant funds become available the City and NCIC may amend this contract amount upon mutual agreement.

ARTICLE I

RESPONSIBILITY OF NCIC

A) NCIC shall perform the following services for the City:

1. Grant Writing and research. Prepare and provide all the work and documentation needed to submit grant applications.
2. Project and Grant Coordination. Understand and document grant's eligible use and match requirements.

This shall include:

- Grant(s) Identification and Summary
- Match Coordination
- Narrative Preparation
- Establish master schedule with benchmarks for project (design, permits, ROW, bid, construction)
- Completion of Required Standard Forms
- Drafting Community and Partner Letters of Support
- Coordination of Required Applicant Signatures
- Assistance with RFP's Needed for Pre-Development Work (Environmental Reviews, Preliminary Engineering Reports, etc.)
- Application Submission, as requested by the City
- Aggregation of All Documents Associated with the Grant(s)

- Presenting Grant Opportunity at Public Hearing.
- Coordination/Meetings with Funders
- Meetings with City Representatives and/or Partners

When funding sources allow sole sourcing and/or when NCIC capacity allows, we propose to provide the following services to the City. NCIC Project Management Services will be discussed with the City Manager ahead of Grant Application Submission to ensure a clear plan is in place for implementation.

1. Grant Management and Invoice Processing.
 - a. Establish a financial management system acceptable for the funding of each grant which includes the review of invoices for accuracy, completeness and reasonableness,
 - b. Preparation of invoices with correct funding source and account code for submittal to Finance Director for payment,
 - c. Prepare and submit financial reports and reimbursement requests to the funder,
 - d. Prepare and submit narrative reports to the funder,
 - e. Maintain adequate records of disbursement and receipt of grant funds in a manner acceptable to Finance Director,
 - f. Prepare and submit closeout and final documentation for grant,
 - g. Maintain full and accurate records of all documentation on an ongoing basis. By request, make hard-copy binders available for City audit,
 - h. Assist the City with and attend any monitoring visits by funding agencies and prepare City response to any findings.
2. Project and Grant Coordination. Understand and document grant's eligible use and match requirements.
 - a. Develop request for proposals/qualifications, place ad in the local newspaper, answer questions from respondents, review responses and make recommendation to City,
 - b. Develop contract for professional services which comply with state and federal regulations for City signature. Ensure selected consultant provides a W-9 and proof of insurance,
 - c. Monitor contracts for grant compliance and maximization of match including eligible use, ensure provisions of contract are met and monitor grant period including start and end dates including all environmental review reports as applicable,
 - d. Provide quarterly progress report on status of each grant/project
 - e. Maintain adequate communications with City Representatives throughout project lifecycle
 - f. Highlight critical points/decisions necessary to keep project progressing and clearly communicate these needs to City Representatives,
 - g. Coordinate all project activity and monitor project development.
3. Design Phase.
 - a. Coordinate with engineer and City for any required approvals or permits including ROW or property,
 - b. Obtain funder approvals as required,
 - c. Be available to provide updates and answer questions at public informational meetings.
4. Construction Phase.
 - a. Coordinate with engineer and/or City to ensure development of bid packages, bid opening, notice of award, notice to proceed, and construction contract are completed appropriately.
 - b. Be available to provide updates and answer questions at public informational meetings as well as respond to citizen inquiries or complaints,
 - c. Facilitate project meetings, as necessary, with owner, engineer, contractor, funder, partners, etc.
 - d. At project completion, assist the City in verifying the project has achieved all of the activities and outcomes proposed in the original application.

ARTICLE II

RESPONSIBILITY OF THE CITY

The scope of services is reliant on the City's willingness to work to accomplish all tasks as outlined in the scope of services. The City shall assume responsibility for assisting NCIC insofar as possible for the purpose of efficiency, but nothing herein shall be construed as relieving NCIC of its responsibility to provide the services described. This includes;

- Responding to communications in a timely manner
- Providing needed documentation in a timely manner
- Providing signatures on required forms in a timely manner
- Applying for and/or securing any necessary permits, easements, or right of ways, and
- Other responsibilities, as applicable

ARTICLE III

SUBCONTRACTS

- A) No subcontract may be awarded by NCIC, the purpose of which is to fulfill in whole or part, the services required by NCIC, without the prior written approval of the City.

TERMS OF CONTRACT

A) All services to be performed hereunder shall commence October 1, 2022 and shall continue through and include the last day of June, 2023 unless continued by agreement of the parties in written amendment prior to said termination.

B) This Contract may be extended or shortened by mutual consent of both parties.

ARTICLE IV

PAYMENT TERMS AND CONDITIONS

A) For the administrative and grant management services as outlined in ARTICLE I of this Contract, NCIC will receive a fee of \$125 per hour through December 31, 2022 and \$135 per hour effective January 1, 2023, not to exceed \$30,000 in aggregate.

B) NCIC will submit quarterly invoices to the City identifying the amount being charged and a detailed description of the services that were performed upon which payment will be based.

ARTICLE V

This Contract is subject to the following provisions:

A) Amendments

This Contract may be amended provided such amendment is agreed to in writing by all signatories hereto.

B) Personnel

All the services required hereunder will be performed by NCIC or under its supervision as approved under Article III.

The relationship of the parties is that of independent contractors. Nothing in this Contract shall be construed as creating any agency, partnership, joint venture or other form of joint enterprise, employment or fiduciary relationship between the Parties, and neither Party shall have authority to contract for or bind the other Party in any manner whatsoever. NCIC principals, officers, agents, employees, subcontractors and contractors are not employees or agents of the City within the meaning or application of any federal, state or local law, rule or regulation, including without limitation, laws, rules and regulations regarding or related to unemployment, benefits, workers' compensation, labor, personal injury, or taxes of any kind. NCIC shall assume sole and exclusive responsibility for the payment of wages and all applicable taxes and insurance.

C) Termination of Agreement for Cause

- 1) If through any cause, one party shall fail to fulfill its obligations under this Contract in a timely and proper manner, or if one party shall substantially violate one of the covenants, agreements or stipulations of this Contract, the other party shall thereupon have the right to terminate this Contract.
- 2) The City shall give NCIC ten (10) days written notice of its intention to terminate this Contract for cause. The specific cause(s) for termination must be stated in the notice of termination.
- 3) Within the 10-day period, NCIC shall furnish the City with written documentation, satisfactory to the City, that the conditions of the Contract are being fulfilled and that all the objections raised by the City under this section have been rectified.
- 4) If NCIC fails to furnish satisfactory documentation of fulfillment of the conditions as set forth in the preceding paragraphs, the City shall send a Letter of Termination, notifying NCIC that it shall incur no new obligations after receipt of the Letter of Termination.
- 5) Ten (10) days after receipt of the Letter of Termination, NCIC shall submit an accounting acceptable to the City of all outstanding obligations.
- 6) In the event of termination, NCIC shall be compensated by payment of an amount equal to the effort of NCIC as of the date of termination.

D) Interest of Parties

No officer, member, or employee of the City or NCIC, its designees or agents and no member of its governing body who exercises any functions or responsibilities in the review or approval of the undertaking or carrying out of this project, shall participate in any decision relating to this Contract which affects his/her personal interest or the interest of any corporation, partnership, or association in which he/she is directly or indirectly interested, or have any personal or pecuniary interest, direct or indirect, in this Contract or the proceeds thereof.

E) Compliance with Local Laws

NCIC shall comply with all applicable laws, ordinances and codes of the State and local government.

F) Assignability

NCIC shall not assign any interest in this Contract and shall not transfer any interest in the same (whether by assignment or notation) without written approval of the City, provided, however, that claims for money due or to become due NCIC from the City under this Contract may be assigned to a bank, trust company, or other financial institution, or to a trustee in bankruptcy, without such approval. Notice of any such assignment or transfer shall be furnished promptly.

G) Governing Law

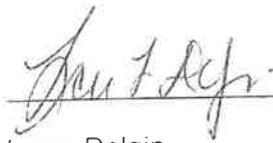
Unless otherwise specified, this Contract shall be covered by the laws of the State of Vermont.

H) Extent of the Contract

This Contract represents the entire and integrated Contract between the City and NCIC and supersedes all prior negotiations, representations, or agreements, either written or oral. This Contract may be amended only by written instrument signed by both NCIC and the City.

I) Hold Harmless:

The City shall fully defend, indemnify, and hold harmless NCIC from any and all claims, lawsuits, demands, causes of action, loss, damage and/or injury, of any kind whatsoever (including without any limitation all claims for monetary loss, property damage, equitable relief, personal injury and/or wrongful death), whether brought by an individual or other entity, or imposed by a court of law or by administrative action of any federal, state, or local government body or agency, to hold harmless and indemnify NCIC for claims arising out of the operations of the City. This indemnification applies to and includes, without limitation, the payment of all penalties, fines, judgements, awards, decrees, attorney's fees, and related costs or expenses, and any reimbursements to NCIC for all legal fees, expenses, and costs incurred by it.



Laura Dolgin
City Manager
Newport, VT



~~_____~~ Peter Corey, President
~~Director of Economic Development~~
Northern Community Investment Corporation



Memphremagog
Community Maritime

Education Center Outline

Incoming Money to Fund Education Center

- “Sanders secures more than \$42 million for Vermont communities”
 - Memphremagog Maritime Education Center: \$150,000
 - Funds to be received in October 2023
- Better Places Matching Grant - with a signed lease we can apply for this 2:1 matching crowdsourcing grant from the state.

First Steps

- Road Map Complete from Adam Kane
- Exhibits/Ideas:
 - Abenaki Tribe
 - Implement our Floating Classroom program from the boat, to inside in a classroom setting year round.
 - Central aquarium
 - A large native species aquarium
 - two 300 gallon tanks which is a size that is readily available
 - Although the aquarium would require a fixed space, for most events it would provide an interesting enhancement.
 - Television with Memphremagog Video
 - Modular Panel Exhibits
 - Panels interpreting various elements of Lake Memphremagog history and ecology
 - These would be easily moveable, so they could be moved aside for event purposes.
 - Bi-lingual text
 - Explainer Stations
 - Movable, staffed stations are a tried-and-true technique for engaging visitors in interactive activities.
 - Mobile carts can be custom built or purchased from a variety of retailers.
 - Topics such as invasive species and water quality could be readily developed, and the content delivered by volunteers.
 - The carts are small enough to be stored during rentals, or sufficiently versatile to be used as part of the rental.

Managing Gateway Center

- MCM Director - Felicia Updyke
- Tentative Plan for Education Center
 - During Cruising Season: Open Wed-Sundays 12-5pm
 - Winter: Open Wed-Sundays 12-5pm w/ reservation times available for schools
 - special events on off hours possible
- If the Gateway is rented for a private event through the city, contact Felicia with the date and time of the event. Felicia will get in contact with event coordinator to adjust education center according to their event
- Education center will temporarily be closed to the public during private events

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



City of Newport
222 Main Street
Newport, Vermont 05855

Memo

To: Laura Dolgin City Manager, Mayor Beth Barnes and the Newport City Council

From: John Monette, Chair Newport Planning Commission

Date: May 8, 2023

RE: Planning Commission Appointment

Current Newport City Planning Commission and Historic Preservation

John Monette, Chair Term Ends 2024
Denis Chenette Term Ends 2025
Vacant Term Ends 2024
Kevin Mead Term Ends 2023
Carole O'Connell Term Ends 2023

The Newport City Planning/Historic Preservation Commission is pleased to recommend Gina Cirelli for Appointment for a three year term to the Newport City Planning/Historical Preservation Commissions.

Sincerely,

John Monette, Chair Newport City Planning Commission

To: City Council, City Clerk and Treasurer
From: Laura Dolgin, City Manager
Date: May 15, 2023



Re: Delinquent Tax Collector Appointment

With the City Manager's impending retirement scheduled for June 2, 2023, a successor Delinquent Tax Collector needs to be appointed so that no gap in delinquent tax collection operations occurs.

Programs Administrator Becky Therrien is willing to assume this role beginning June 5, 2023, and lasting through the city manager recruitment process. Becky has been involved in the Delinquent Tax Collection as part of her duties. However, the authority to make decisions will be a new assignment. She is more than capable of doing this work. I further recommend paying her \$100 a week to carry out these functions for as long as the designation is assigned to her.

The Vermont Statutes Online

Title 32 : Taxation And Finance

Chapter 133 : Assessment And Collection Of Taxes

Subchapter 002 : Collector Of Taxes

(Cite as: 32 V.S.A. § 4674)

§ 4674. Disability of collector

When a collector of town taxes is unable, from sickness or otherwise, to discharge his or her duties, and taxes are uncollected on a tax bill held by him or her, the selectboard may certify such disability on the warrant for the collection of such taxes and may appoint a person as collector, and in such certificate shall authorize and direct such collector to collect and pay over such taxes. The person so authorized shall have the same power and be subject to the same duties and penalties as the collector to whom such tax bill was originally committed. (Amended 1963, No. 24.)

Points of Contact

Title: Emergency Management Director	Name: John Harlamert	Primary phone: (802) 334-7919	Alternate phone: (802) 673-2284
Primary email: john.harlamert@newportvermont.org	Alternate email:	Public contact: (802) 334-7919	
Title: Chief of Police	Name: Travis Bingham	Primary phone: (802) 334-6733	Alternate phone: (802) 274-8804
Primary email: travis.bingham@newportvermont.org	Alternate email:		
Title: City Manager	Name: Laura Dolgin	Primary phone: (802) 334-5136	Alternate phone: (802) 673-5071
Primary email: laura.dolgin@newportvermont.org	Alternate email:		

Emergency Operations Center (EOC) Positions

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.

Which position can activate the EOC?: Fire Chief, Police Chief, City Manager

Positions and duties: Fire Chief - Supervises and directs all EOC activities coordinating municipal support and response.
NPD Dispatcher - Staff phones and radio
City Manager - Track and answer requests for information (RFI)
City Manager - Track and coordinate requests for support (RFS)
Police Chief - Produce and post public information and press releases (PIO)
Public Works Director - Infrastructure
City Clerk - Finances

Potential EOC staff: John Harlamert - Fire Chief - 802-334-7919 / 802-673-2284
Travis Bingham - Police Chief
Laura Dolgin - City Manager
Beth Barns - City Mayor
James Johnson - City Treasurer
Tom Bernier - Public Works Director
Rebecca Therrian - Program Manager

Emergency operations center (EOC) locations

Primary EOC location name: Newport Municipal Building **Primary EOC address:** 222 Main St **Primary EOC phone:** 802-334-6733, 802-334-5136

Services:  Generator  Internet  Phone Lines  Computers  Copy machine  Projector or large screen
 Food Prep

Primary EOC resources & information:

Alternate EOC location name: Newport City Fire station **Alternate EOC address:** 350 Western Ave. **Alternate EOC phone:** 802-334-7919

Alternate EOC resources & information:

Resources

The state emergency operations center (SEOC, 800-347-0488) will help coordinate any state support teams or other external resources that local responders may need.

Emergency purchasing agents & spending limits: Rebecca Therrien Programs Administrator

Businesses with standing municipal contracts: None

Spending Limit \$400,000.00

Other local resources: Caulkins Sand and Gravel 802-334-8418
Crushed Stone, Sand and Gravel
Gosselin Inc. - 802-766-8815
Excavation, Dump Trucks, Loaders, Construction Equip.
Couture Sand and Gravel - 802-334-6078
Excavation, Dump Trucks, Sand and Gravel
Desrocher Crane Service - 802-766-4732
Multiple Cranes, Dump Trucks, Loaders and Excavators

NIMS Typed Resources

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

Additional resource information is available on the FEMA reimbursable equipment list: <https://www.fema.gov/assistance/public/schedule-equipment-rates>

Aerial Apparatus, Fire Type 1: 1

Air Compressor: 1

All Terrain Vehicles: 3

Engine Strike Team Type 1: 2

Fire Engine (Pumper) Type 1: 2

Firefighting Brush Patrol Engine: 1

Firefighting crew Transport Type 3: 1

Grader: 1

Hand Crew Type 1: 5

Hand Crew Type 2: 25

Hand Crew Type 3: 4

HAZMAT Entry Team: 15

Marine Vessels: 3

Mobile Communications Center Type 2: 1

Mobile Communications Center Type 3: 1

Mobile Communications Center Other: 1

Mobile Communications Unit Type 2: 1

Road Sweeper: 1

Snow Blower, Loader Mounted: 2

Snowmobiles: 2

Trailer, Equipment Tag-Trailer: 1

Trailer, Small Equipment: 2

Truck, On-Road Dump: 2

Truck, Plow: 6

Truck, Sewer Flusher: 1

Wheel Loader Backhoe: 2
Wheel Loader, Small: 1
Wheel Loader, Skid Steer: 1

Public Information and Warning

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.

Vermont Emergency Management can assist with issuing VTAlert messages for your municipality. Please contact them at 1-800-347-0488 if you need assistance.

Vermont 211 is available to take calls from the general public to inform and instruct them in relation to emergency events. Dial 211 or (802) 652-4636.

VT-Alert notifiers: Newport Police Department 802-334-6733

Local newspaper, radio, TV: Newport Daily Express, WCAX, WMOO 92.9/94.5 Orleans Record, WPTZ television

Important local websites & social media channels: Newport City Web Page, FD, PD and Rec Department Facebook Pages.

Public notice locations: Newport Municipal Building (222 Main St) US Post Office, Coventry St. City Electronic Marquee, Causeway

Vulnerable Populations

Organization name and contact information: CARE (Citizen Assistance Registration for Emergencies) Supporting PSAP

Coordination with vulnerable populations:

North Country Union High School (209 Veterans Ave) Mark Dunbar
802-334-7921 ext 3501

Newport City Elementary School (166 Sias Ave)
Aaron Larson 802-334-2455

United Christian Academy (65 School St)
Dr. Kimberlee Strepka 413-626-8298

Bel-Aire Quality Nursing Home (35 Bel-Aire Dr) Rosemary Mayhew
802-334-2878

Private Day Care (20 Masonic Lane)
Pamela Coffin 802-334-2425

Private Day Care (135 Pleasant St)
Constance Mandingo 802-673-5107

Butterfly Kisses Child Care Center (208 Prospect St) 802-334-1212

Private Day Care (31 Blake St)
Courtney Bourgeois 802-782-0420

Private Day Care (265 Sloan St)
Sonia Koehler 802-487-4345

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

Newport Senior Apartments (107 Main St)

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 800-338-8538

Newport Head Start School (371 Main Street)

Kellie Tarryk 802-334-7253

Private Day Care 20 Masonic Lane

Pam Coffin 802-334-2425

Private Day Care (123 Cliff St)

Susan Gonyaw 802-334-8538

Private Day Care (6 Edgewood Dr)

Sherrilynn Proctor 802-274-7486

Private Day Care (179 Blake St)

Elizabeth Nadeau (802) 334-5472

Private Day Care (88 Hinman St)

Amanda Goad 802-673-5981

Ready Set Grow Day Care (34 Farrants St)

802-995-2051

Newport Promise Community (63 3rd St)
802-334-4555

High Hazard Areas

Organization name and contact information: Newport Hydro Dam
Mark Hinton 802-673-6127
Poulin Grain John Robillard 802-334-1316
Fred's Plumbing and Heating Bluff Rd
Velco Sub Station Mark Hinton 802-673-6127

Coordination with vulnerable populations:

Shelters

If you need support opening a shelter, or would like to report that you have opened a shelter, please contact the state emergency operations center at 800-347-0488.

Services:  Cooling  Warming  Overnight  Food Prep  Showers  Healthcare  Generator  Pets
Allowed

Location name	Address	Shelter Facility Contacts	Shelter Manager Contacts	Capacity	Staff Requirements	Shelter Notes	Services
Newport Municipal Building	222 Main Street, Newport VT	Laura Dolgin 802-673-5071	Laura Dolgin 802-673-5071	50	Red Cross Staffing and vVolunteers	This location would require the Red Cross Trailer for sleeping supplies.	     
North Country Union High School	209 Veterans Ave, Newport VT	Mark Dunbar 802-730-2656	Mark Dunbar 802-730-2656	1000	Red Cross Staffing and Volunteers	This facility may be in session from August to June for School.	     

Municipal Contacts

Local emergency management team and phone numbers: EMD - John Harlamert 802-334-7919 work 802-673-2284 Cell john.harlamert@newportvermont.org

EM Coordinator - Travis Bingham work 802-334-6733 802 - 802-274-8804 travis.bingham@newportpd.org

Local public works contacts and phone numbers: Public Works Director Tom Bernier work 802-334-2124 Cell 802-323-9734
Water Dept. Jason Herman 802-334-8886
Sewer Dept. Jason Herman 802-334-8886

Local response organization contacts and phone numbers: Fire Chief - John Harlamert work 802-337-7919 Cell 802-673-9702
EMS Chief - Jeff Johanson work - 802-334-2023 Cell - 802-673-4929

Police Chief - Travis Bingham Travis Bingham 802-334-6733 802-274-8804
State Police - Andrew Jensen 802-334-8881
Local Dispatch - 802-334-6733

Municipal government contacts and phone numbers: City Mayor - Beth Barns 562-413-3583
City Manager 802-334-5136
Selectboard Chair - John Wilson
Selectboard Alt - Kevin Charboneau 802-334-1413
Selectboard Alt - Chris Vachon 802-249-5317
Selectboard Alt - Chris Clark Curtis 802-673-6930
City Clerk - Treasurer James Johnson - 802-334-2112
Town Health Officer John Harlamert - 802-334-7919 802-673-2284
Animal Control Newport police 802-334-6733

Other contacts:

Plan Adoption

Plan adopter name:

Plan adopter title:

Plan adopted date:

"Having taken G0402 or ICS 100, I certify that this LEMP meets the Vermont NIMS requirements." John Harlamert EMD
NIMS adoption date: 01/2004

Water & Sewer Department
 Schedule of Rates and Fees
 Enacted by the Water Commissioners on the
 ____ Day of _____, 2023

Rates to be effective with the Period Beginning August, 2023

Water Rates

Metered Water Rates for Each Quarterly Billing Period:

Usage under the Equivalent Unit (EU) of 13,500 gallons per quarter:

Minimum connection rate of \$42.00, plus the variable water use rate of \$2.15 per 1000 gallons

For usage over the Equivalent Unit (EU) of 13,500 gallons per quarter:

Fixed rate of \$3.15 per 1000 gallons plus a water charge of \$2.15 per 1000 gallons for a combined rate of \$5.30 per 1000 gallons

** Equivalent Units are defined as 13,500 gallons of water per quarter of 150 gallons per day.

Variable Water Use Rate per 1,000 Gallons	\$1.94	\$2.15
Fixed Base Rate per 1,000 Gallons	\$2.812	\$3.15
Connected Residential	\$64.15	\$72.00
Seasonal	\$59.52	
Connected Above Ground Seasonal (Ledges)	\$29.27	\$32.00
Connected Industrial/Commercial	\$111.09	\$124.00
Connected Outside City Boundary	\$111.09	\$124.00
Vacant Land with Connection	\$37.96	\$42.00
Water Turn On or Off	\$40.47	\$45.00
Water Turn On or Off After Hours		\$60.00
Non-Metered Swimming Pools (Annual Fee)	\$69.56	\$78.00
Water Purchase per 1,000 gallons		\$50.00 Per 1,000 Gallons, \$50 minimum
Water Allocation Fees		
Application Fee New Residential	\$40.00	\$44
Existing Residential	\$15.00	\$17
Comercial	\$100.00	\$110
Industrial	\$200.00	\$220
Allocation Permit Fee	\$0.14	\$0.15 Per Gallon Per Day

Sewer Rents

Metered Sewer Rents for Each Quarterly Billing Period:

Usage under the Equivalent Unit (EU) of 13,500 gallons per quarter:

Minimum connection rate of \$71.00, plus the variable wastewater use rate of \$3.60 per 1000 gallons

Usage over the Equivalent Unit (EU) of 13,500 gallons per quarter:

Fixed rate of \$5.25 per 1000 gallons plus wastewater charge of \$3.60 per 1000 gallons for a combined rate of \$8.85 per 1000 gallons

** Equivalent Units are defined as 13,500 gallons of water per quarter of 150 gallons per day.

Variable Wastewater Use Rate per 1,000 Gallons	\$3.26	\$3.60
Fixed Base Rate per 1,000 Gallons	\$4.72	\$5.25
Connected Residential	\$107.74	\$120.00
Seasonal	\$71.10	
Connected Industrial/Commercial	\$113.17	\$126.00
Connected Outside City Boundary	\$452.71	\$505.00
Vacant Land with Connection	\$63.73	\$71.00
Service Fees		
Labor	\$27.75	\$45.00
Labor After Hours		\$60.00
Equipment (Does not include labor)		
Backhoe	\$83.47	\$92.00
Truck	\$61.22	\$67.00
Loader	\$89.04	\$98.00
Grader	\$122.43	\$135.00
T.P. Tanker	\$100.17	\$110.00
Ton Truck	\$46.74	\$51.00
Vactor	\$189.21	\$208.00
Sweeper	\$161.38	\$178.00
Sewer Rodder	\$77.91	\$86.00
Steam-jenny	\$61.21	\$67.00
Compressor	\$55.65	\$61.00
Skid-steer	\$66.78	\$74.00
Roller	\$61.21	\$67.00
Water Tap Machine	\$194.77	\$214.00
Pipe Saw	\$55.65	
Pump	\$55.65	
Compactor	\$55.65	
Septage Discharge Fees	\$0.110	\$0.12
Sewer Allocation Fees		
Application Fee New Residential	\$40.00	\$44
Existing Residential	\$15.00	\$17
Comercial	\$100.00	\$110
Industrial	\$200.00	\$220
Reserve Sewer Capacity Commitment Annual Fee	\$0.14	\$0.15 Per Gallon Per Day
Final Sewer Allocation Permit Fee	\$0.265	\$0.29

Enacted by the Water Commissioners on this ____ day of _____, 2023, in Newport, Vt.

Mayor Beth Barnes

John Wilson, Council President

Kevin Charboneau

Christopher Vachon

Clark Curtis

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

Water & Sewer Department
 Schedule of Rates and Fees
 Enacted by the Water Commissioners on the
 ___ Day of _____, 2023

Rates to be effective with the Period Beginning August, 2023

Water Rates

Metered Water Rates for Each Quarterly Billing Period:

Usage under the Equivalent Unit (EU) of 13,500 gallons per quarter:
 Minimum connection rate of \$42.00, plus the variable water use rate of \$2.15 per 1000 gallons

For usage over the Equivalent Unit (EU) of 13,500 gallons per quarter:
 Fixed rate of \$3.15 per 1000 gallons plus a water charge of \$2.15 per 1000 gallons for a combined rate of \$5.30 per 1000 gallons

** Equivalent Units are defined as 13,500 gallons of water per quarter of 150 gallons per day.

Variable Water Use Rate per 1,000 Gallons	\$2.15
Fixed Base Rate per 1,000 Gallons	\$3.15
Connected Residential	\$72.00
Connected Above Ground Seasonal (Ledges)	\$32.00
Connected Industrial/Commercial	\$124.00
Connected Outside City Boundary	\$124.00
Vacant Land with Connection	\$42.00
Water Turn On or Off	\$45.00
Water Turn On or Off After Hours	\$60.00
Non-Metered Swimming Pools (Annual Fee)	\$78.00
Water Purchase per 1,000 gallons	\$50.00 Per 1,000 Gallons, \$50 minimum
Water Allocation Fees	
Application Fee New Residential	\$44
Existing Residential	\$17
Comercial	\$110
Industrial	\$220
Allocation Permit Fee	\$0.15 Per Gallon Per Day

Sewer Rents

Metered Sewer Rents for Each Quarterly Billing Period:

Usage under the Equivalent Unit (EU) of 13,500 gallons per quarter:
 Minimum connection rate of \$71.00, plus the variable wastewater use rate of \$3.60 per 1000 gallons

Usage over the Equivalent Unit (EU) of 13,500 gallons per quarter:

Fixed rate of \$5.25 per 1000 gallons plus wastewater charge of \$3.60 per 1000 gallons for a combined rate of \$8.85 per 1000 gallons

** Equivalent Units are defined as 13,500 gallons of water per quarter of 150 gallons per day.

Variable Wastewater Use Rate per 1,000 Gallons	\$3.60
Fixed Base Rate per 1,000 Gallons	\$5.25
Connected Residential	\$120.00
Connected Industrial/Commercial	\$126.00
Connected Outside City Boundary	\$505.00

Vacant Land with Connection \$71.00

Service Fees

Labor	\$45.00
Labor After Hours	\$60.00
Equipment (Does not include labor)	
Backhoe	\$92.00
Truck	\$67.00
Loader	\$98.00
Grader	\$135.00
T.P. Tanker	\$110.00
Ton Truck	\$51.00
Vactor	\$208.00
Sweeper	\$178.00
Sewer Rodder	\$86.00
Steam-jenny	\$67.00
Compressor	\$61.00
Skid-steer	\$74.00
Roller	\$67.00
Water Tap Machine	\$214.00

Septage Discharge Fees \$0.12

Sewer Allocation Fees

Application Fee New Residential	\$44.00
Existing Residential	\$17.00
Comercial	\$110.00
Industrial	\$220.00

Reserve Sewer Capacity Commitment Annual Fee \$0.15 Per Gallon Per Day

Final Sewer Allocation Permit Fee \$0.29

Enacted by the Water Commissioners on this ___ day of ____, 2023, in Newport, Vt.

Mayor Beth Barnes

John Wilson, Council President

Kevin Charboneau

Christopher Vachon

Clark Curtis

WATER AND SEWER QUESTIONS
JENNIFER BJURLING

Dear All,

These questions are offered in good faith. I am not an accountant. I have a basic understanding of accounting principles but do not have a command of the nuances of the topic. Should any of my calculations be misplaced, I would hope an explanation of the appropriate calculation would be supplied so as to support comprehension and achieve transparency.

Additionally, I would ask the City Council to direct the City Manager to post all questions received from the public as attachments to the May 15, 2023 council meeting agenda on the City's website. The general public should have access to these questions given that they will be discussed by the Council at the council meeting and may influence the Council's vote on the proposed rate increases in water and sewer.

Thank you.

Jennifer L. Bjurling

1. Here follows the statutes that pertain to the duties of the water and sewer commissioners, the generation of revenue and the use of proceeds:

Title 24 : Municipal And County Government

Chapter 089 : Waterworks

(Cite as: 24 V.S.A. § 3313)

- **§ 3313. Duties of water commissioners, use of proceeds**

(a) Water commissioners shall have the supervision of such municipal water department and shall make and establish all needful water rates, charges, rules, and regulations for its control and operation. Such commissioners may appoint or remove a superintendent at their pleasure. The receipts derived by the municipal corporation from its waterworks shall only be used and applied to pay the principal and interest upon the water bonds of such municipal corporation, the expense of repairs and management of the water department, and

payment into the dedicated fund created under subsection (b) of this section.

(b) Receipts derived by a municipality from its waterworks may be deposited in a dedicated fund created by the water commissioners under section 2804 of this title, to finance major rehabilitation, major maintenance and costs of upgrading the water supply system, and for the accumulation of funds to be used to match federal funds pursuant to 10 V.S.A. § 1624(d). Such revenues may include a surcharge established by the water commissioners of up to 15 percent on the costs of normal operations, maintenance, and debt service. The fund balance shall not exceed the estimated costs of the purposes for which the fund is established, and shall be maintained in deposits insured by the United States of America or an agency of the United States. Withdrawals shall be made only for purposes for which the fund was established. Such a fund shall meet the requirements of subdivision 4756(a)(4) of this title. (Amended 1997, No. 62, § 62, eff. June 26, 1997.)

Title 24 : Municipal And County Government

Chapter 097 : Sewage System

(Cite as: 24 V.S.A. § 3507)

- **§ 3507. Duties**

(a) Such sewage system commissioners shall have the supervision of such municipal sewage system and shall make and establish all needed rates for rent, with rules and regulations for its control and operation. Such commissioners may appoint or remove a superintendent at their pleasure. The rents and receipts for the use of such sewage system shall be used and applied to pay the interest and principal of the sewage system bonds of such municipal corporation, the expense of maintenance and operation of the sewage system, as well as dedicated fund payments provided for in section 3616 of this title.

(b) When a rate established under this section for the management of stormwater is applied to property owned, controlled, or managed by the Agency of Transportation, the rate shall not exceed the highest rate category applicable to other properties in the municipality, and the Agency of Transportation shall receive a 35 percent credit on the rate. The Agency of Transportation shall receive no other credit on the rate from the municipal corporation. (Amended 1989, No. 45, § 2; 2015, No. 158 (Adj. Sess.), § 30, eff. June 2, 2016.)

Title 24 : Municipal And County Government

Chapter 101 : Sewage Disposal System

(Cite as: 24 V.S.A. § 3616)

- **§ 3616. Duties; use of proceeds**

Such sewage disposal commissioners shall have the supervision of such municipal sewage disposal department, and shall make and establish all needful rates for charges, rules, and regulations for its control and operation including the right to require any individual, person, or corporation to connect to such municipal system for the purposes of abating pollution of the waters of the State. Such commissioners may appoint or remove a superintendent at their pleasure. The charges and receipts of such department shall only be used and applied to pay the interest and principal of the sewage disposal bonds of such municipal corporation as well as the expense of maintenance and operation of the sewage disposal department or other expenses of the sewage system. These charges and receipts also may be used to develop a dedicated fund that may be created by the commissioners to finance major rehabilitation, major maintenance, and upgrade costs for the sewer system. This fund may be established by an annual set-aside of up to 15 percent of the normal operations, maintenance, and bond payment costs, except that with respect to subsurface leachfield systems, the annual set-aside may equal up to 100 percent of these costs. The fund shall not exceed the estimated future major rehabilitation, major maintenance, or upgrade costs for the sewer system. Any dedicated fund shall be insured at least to the level provided by FDIC and withdrawals shall be made only for the purposes

for which the fund was established. Any such dedicated fund may be established and controlled in accord with section 2804 of this title or may be established by act of the legislative body of the municipality. Funds so established meet the requirements of subdivision 4756(a)(4) of this title. Where the municipal legislative body establishes such a fund, it shall first adopt a municipal ordinance authorizing and controlling such funds. Such ordinance and any local policies governing the funds must conform to the requirements of this section. (Amended 1967, No. 181, § 3, eff. April 17, 1967; 1989, No. 45, § 6; 2003, No. 115 (Adj. Sess.), § 81, eff. Jan. 31, 2005.)

The statutes make clear that rates must be “needful” and proceeds from those rates may only be used to pay principal and interest of water and sewer bonds, the expenses of repairs and management of the water and sewer departments and payments into a dedicated fund not to exceed 15% of expenses and debt service. A dedicated fund must be specific to either water or sewer and the 15% limit would apply only to the expenses and debt service of that one department.

These statutes are abundantly clear that rates are driven only by the expenses of the individual department.

The City of Newport uses statute: Title 24 Chapter 7 § 9. “Powers of Mayor; Council to Establish Water Rates.”

Given this statutory backdrop, why is the City Manager justifying a proposed rate increase based upon a revenue analysis?

2. Given the statutory backdrop in Question 1, why is the City Manager proposing a blanket 10% rate increase across both water and sewer?

Because we are operating at a loss. Out of respect to the ratepayers, we want to impose a more easily digestible increase now, and will recommend another rate increase in early 2024. The city needs an immediate rate adjustment for both water and sewer to compensate for the current loss and anticipated upcoming debt, and another adjustment as soon thereafter as reasonable. The recommendation is 10% now, so that the next adjustment is similar.

3. Given the statutory mandates found in Question 1, why has the City Council failed to revue the water and sewer budget including the expenses? Specifically, why has the City Council failed to analyze whether the expenses included in the water and sewer budgets are legitimately tied to the water and sewer departments?

How do you know the council does not review the budget? Council Question to respond.

4. Given the statutory mandates found in Question 1, why has the City Council failed to vote on the water and sewer budgets?

The funds are proprietary funds which incorporate enterprise funds. These are designed to be self-sufficient.

5. What concrete, specific evidence has the City Manager provided to support the legitimacy of the expenses that she has included in the water and sewer budgets? Examples include time studies for salary apportionment, hour logs for equipment usage (all equipment has hour clocks in the machine), mileage logs for vehicles, an apportionment schedule for routine maintenance of vehicles and equipment based upon the aforementioned logs, etc.

The concrete evidence is the audit and the operating budget.

6. Have all transfers to the Water Sinking Fund been 15% or less of the water expenses for that year?

Yes $(1004627.83-105000)*0.15 = \$134,944.17$ and \$105,000 was placed in Water Sinking Funds

7. Have all transfers to the Sewer Sinking Fund been 15% or less of the sewer expenses for that year?

Yes $(1,706,844.97-65000)*0.15 = \$246,276.75$ and \$65,000 was placed in Water Sinking Funds

8. The State of Vermont grants tax exempt status to a variety of entities under 32 VSA §3800. Vermont law is supreme to municipal regulation or municipal policy. Should a conflict exist between the Vermont law and the municipal regulation/policy, Vermont law is controlling.

Historically, the City of Newport has defended its shifting of expenses from the General Operational Budget to the Water and Sewer Budgets by stating that everyone must pay for water and sewer. Hence, inclusion of general operational expenses in water and sewer causes the tax-exempt entities to pay their fair share. Most recently, Mayor Monette made such a statement during the Informational Meeting on March 6, 2023, City Manager Laura Dolgin made this statement on Page 6 of her "Water and Sewer Rates and Fees Presentation," and Councilman Wilson made such a statement at the May 1, 2023 Council Meeting.

The movement of general operational expenses to the water and sewer departments is a deliberate attempt by Newport City to circumvent 32 VSA §3800. It is illegal. I

strongly suspect the Vermont Attorney General will have interest in Newport City's practices.

Why is the City of Newport deliberately engaging in illegal practices?

The City is not engaging in illegal practices.

9. The deliberate denial of an entity's tax-exempt status borne of the movement of general operational expenses into the water and sewer budgets is the removal of a right and of property without due process of law. All effected entities have the ability to file a due process class action lawsuit against the City of Newport.

Why is the City Council approving regulations and policies that create the legal liability of a class action lawsuit against the City of Newport?

The City Council is not engaging in such activities, this is an opinion.

10. A shift of general operational expenses to the water and sewer budgets is a shift of tax burden from the wealthy to the poor.

Consider an individual who owns a waterfront home assessed at \$800,000 as compared to an individual who owns an in-town home assessed at \$80,000. When the property tax mil rate is applied to these properties, the waterfront owner pays ten times more than the in-town owner. When general operational expenses are moved to water and sewer, both pay the same percentage. Hence, such a shift of expenses causes the in-town property owner's tax liability percentage to increase from 10% to 50%. (These are rough numbers for illustration purposes only.)

This effect is likely further augmented by the demographics of the two property owners. It is likely that the waterfront owner is older and retired with no children at home. It is also foreseeable that the waterfront owner is a part-time resident. Hence, the waterfront owner's water usage is likely low. On the other hand, the in-town owner is likely a full time resident and is more likely to have children. Hence, the in-town owner's water usage will be higher. The greater water usage of the in-town owner will cause him/her to pay a percentage exceeding 50% of the expenses shifted from the general operation budget to the water and sewer budget and the waterfront owner will pay less than 50%.

Why is the City of Newport advancing a tax policy that shifts the tax burden from the wealthy to the poor?

The City is not engaging in such activity, this is an opinion.

11. The current water and sewer rate structure is based upon the State of Vermont's average two-person household usage of 13,500 gallons per quarter. Should the Council approve the proposed rate increases, a family of four, using the State of Vermont's

average four-person household usage of 27,000 gallons would experience an annual water sewer bill of \$1,602.67. $(\$171.89)(2)(4)(1.1073) + \$80 = \$1,602.67$.

Under our **current rate** fees a METERED household with a usage of 27,000 gallons a quarter would receive a utility bill of \$1375.04 annually. 13500 = \$63.72 (fixed sewer base) $13500 \times 0.00472 = \$63.72$ (variable sewer base >than 13500) $27000 \times 0.00326 = \$88.02$ (usage sewer rate) 13500 = \$37.96 (fixed water base) $13500 \times 0.00281 = \$37.96$ (variable water base >13500) $27000 \times 0.00194 = \$52.38$
Totals: Sewer \$215.46 Water \$128.30 = \$343.76 per quarter $\$343.76 \times 4 = \mathbf{\$1375.04}$ year.

Under **the new rate** a METERED household usage of 27,000 gallons a quarter would receive a utility bill of \$1528.28. 13500 = \$70.88 (fixed sewer base) $13500 \times 0.00525 = \$70.88$ (variable sewer base >than 13500) $27000 \times 0.00360 = \$97.20$ (usage sewer rate) 13500 = \$42.53 (fixed water base) $13500 \times 0.00315 = \$42.53$ (variable water base >13500) $27000 \times 0.00215 = \$58.05$
Totals: Sewer \$238.96 Water \$143.11 = \$382.07 per quarter $\$382.07 \times 4 = \mathbf{\$1528.28}$ year
Annual difference of $\$153.24/4 = \38.31 a quarter.

Does the Council understand that the proposed rates would cause a family of four using an average amount of water to experience a quarterly water/sewer bill of over \$400?

Given the calculations above a METERED household with a usage of 27,000 gallons per quarter are currently paying \$343.76/qtr and after the proposed rate increase they would be paying \$382.07/qtr which is a quarterly increase of \$38.31.

12. In the "Statement of Cash Flows – Proprietary Funds" found in each of the City Audits, there is often an entry entitled "Transfers to other funds."

Can you please provide a detailed description of what such transfers were for every year a transfer existed during the period of FY 14-15 through FY 21-22?

Transfers to other funds is the equivalent as Due to/from Accounts
While the due from account tracks money owed to the company, the due to account tracks obligations that are owed to another entity, in this case, to the various funds. The due from accounts focus on incoming assets, also known as receivables, while the due to accounts focus on outgoing assets, also called payables. This type of transaction happens almost daily.

As of 6/30/22 the Sewer Fund has a payable to the General Fund of \$226,957, which is an increase of \$243,351 from the prior year's receivable of \$16,394.

As of 6/30/22 the Water Fund has a payable to the General Fund of \$252,487, which is an increase of \$262,239 from the prior year's receivable of \$9,752.

13. According to the auditor's report, on June 30 2016 the Sewer Fund had a balance of \$2,687,277. (See Newport City Annual Report, page 39, Net Position Beginning of Year)

According to the City Manager's accounting found in the Annual Reports, the sewer department experienced the following surpluses/losses:

FY 16-17	\$271,437
FY 17-18	\$298,238
FY 18-19	(\$12,459)
FY 19-20	\$43,984
FY20-21	(\$149,701)
FY21-22	(\$225,083)
Total	\$226,416

$\$2,687,277 + \$226,416 = \$2,913,693.$

The Auditor's Report indicates that the balance on June 30, 2022 was \$1,590,558.

Where did the \$1,323,135 go?

Sewer Fund	Per Page 8 of Annual Audits	Change in Net Position	Net Position at end of Year
6/30/16			\$2,687,277
6/30/17		-\$6,707	\$2,680,570
6/30/18		\$14,793	\$2,695,363
6/30/18	As Restated - see note below	\$218,809	\$2,914,172
6/30/19		-\$297,596	\$2,616,576
6/30/20		-\$230,394	\$2,386,182
6/30/21		-\$417,168	\$1,969,014
6/30/22		-\$378,456	\$1,590,558
June 30, 2019 Audit Report page 37 Note 18 Prior Period Adjustment			

Net position in the sewer fund has been restated to correct and understatement of revenue at June 30, 2018 in the amount of \$218,809. The adjustment was due to the City not previously recording an estimate of unbilled sewer revenues in previous fiscal year ends.

The audited numbers in the Audit Report are the ones that should be used for this analysis. The budget pages in the Annual Report show the principal payments, and not depreciation. We budget for items such as principal payments and the depreciation expense because this is responsible conservative budgeting practice. For profit and loss numbers, page 8 of the Audit Report needs to be used.

14. According to the Auditor’s Report, on June 30 2016, the Water Fund had a balance of \$1,543,173. (See 2016 Newport City Annual Report, page 39, Net Position Beginning of Year)

According to the City Manager’s accounting found in the Annual Reports, the water department experienced the following surpluses/losses:

FY 16-17	\$359,421
FY 17-18	\$219,892
FY 18-19	\$31,382
FY 19-20	\$184,546
FY20-21	(\$31,184)
FY21-22	(\$211,597)
Total	\$552,460

$\$1,543,173 + \$552,460 = \$2,095,633$

The Auditor’s Report indicates that the balance on June 30, 2022 was \$1,594,438

Where did the \$501,195 go?

Water Fund	Per Page 8 of Annual Audits	Change in Net Position	Net Position at end of Year
6/30/16			\$1,543,173
6/30/17		\$127,615	\$1,670,788
6/30/18		\$117,540	\$1,788,328
6/30/18	As Restated - see note below	\$149,180	\$1,937,508
6/30/19		-\$49,413	\$1,888,095
6/30/20		-\$68,628	\$1,819,467

6/30/21		-\$61,899	\$1,757,568
6/30/22		-\$163,130	\$1,594,438
June 30, 2019 Audit Report page 36 Note 18 Prior Period Adjustment			
Net position in the sewer fund has been restated to correct and understatement of revenue at June 30, 2018 in the amount of \$149,180. The adjustment was due to the City not previously recording an estimate of unbilled water revenues in previous fiscal year ends.			

Follow the auditor's report, same as the response for sewer.

15. In her presentation, the City Manager states that the loss of leachate revenue in 2019 of \$180,00 is in part responsible for the current "crisis" of the water and sewer departments.

First, the loss of leachate revenue only effected sewer revenue, not water revenue. Hence, it cannot be cited as a justification for water rate increases.

Further, if one examines the sewer revenues, one sees that sewer revenues were \$1,564,090 in FY 16-17 and \$1,481,761 in FY 21-22. The sewer revenues have hovered around \$1,500,00 fairly consistently, with FY 17-18 being a bit more and FY 20-21 being a bit less. In FY 19-20, the year in which the city lost the leachate revenue, the sewer revenue was \$1, 526,018.

Given this backdrop, how can the city claim that the loss of leachate revenue has resulted in a "crisis"?

The loss of leachate resulted in a loss of revenue for the sewer fund. That revenue needs to be made up somewhere, i.e., through the rates.

16. Between FY 17-18 and FY18-19, sewer expenses increased by \$212,838. Why?

17. Between FY 20-21 and FY 21-22 sewer expenses increased by \$236,400. Why?

18. Between FY 17-18 and FY18-19, water expenses increased by \$158,461. Why?

19. Between FY 19-20 and FY 20-21, water expenses increased by \$230,614. Why?

20. Between FY 20-21 and FY 21-22, water expenses increased by \$136,379. Why?

Maintenance and repairs and ongoing investments are required on a continuous basis in order to maintain this facility. Refer to the Annual Reports for various updates of projects.

21. The implementation of the current rate structure in August of 2016 created an unanticipated revenue increase. Since that time, the City has systematically moved expenses from the General Operational Budget to the Water and Sewer budgets to offset the increase in revenue.

This is an opinion.

Does the City Council understand that they do not have a revenue problem, but rather an expense problem? **This is an opinion.** Is the Council finally going to examine those expenses and determine, based upon concrete, specific evidence, whether the expenses legitimately arise from the water and sewer departments?

The Sewer User Fees in 2015 -2016 was \$945,066.

The Sewer User Fees in 2022-2023 are \$988,387.
\$ 43,321

The Water User Fees in 2015 -2016 was \$776,867.00.

The Water User Fees in 2022 - 2023 are \$699,943.00.
(\$ 76,924.00)

The Sewer User Fees are \$43,321 **more** than they were in 2015.

The Water User Fees are \$76,924 **less than** 2015-2016.

1) It appears that these proposed increases are based on the water usage for just one quarter but the loss for one year. Water usage varies based on the season; so the illustrative example of this rate increase's effect is not necessarily reflective of the annual income/use. Therefore the projected enterprise funds income as a result of a 10% increase is not necessarily correct. Why weren't actual annual usage figures used? What was the annual use for the periods billed in 2022 fiscal year? And using those figures what is the estimated annual increase in revenue?

See the chart showing annual rates and percentages (Attached)

2) The total losses are shown as \$541,586 for 2022 year. With sewer responsible for 70% of this loss so why is the proposed rate increase approximately 10% for both funds? The losses are not the same percentages - for 2022 sewer was 25.6% and 20.4% for water. However this level of loss might be an anomaly as prior years have shown the following losses:

	2019	/	2020	/	2021	/	2022
Sewer	19.9%	/	15.2%	/	31.8%	/	25.6%
Water	6%	/	8%	/	7%	/	20%

the attached spreadsheet that shows the calculating of the above figures from the Total Operating Revenue and Change in Net Position (these are the same lines used in the May 1 presentation. How can you justify raising the water rate at a slightly higher percentage than the sewer rate, when actual losses show the reverse to be the case?

Keep in mind that water user fees don't generate as much revenue as sewer user fees

3) Based on the City's presentation a larger increase than is being proposed is needed. But based on the above years, the 4 year average would be 23% increase in sewer rates and a 10.25% in water. So why is sewer increase half of what is needed while the water is close to the actual amount?

4) If the enterprise funds should not make a profit, is there any requirements or rules governing operational losses?

No. Money would have to be borrowed.

5) The water department for 2022 shows \$636,264 of deferred income - what is this? Has this contributed to the spike in water loss for 2022?

The deferred income is the ARPA Funds that are being used for the Reservoir Cover and the Eastside Water Tower. Additional income would not increase a loss.

thanks for reading, and answering,

j
jennifer hopkins
802.334.9131

		4 Quarter Totals		Rate Adjuster		Additional Usage Rate		Additional Usage Rate	
		# of Accounts	Amount	Rate	Gallons Used	Amount	Gallons Used	Rate	Usage Rate
Sewer Charges									
APTS	Residential Sewer - Apds	221	\$49,237.18	\$107.74		\$54,150.90		\$120.00	10.22%
ICS	Industrial/Commercial Sewer	14	\$5,988.01	\$113.17		\$7,056.00		\$126.00	10.18%
ISMB	Industrial Sewer Meter Base Rate	160	\$217,430.83	\$63.73	42,862,510.00	\$240,166.36	42,862,510.00	\$71.00	10.24%
ISMD	Industrial Sewer Meter Usage Rate	152	\$139,751.78	\$0.003260	42,862,510.00	\$154,305.04	42,862,510.00	\$0.003600	9.44%
MSB	Sewer Meter Base Rate	657	\$217,028.38	\$63.72	31,589,849.00	\$217,028.38	31,589,849.00	\$71.00	10.25%
MSD	Sewer Meter Usage Rate	645	\$102,982.91	\$0.003260	31,589,849.00	\$113,723.46	31,589,849.00	\$0.003600	9.44%
NSMB	Sewer Meter Base Rate	1	\$254.88	\$63.72	26,481.00	\$423.03	26,481.00	\$71.00	10.10%
NSMD	Sewer Meter Usage Rate	1	\$86.33	\$0.003260	26,481.00	\$86.33	26,481.00	\$0.003600	
NRS	Non-Residential Sewer	1	\$1,810.84	\$452.71		\$2,020.00		\$505.00	10.35%
RS	Residential Sewer	584	\$251,034.20	\$107.74		\$280,320.00		\$120.00	10.22%
SRS	Seasonal Sewer	6	\$1,635.30	\$71.10		\$1,896.00		\$79.00	10.00%
VAS	Vacant Sewer Rate	4	\$955.95	\$63.73		\$1,136.00		\$71.00	10.24%
Total Sewer Revenue			\$988,194.59		74,478,840.00		74,478,840.00		10.06%
Fixed Revenue									\$1,511,271.00
Water Charges									
ICW	Industrial/Commercial Water	65	\$7,220.85	\$111.09		\$8,060.00		\$124.00	10.41%
IWMB	Industrial Water Meter Base Rate	171	\$140,030.58	\$37.96	46,327,558.00	\$156,380.14	46,327,558.00	\$42.00	9.62%
IWMD	Industrial Water Meter Usage Rate	162	\$89,875.46	\$0.001940	46,327,558.00	\$99,604.25	46,327,558.00	\$0.002150	9.77%
NRW	Non-Residential Water	4	\$1,555.26	\$111.09		\$1,736.00		\$124.00	10.41%
NWMB	NR Water Meter Base Rate	3	\$425.73	\$37.96	93,754.00	\$425.73	93,754.00	\$42.00	9.62%
NWMD	NR Water Meter Usage Rate	3	\$181.87	\$0.001940	93,754.00	\$181.87	93,754.00	\$0.002150	9.77%
RW	Residential Water	795	\$218,559.05	\$64.15		\$218,559.05		\$72.00	10.90%
RWD	Residential Water Data	0	\$0.00	\$64.15		\$0.00		\$72.00	10.90%
RWMB	Water Meter Base Rate	771	\$147,767.23	\$37.96	34,825,579.00	\$147,767.23	34,825,579.00	\$42.00	9.62%
RWMD	Water Meter Usage Rate	755	\$67,561.62	\$0.001940	34,825,579.00	\$74,874.99	34,825,579.00	\$0.002150	9.77%
SRW	Seasonal Water on ledge pipe	4	\$468.32	\$29.27		\$468.32		\$31.00	5.58%
SRW	Seasonal Water	19	\$4,389.00	\$58.52		\$4,389.00		\$65.00	9.97%
SWMP	Swimming Pool	33	\$4,521.40	\$69.56		\$4,521.40		\$78.00	10.82%
TPMB	Treatment Plant Water Meter Base Rate	3	\$8,624.17	\$37.96	3,061,831.00	\$8,624.17	3,061,831.00	\$42.00	9.62%
TPMD	Treatment Plant Water meter Usage Rate	3	\$5,939.95	\$0.001940	3,061,831.00	\$5,939.95	3,061,831.00	\$0.002150	9.77%
VAW	Vacant Water Rate	4	\$569.40	\$37.96		\$569.40		\$42.00	10.07%
WOPF	Water Turn Off	34	\$1,477.17	\$40.47		\$1,477.17		\$45.00	
WON	Water Turn On	35	\$1,517.64	\$40.47		\$1,517.64		\$45.00	
Total Water Revenue			\$700,694.71		84,308,722.00		84,308,722.00		\$1,009,483.00
Total Sewer & Water Revenue			\$1,688,889.30		158,787,562.00		158,787,562.00		\$2,520,754.00
			745,383.57		Total Sewer Fixed	804,204.66	Total Sewer Fixed	75.00%	70.00%
			\$242,801.02		Total Sewer Variable	\$268,114.82	Total Sewer Variable	25.00%	30.00%
			537,125.80		Total Water Fixed	554,495.29	Total Water Fixed	75.43%	75.00%
			\$163,558.91		Total Water Variable	\$180,601.06	Total Water Variable	24.57%	25.00%
			1,688,889.30		1,807,415.80	\$118,546.50			

Orange - Flat Rate Step - Fixed Rate, with Variable Component
Yellow - Variable Rate

1. In the fiscal year 7/1/18- 6/30/19, the city deducted under debt service the "actual" \$93074 it had put into a "sinking fund for water tower contract." (The contract is for maintenance on our current westside water tower and was to be paid over a 15 year period, with heavier payments in the first five years.) While the water fund then had \$93074 less on paper, the sum of \$93074 was still in the city's coffers as no payment was made that year. Where is the \$93074 asset reflected in the budget or elsewhere? The next fiscal year 7/1/19-6/30/20, the city actually paid (presumably from the sinking fund) the \$93074 on the contract under the capital expenditures section and took another deduction for the same \$93074!!! Shouldn't the water fund be credited back with one of these \$93074 deductions? **Extremely hard to decipher these questions. Payments were made to the Utility Service from the water tower sinking fund from 9/24/2018 through 3/04/22 in the amount of \$93,074. On October 3, 2022, a payment of \$22,260 was made to Utility Service from the Water Tower Sinking Fund.** Why is a sinking fund being used here at all when such a fund is usually set up to put smaller amounts of cash in the sinking fund over a period of years to pay for a large ticket item in the future? Here the sinking fund is being exhausted in the next year. Isn't it true that if a sinking fund had not been created, then there would have clearly been only one deduction in the second year when the money was actually paid of \$93074? Once more, in fiscal year 7/1/21-6/30/22, the sinking fund received \$85000 from the water fund and a deduction of \$85000 was taken under debt service, but the water fund also paid \$93074 on the contract in the same year and a deduction of \$93074 was taken under capital expenditure. Can you explain how this is not another case of double deducting of at least \$85000? Shouldn't \$85000 be added back to the water fund to correct this situation? **There is no case of double deducting anything. There was not enough funds in the sinking fund watertower contract line item to pay for five years. The budget added to it to cover the cost.** Wouldn't these two additions to the water fund affect how much the rate should increase? (See pages 44-45 of the city's annual report for 2020 for relevant data.) **This actually validates the rates need to increase.** Can you explain the accounting here and why the creation of a sinking fund seems to create an additional deduction for the same expense? **This is not accurate and doesn't make sense. The creation of a sinking fund is to offset future costs, and expense those costs as responsibly as possible without undue burden to the taxpayer.**

2. Can you tell us the exact amounts of cash in the water and sewer funds separately as of today and in each of those funds at the end of the fiscal years (6/30) from 2010 to 2022? (Please use the data in the city's "ledgers"). What are those 26 numbers that would give us a clue as to the availability of cash to pay bills currently? **See attached**

3. As the expenses of the water and sewer funds determine how much the rates should increase, can you explain why the council should not: discuss at a warned public meeting (with public input) and then vote on the water and sewer budgets so that the accuracy and reasonableness of the expected expenses can be reviewed (especially as neither residents nor any other sewer or water bill payers ever get to vote on the water/ sewer budgets or the rate increases)? We would therefore like to rely on those we elected to perform this duty.

All public processes are being followed to determine the budget for the enterprise funds. Invitations to meet with the internal team were declined.

4. . For fiscal year ending 6/30/22, how does the cash in the city's books compare to the cash in the water and sewer funds in the auditor's report (on p.86 of the annual report for 2022) -- cash at beginning of year and cash at end of year for each fund? For example, cash in water fund at beginning \$568,266; cash at end \$1,310,549 in the auditor's report. If there are differences between the city's accounts and the auditor's report, please explain why? **Cash in the city's books is an unknown term. The auditor audits the city's numbers. An audit is an official inspection of an individual's or organization's accounts, typically by an independent body.**

5. Has a dedicated fund for an allowed purpose ever been created in accordance with 24 V.S.A. Section 3313 (b) wherein the water or sewer commissioners (now the council members) would have voted to create such a fund? When did this or these occur? For what purposes? **Question has been answered in Bjurling Q 6 & 7.**

6. Why, if the public generally has to deal with all the other intricacies of the water/sewer bills, does the city think that the public can't handle fractional rates but would prefer a rounding to possibly pay more and not necessarily equitably? **See attached rate sheet with a straight 10%**

7. Why is the city management using "the change in net position" on p. 85 of the annual report (p.8 of the auditor's report) which includes among other things, depreciation, to conclude that there is a loss? **Why wouldn't we use this #? What other number would make sense to use.** Why not the "net provided by operating activities," p.86 or the "cash at end of year," p.87 for the two funds--all of which are positive (gains)? **Page 87 is a fiduciary fund not the enterprise fund.** When did you last seek advice about which numbers to use? **Seriously?** From whom? Is the advice in writing? Please provide a copy to council.

8. How can the amount of "loss" the city management cites from the audit report be reconciled with the "loss" in the city manager's budget for 2022 under actuals? (See page 40 and 42 of the annual report for 2022.) **Principal payments and depreciation.**

9. Do the rates accurately reflect the cost of sewer vs. water? **We have no idea what this question is asking.**

10. Has the city management ever explained why in the budgets, the user sewer fees that were expected were raised in the last 3 years to \$1,500,000 approximately when the actual amount received from sewer user fees in the previous seven years had remained pretty steady at about \$1,100,000 in each of those years? The city management's consistent position had been that income should not be added without certainty of receiving it. Why the different approach here? Was it ever specifically explained to council what effect adding \$400,000 to the amount that had stayed pretty steady at \$1,100,000 would be? When if ever was an explanation of where this \$400,000 would come from if there was no rate increase? (See p 37 of the annual report 2022: line 1 of sewer income, sewer user fees.) **Budgets are an educated estimate based on prior years actuals; the budget reflects the expenses that are needed to operate the facility.**

11. Can "that's the way we have always done it" be an adequate rationale for shifting a percentage of the cost of the salaries of approximately 12 employees from the general fund to be paid by water and sewer funds? For 6 of these employees, the shifts have been fairly recent and can explain some of the recent increase in expenses for the water and sewer funds. Should not the council/ commissioners require an adequate basis for the % being shifted? As an example, the director of public works told us that while he doesn't keep time sheets, all of his employees, including his foreman do keep them. The foreman is one of the more recent employees whose salary is shifted 33% to water and 33% paid by sewer. Can a summary of his time sheets for fiscal year 7/1/21 to 6/30/22 showing how much he worked in water, sewer, and all other public works be provided to council so that they can get a handle on how accurate old %s are? (Summaries of time spent in each of the three areas were made available on request last year for the 4 public works employees whose time was apportioned amongst water, sewer and other public works assignments for 7/1/21 to 6/30/22). To control expenses and insure compliance with state statute, 24 V.S.A. Section 3313, and the comparable sewer statute shouldn't the % shift in salary have a factual basis of how much work was provided to each fund measured over a given time period that is representative of the year or a series of years.? Shouldn't council vote on these shifts?

The City of Newport uses statute: Title 24 Chapter 7 § 9. "Powers of Mayor; Council to Establish Water Rates."

12. Are other sources of income, such as discharge fees in sewer up for a for a % increase?
Yes If not, why not?

What are discharge fees again?

Septage or discharge fees are the wastewater or contents of septic or holding tanks, dosing chambers, grease interceptors, seepage beds, seepage pits, seepage trenches, privies or portable rest- rooms.

13. In the sewer fund, under debt services in fiscal year 21-22, deductions were made for a vactor sinking fund of \$65,000. Where is that sum reflected as an asset either in the budget or elsewhere? The Vactor Fund is a cash account that appears on the Balance Sheet. Why create additional sinking funds in 20-21 that create more expense at a time when the city management claims the water and sewer funds are in trouble? The Vactor truck is going to need to be replaced and is anticipated to cost \$700,000 or more. Setting up a sinking fund for this purpose will alleviate the expense when the time comes to make the purchase. This is known as advance proactive planning. Why budget additional sums for the vactor fund in the next few years under these perceived circumstances? See above. While a smaller sum is involved, why create a sinking fund for our reservoir cover and deduct \$10,000 in fiscal year 21-22 and continue to budget more money for the reservoir cover in the next few years when ARPA funds received via the state from the federal government paid for the recent reservoir cover replacement in full? The timing of creating these budgets is a year and a half away from actual

implementation. No one could foresee the pandemic coming or the realization of ARPA funds when this budget was created.

14. Is it a fair statement, that when residents vote on Article 3 each year, they vote to approve a budget of certain amount of money (including appropriations) and to have the City assess a tax sufficient to provide those funds? **Yes**. Is it fair to say that more cash than budgeted can be spent by one department if needed, and less by another as long as the total amount assessed is not exceeded? **Yes**. For example, while a 7% increase in salaries for all non-union staff was not in the budget, when council approved the raise in 2021, **(it was approved in 2022)** the increase was paid with monies found somewhere else in the budget or by additional income received.. **The funds were found by underspending in the operational budget.** Similarly, if council chose to shift back immediately part of an inaccurate % shift of salary that had been made from the general fund to be paid by water or sewer, is it true that as long as there were monies found somewhere in the budget or in additional monies received, (for example grant money that came in for items already scheduled to be paid by taxpayers). the shift could occur now? To wait for corrections to be made in November 2023 in the budget for fiscal year 23-24 means we won't experience any changes until 7/1/24 at the earliest. **This is a very confusing question. We think this is asking if the % of salaries in water and sewer are wrong, this should be shifted back to the operational budget immediately. The response is that the % of salaries attributed to water and sewer are not wrong. We have to plan for catastrophic events whether they occur or not. When these events occur, or a rebuild of a road is taking place, it is all hands on deck.**

15. Is it fair to say that city employees' salaries are matter of public record and need not be lumped with others in the budget to hide any individual's particular salary? **Yes, and no one's salary is being lumped together for the purpose of hiding a particular salary**

Response to A Chiarello Q 2 5 12 2023

	6/30/10	6/30/11	6/30/12	6/30/13	6/30/14	6/30/15	6/30/16	6/30/17	6/30/18	6/30/19	6/30/20	6/30/21	6/30/22	5/12/23
Sewer Fund														
WWTF Sinking Fund	\$178,356.00	\$178,400.96	\$178,752.57	\$116,103.15	\$116,277.43	\$116,451.98	\$116,627.12	\$116,801.95	\$116,976.80	\$117,151.92	\$117,320.01	\$117,404.99	\$117,463.71	\$117,530.50
Stallion Sinking Fund	\$60,000.00	\$65,782.13	\$65,909.11	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Tanker Sinking Fund	\$140,000.00	\$145,802.29	\$171,089.75	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Vector Sinking Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$65,000.00	\$65,000.00
Due to/from Other Funds	\$320,704.29	\$395,750.35	\$348,683.12	\$347,107.20	\$262,593.21	\$168,307.58	\$91,726.94	\$353,202.75	\$435,590.53	\$14,252.68	\$286,697.33	\$16,394.49	-\$226,956.60	-\$621,782.34

Water Fund

Water Tower Sinking Fund	\$60,000.00	\$103,015.13	\$123,211.55	\$123,395.11	\$163,611.02	\$163,856.62	\$164,103.05	\$194,351.89	\$209,669.51	\$209,956.79	\$260,283.29	\$320,446.79	\$405,607.69	\$405,838.33
WTF Replacement Fund	\$62,157.00	\$108,329.67	\$133,707.04	\$133,907.75	\$190,894.29	\$191,180.84	\$191,468.37	\$201,756.34	\$202,031.82	\$202,384.96	\$202,630.22	\$202,798.00	\$212,899.55	\$213,020.60
Reservoir Cover Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$35,000.00	\$35,000.00	\$45,020.98	\$45,020.98	\$55,020.98	\$55,020.98
ARPA Funds - Deferred Income	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$637,021.41	\$1,274,731.28
Due to/from Other Funds	\$420,623.17	\$312,726.73	\$277,069.08	\$368,357.86	-\$30,869.56	-\$2,842.86	-\$44,892.91	\$92,041.12	\$27,060.22	\$45,789.17	\$100,013.08	\$9,751.63	-\$252,486.53	-\$339,316.10

It started as another of those small asks. Can you, the City, please explain the water/sewer Enterprise Fund to us the citizens. Simple right? Wrong. It led to the Newport City Council equivalent of World War III. Apparently asking questions at a meeting (they are only for the Council Members) is unwelcome, commenting or attempting to ask a question in the 2 minute Comments Section at the beginning of the meeting to a bench of Elected Representatives goes unheard and unanswered, and any attempt to question during budget hearings is considered insulting to the process. An indicator of questioning the integrity of city employees. Don't believe me? Look back at the last 6 months of City Council meetings. All are available on video at NEK-TV, on youtube. There were the usual disclaimers (you didn't ask the question correctly, too much "attitude", maybe but less got us nowhere), we pay a lot of money for the auditor (err yes, and he/she has a disclaimer that only the figures presented are examined) but the bottom line remained. What we were seeing as tax payers made no sense, what we were asking went unanswered. Fast forward through meetings filled with anger and theatrics. Frustration on both sides of the getting-greater divide. So here we are today, right up against a raise in water/sewer rates. Still no explanation of the budget as written - actual and proposed, no explanation for how/why the auditor's version is different from the one shown to taxpayers, and no explanation of how the items transferred from the General Budget to the Water/Sewer account get there. This is a budget that does not get voted on by anyone. Because it is a "business account". OK, but business accounts usually have accountability to their shareholders, and that would be us. The account is "overseen" by the Water Commissioners, bodies that happen to reside in the same bodies as the City Council members. Doppelgangers who should wear different hats. They do not appear to meet, certainly not publicly and if they meet privately there should be evidence of a public warning. They do not vote on this budget, and nor do we, the taxpayers. Although if you check out the Annual Report budget section where this budget is housed, it implies that the Council does vote on it. They don't. Nor do they discuss it. Confused? You bet, me too.

So fast forward to where we are today. Next week the City Council meeting will vote on the proposed increase on our water/sewer rates. Allegedly a big one although the math presented to us makes little sense. We were asked to put our questions in writing to the City Manager so that they could be answered before/during the next meeting. Several of us have done this, writing from different backgrounds and different areas of questioning/expertise. Those with accounting skills have asked technical questions, those of us without are asking from the position of being tax paying, water using residents.

Enterprise Funds (a Proprietary Fund)

GAAP (Generally Accepted Accounting Practices) requires local government to use enterprise fund(s) to account for "business-type activities" – activities similar to those found in the private sector. Business-type activities include services primarily funded through user charges.

An enterprise fund identifies the total costs to provide the service and the sources and amounts of revenues that support the service for which the fee is charged in exchange for the service.

NCGAS 1 (National Council on Governmental Accounting) defines the purpose and implementation of enterprise funds as:

"...to account for operations (a) that are financed and operated in a manner similar to private business enterprises - where the intent of the governing body is that the costs (expenses, including depreciation) of providing goods and services to the general public on a continuing basis be financed or recovered primarily through user charges; or (b) where the governing body has decided that periodic determination of revenues earned, expenses incurred, and/or net income is appropriate for capital maintenance, public policy, management control, accountability, or other purposes."

The following are my questions. I really hope that there are answers given to all of us in the spirit of inclusion, democracy and recognition of the genuine desire of taxpayers to understand exactly what they are paying.

1. The current rates for water and sewer were created after a lengthy group process with a team of individuals representing various interested groups in Newport. Why is this approach not being considered this time around? I understand members of that group offered to revisit the rates. If some of the previous members are not willing/able then this is an opportunity to include new and interested community representatives. And it should be seen in that way. Involve more people than just the usual suspects. Win/win. More engaged citizens. **The Water/Sewer Committee was organized to create a new rate structure for water and sewer. The structure adopted is what is in use today. A rate increase does not require reassembling this committee.**

2. At that time there were fewer meters. Now that more people are metered looking at the water/sewer rates again would seem appropriate - in detail, not just creating a one-size fits all fee raise across the board. Why is this not being considered? If meters are to be "incentivised" then a real plan needs to be put in place. That would require more than just an "end date" with no consequences.

About half of the City's households are currently metered so data remains limited. Best practice is that we need to wait until all meters are installed and there is 1 - 2 years of usage after being 100% metered.

3. If the answer to the question "why not a reasonable rate increase" is that it is now too late for that, then why was the presentation several months ago not clear and specific? The Council at that time wanted to kick the can down the road, and did, without any discussion of the connected budget. Raising rates without looking at the budget makes zero sense. Has the new Mayor/Council Member had any "catch-up" time or access to real information? Citizens who will be paying the water/sewer rates have not. The suggestion at the last Council meeting was to raise the rates 10% now and 10% in a few months, vote on it immediately, and then not have to revisit the situation in the next few months. Expediency on the basis of limited information and no discussion. This process should not be rushed and, most importantly, should be inclusive of all who would be impacted. The proposed percentage increase is greater than 20% - that is excessive (basic 10% + 10% of an already increased base figure is greater than 20%)

The term "reasonable" is a relative term.

All city officials and employees use the budget and the annual audit as a guiding source of information when planning the budget.

The Mayor and all Council Members have access to any public information that is deemed necessary to their role; they just need to ask.

This has been a work in process for the last six years.

The loss is greater than 10% for both water and sewer, but that at least moves revenues in the right direction.

4. There are many issues around equity tied up in what initially appears to be a simple "jack up the prices" for all. That is not equity. We believe that currently the \$\$ paid by those larger users because of family size etc is not equal dollar for dollar. The price per dollar is raised after a specific number of gallons used. While I totally agree that water should be conserved, (this is why I was a meter advocate and part of the first batch of meters installed) the price of a gallon should be the same for all gallons, unless there is a good explanation for that not being so. And that we all understand the reasoning. Currently those who can least afford it appear to pay more. Is it accurate that metered users pay more \$\$ per gallon after a base number of gallons? How are the unmetered monitored?

There will be a metered rate and a flat rate structure until all households are metered. All metered users are charged the same rates.

5. Business rates are apparently different from household use. Is this true? Is this equitable? And does this encourage businesses to come to Newport? **Please check the rate sheet to see the different types of fees. This is standard operating procedure for municipalities to charge rates in this way.**

6. The issue of charging more to non-profits has been raised. Is this true? **No.** Accurate? And who does this serve? If non-profits, such as the hospital or nursing homes, pay more per gallon of usage (after whatever the cut-off is) then that impacts on all of us. And our cost of living goes up again, we have already seen 2 local nursing homes close. I understand that this was created to force non-profits who do not pay property taxes to pay "their share". Are these organizations aware of this? **The point is to account for expenses in the correct fund in which it is incurred.**

7. There appears to be a difference between water solvency and sewer solvency. If this is accurate - the accounting that we are able to see is complicated, there are differences between the auditor's version and the City version - then why would costs be raised evenly in both sewer and water? Not all residents of Newport have sewer usage, not all residents of Newport use city water. How is this going to be worked out in a way that is equitable?

Costs to run the facilities have increased for both water and sewer. Both need to be adjusted. Bills are issued for what is used.

8. Accounting principles and budgets should not be complicated. They should be readable and understandable by any of us, with an interest. There may be a learning curve around basic principles but once that is resolved we should all be able to "get it". The current system has CPA's scratching their heads. Including previous State auditors!! Obscuring expenses and income serves no one. Shifting items from the General Budget to Water and Sewer where there is minimal oversight makes zero sense. Anything shifted should have an explanation. And the Water Commissioners should have a full understanding of each transfer and why. A discussion about how this makes the general budget look smaller is really important.

Per GAAP all water and sewer income and expenses are charged to their corresponding fund. Water and Sewer expenses are not charged to the General Fund.

Informed citizens are engaged and involved, contributing to a thriving community. Positive ambassadors to those who visit and might want to move here. Please provide us with the information to be able to do this.

Pam Ladds

May 7, 2023

Re: Questions for the Newport City Council meeting May 15, 2023

Madame Mayor;

It has been two years since the installation of water meters was mandated. We are asking for an accounting of the progress of the installation process to date. We have been connected for over a year. Our water bill has increased by 50%. **Might want to give us a call to assess any potential leaks.** Specifically, we would like the following:

1. How many water meters are to be installed in Newport? **1,788**
2. How many meters have been installed to date? **969**
How many are on the waiting list. **28**
3. When do you expect that most of the meters will be installed? **Without a grant or hiring a firm specific to the installations, It will take about 3-4 years to install the remaining 819 meters.**
4. Why does the process seem to be moving slowly? **Many factors go into a mass meter installation. These factors include capacity to install by our existing staff, coordination with the homeowner, and purchasing the meters in advance. The volunteer meter program has moved slowly due in part, we suspect, because the rates do not incentivize meter installations. To install the remaining meters in a concentrated way is anticipated to cost \$1,034,000.00.**
5. President Wilson at the last meeting indicated that he has not yet complied with the mandate. We would like to hear, at the next Council meeting, the reason(s) why he chose to ignore a mandate that he participated in creating. We find his glib statement about how he was supporting the water department by not complying with the mandate insulting. As president of the council, it would seem that he should lead by example and not send a conflicting message to the public.

We need to stop putting the cart before the horse. In order to set water rates, we need the information that the meters will supply. It removes the guess work and treats everyone fairly. And more importantly it gives the public some control over their water bills. Enough with the committees. We elect the council members who in turn seek the advice of experts and department heads, then make their decisions and live with it. Much of the work should be done by an experienced city manager and we should heed the advice of our department heads. Let's hire well-qualified experienced people.

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

May 6, 2023

Nathan Cleveland
Grant Mgt Specialist
VT Community Development Program
1 National life Drive
David Building, 6th Floor
Montpelier, VT 05620-0501

RE: City of Newport, VT VCDP Grant #: 07110-IG-2018- Newport-10
Gardner Memorial Park Improvements – Status Report & Request for Extension

Dear Nathan,

The City of Newport, Vermont was awarded a VT Community Development Block Grant in the amount of \$100,000 on June 19, 2019 for improvements at Gardner Memorial Park. As part of the Environmental Review process – the City had to undertake several initiatives that ultimately resulted in a Draft Corrective Action Plan (DRAFT CAP) submitted to Lynda Provencher, VTDEC, on May 5, 2023. VT DEC will need to warn the DRAFT CAP. Lynda has accepted the draft report and is preparing to commence the 30-day public comment period.

The City of Newport, Vermont would like to respectfully request that VCDP continue to extend the Grant for this project. As of this writing the construction schedule is uncertain given the number of actions that need to be completed as outlined below.

As part of the City Annual Meeting, March 7, 2023 – voters approved the appropriation of up to \$315,000 to implement the recommendations included in the DRAFT CAP. The following steps are anticipated:

1. Revised CAP issued to DEC and warned for 30 Day Public Comment Period.
2. The City will need to engage the services of an environmental engineering firm to design the remediation required in the CAP. An RFP is being issued by the City during the public comment period.
3. The City will need to work with VCDP to complete the Environmental Review Process for the VCDP Award.
4. Following the Public Comment Period. The CAP final design will be completed. The City will need to contract with certified contractors to perform the remediation measures (soils removal, trucking, approved disposal, installation of soils barrier, etc).
5. Once remediation is completed and approved – the City will be able to solicit competitive proposals for the construction activities outlined in the approved Grant agreement for Gardner Park Improvements.

6. It is noted that the LWCF Award for this project in the amount of \$182,510 will be withdrawn. Rebecca Washburn at Forest, Parks & Recreation has indicated that: ***“I met with NPS this morning and they have recommended withdrawing the grant and resubmitting when the Corrective Action Plan is complete and the community is ready to move forward with the project. She explained that there is no real downside to withdrawing and in fact communities have the option to adjust budgets in the event costs for the project have increased in the time since the award was made. FPR would be willing to commit to the funding and have a discussion about increasing the award if necessary.”***
7. The City will need to reapply for the LWCF Funding that FPR is willing to commit to.
8. LWCF Award will need to be confirmed.
9. Bids will be received, review approved.
10. Contracts awarded. Equipment Ordered.
11. Construction and installation initiated.
12. Construction completed.
13. Project Closeout.

The following summarizes actions taken to date:

I have attached a PowerPoint Presentation (Gardner Park – Update on Brownfields Assessments) created by Christine Beling, US Environmental Protection Agency (EPA) Project Engineer. This document clearly outlines the Environmental Assessment work completed to date, and the recommendations for Corrective Action. Christine made this presentation to the Newport City Council on August 15, 2022.

To meet the Environmental Review requirements for the Vermont Community Development Program – the City had to complete a new Phase I Environmental Assessment. This Phase I Assessment was completed by Stantec Engineering in January 2020, through an EPA Brownfields Assessment Coalition Grant administered by the Northeastern Vermont Development Association (NVDA). Based on the findings identified in the Phase I, a Limited Phase II Site Assessment was conducted in March 2020. The City applied for additional funding through the EPA Targeted Brownfield Assessment program. In March 2021, EPA contractor (KGSNE/Nobis Engineering) completed a Supplemental Phase II, followed by additional soil sampling completed in January 2022. An Evaluation of Corrective Plan Alternatives (ECAA) was prepared in May 2022. A draft Corrective Action Plan (CAP) specific to the playground area, was delivered in August 2022 – the VT Department of Environmental Conservation issued several comments on the draft plan. The City contracted with NOBIS to revise the DRAFT CAP, and to address all of the VT DEC Comments. The Revised DRAFT CAP to be warned by VT DEC for public comment was received on May 5, 2023.

The results of the Environmental Assessments and soil/water sampling found groundwater contamination that exceeds Project Action Limits (PALs) based on VTDEC standards. The soils in the Playground area, and proposed Splash Pad location have arsenic exceeding PALs.

The selected remedy for the Playground Redevelopment Area includes removal of a limited amount of impacted soil, installation of an engineered isolation barrier, and implementation of institutional controls. The design and construction of corrective actions are estimated to cost approximately \$300,000.

Once the City of Newport received the draft Corrective Action Plan, representatives from the City met with officials from EPA, VTDEC, NVDA, NCIC and others to discuss the potential for accessing Brownfield

Remediation Grant funding. Eligibility for Remediation Grants is subject to enrollment in the Brownfields Reuse and Environmental Liability Limitation Act (BRELLA). The City of Newport is not an eligible applicant for BRELLA. The City as the owner of the property is a potentially responsible party. City representatives explored the possibility of having an independent third party take ownership of the property to enroll in the BRELLA program. The City met with directors of the Memphremagog Watershed Association (MWA) on September 27, 2022. MWA had expressed an interest in working with the City as an independent 3rd party.

On Monday, November 7, 2022 – I presented all the information outlined above to Mayor Paul Monette and the Newport City Council. The City Council was not in favor of investigating third party ownership of the property. The City Council voted to determine how best to finance the remediation work outlined in the Corrective Action Plan through City financial resources. This required a vote of the residents of Newport at the annual City Meeting in March 2023. Voters approved the appropriation of \$315,000 to implement the CAP.

The City of Newport is committed to the completion of the planned improvements to Gardner Memorial Park and Playground. Based on the estimated schedule to seek voter approval, arrange for financing, contract with an environmental firm and certified contractor to perform the remediation and then solicit proposals for the construction of the playground, splashpad, and recreation building improvements – the City would like to respectfully request that the VCDP Grant continue to be extended.

I deeply appreciate your consideration of this information and request for extension. I am available at your convenience to discuss this project at any time.

Sincerely,



Laura Dolgin
City Manager

Gardner Park Newport, VT

Update on Brownfields Assessments

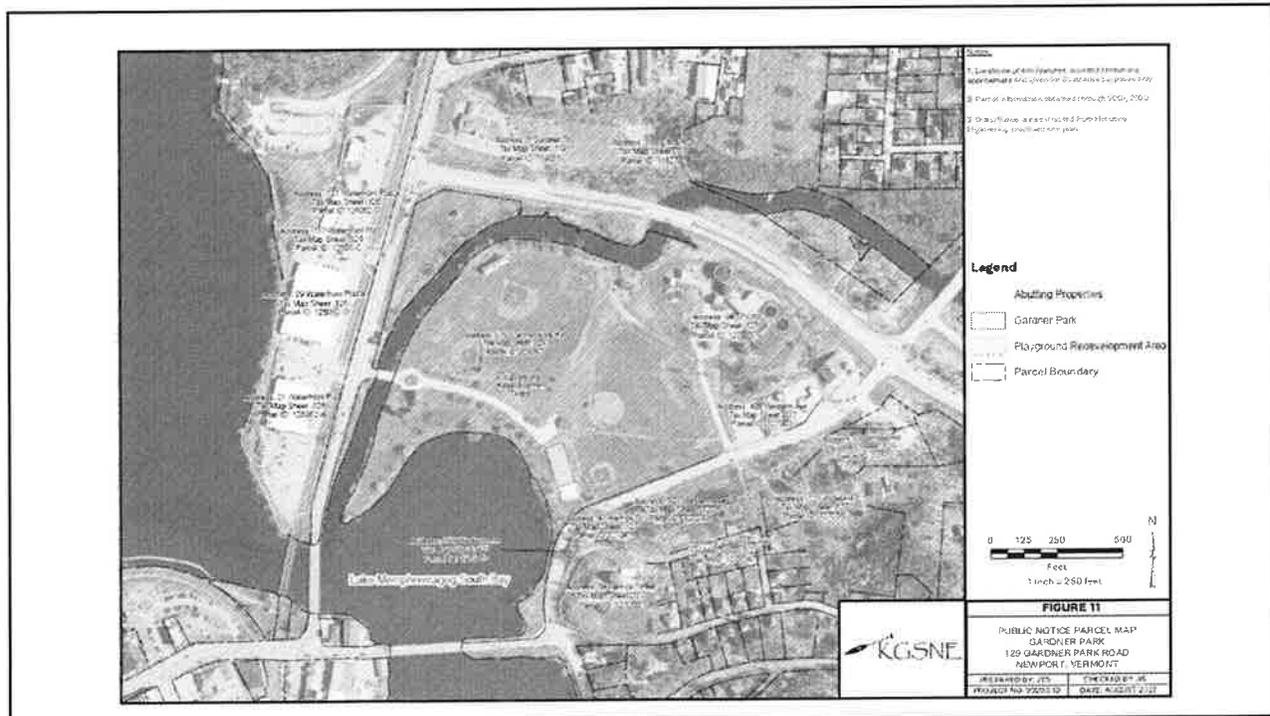
August 15, 2022
City Council Meeting



AERIAL PHOTO (credit: Newport Parks & Recreation)



1



2

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

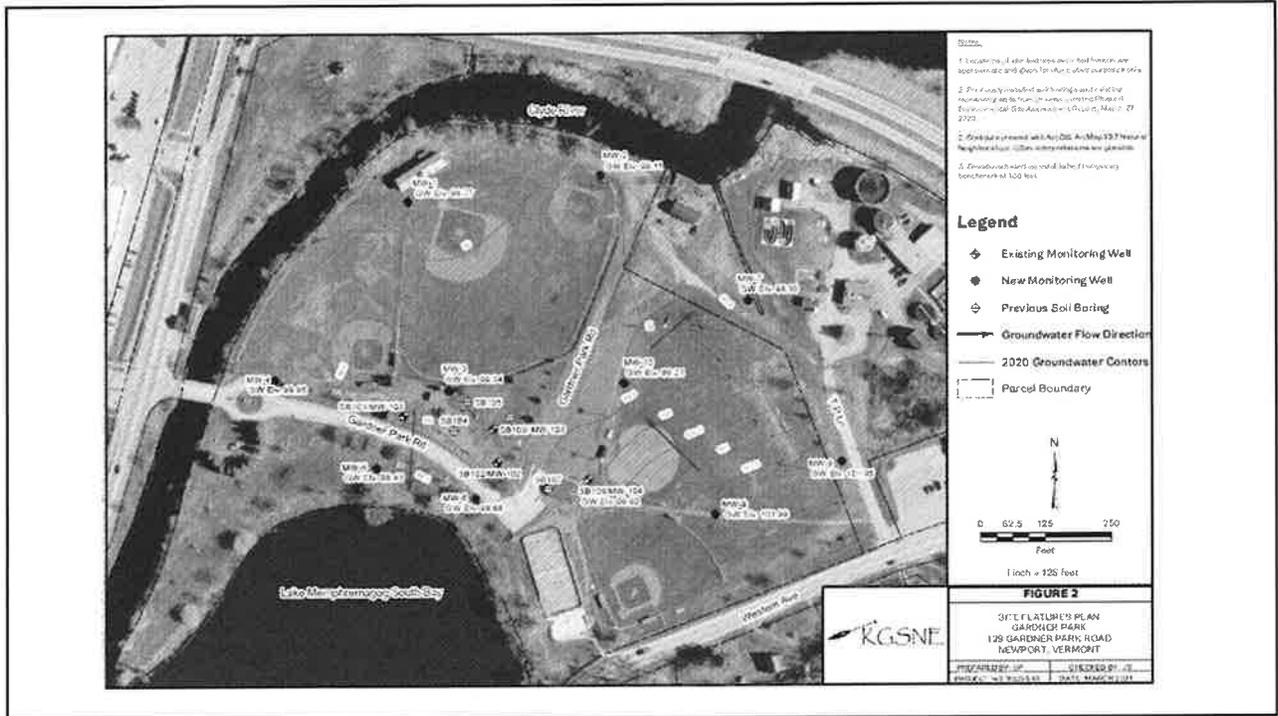
3

RESULTS to date on Gardner Park

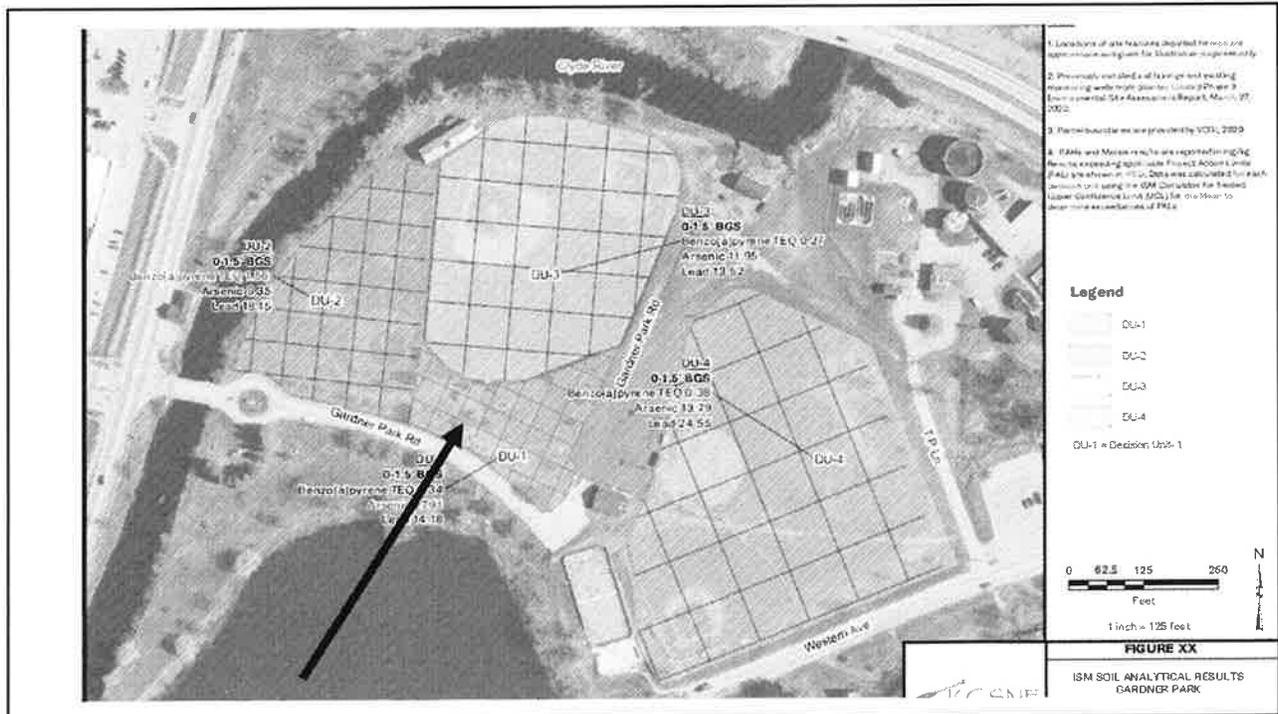
Phase 1 (2020) identified 4 Recognized Environmental Concerns (RECs)

- 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

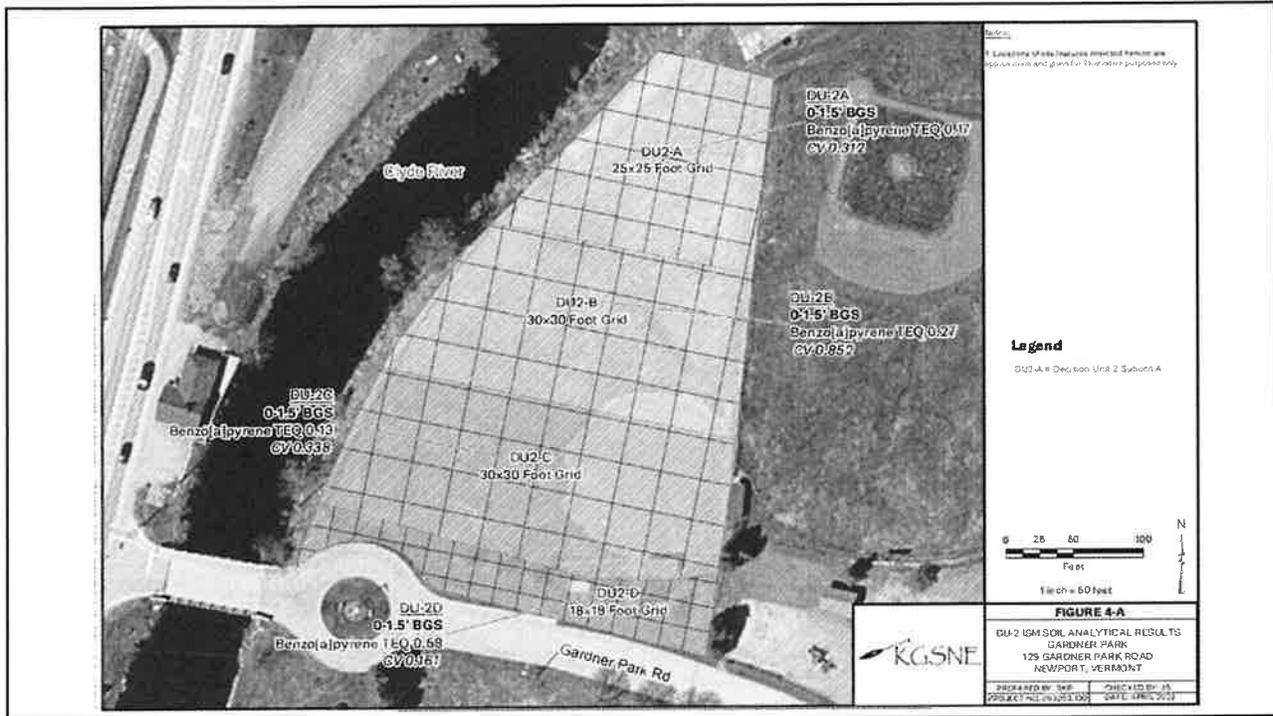
4



5



6



7

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.

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 arsenic exceeding PALs. The contaminated area will require a soil management plan for contaminated soils.
- Arsenic, lead and PAHs present in the *subsurface* soils across the site.

8

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

Table 11
Corrective Action Implementation Cost Estimate - Limited Soil Excavation with Off-Site Disposal, Engineered Isolation Barrier, and Institutional Controls
Gardner Park
Newport, Vermont

Description	Qty	Units	Unit Cost	Cost	Notes
Capital Costs					
Institutional Controls	1	%	\$11,000	\$11,000	IC subtotal \$11,000
Playground Redevelopment Excavation					
Professional design & sampling	17	day	\$1,200	\$20,400	
Excavation and backfill	15	day	\$3,000	\$45,000	
Characterization sampling	8	sample	\$350.00	\$2,800	
Transportation	655	ton	\$55.00	\$36,025	
Overstock liner	42,158	sq ft	\$0.19	\$7,990	
Clean fill, subbase material, topsoil	2,471	cuy	\$25.00	\$61,775	
Stockpile samples for on-site reuse (1 sample per 200 tons)	8	sample	\$150.00	\$1,200	
Soil Sampling along fence	12	sample	\$150.00	\$1,800	
Monitoring well closure or capping extensions	8	LC	\$2,050.00	\$16,400	
SUBTOTAL				\$219,097	
Contingency	27	%		\$59,156	
Engineering, Design, and Regulatory Support	8	%		\$17,554	
Project Management	2	%		\$4,283	
Total Capital Costs				\$299,990	
Cost type	Year	Total Cost	Total Cost per Year	Discount Factor (2%)	Present Value
Capital Value Analysis					
Capital Cost	0	\$299,990			\$278,453
Site Inspection and Limited Maintenance Cost	1-30	\$2,000	\$6,667	0.8187	\$5,374
Total Cost					\$283,077

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.

11

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.

12

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>

13

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

14

**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	
LUMP	182,000	INCo	40,000	Subst. Factors	10,000	Furniture	\$24,277.00	Boys/Girls	210,000	Powerhaus	4,000
DRUG	190,000	Jay Peak	10,000							Office	2,100
		Pomarko	7,800							Jenn	400
		Genelle	50,000							Jamie	1,000
		CHB	20,000							Jane	400
		Wesport Floral	1,000							Debbie	1,000
		Flowerhaus	4,000							Shari	500
		Squire's Corner	1,000							KJ	500
		Card Concepts	1,000							Vaughn	300
		Genelle Floral Products	2,000							Mike	300
		Big Bear Road Drive	1,000							Wes	100
		Frank's United Bank	200								
Raised	382,000	Raised	138,750	Raised	10,000	Raised	238,877.00	Raised	210,000	Raised	17,400
Goal	390,000	Goal	200,000	Goal	20,000	Goal	24,000	Goal	190,000	Goal	14,000
Remaining	17,500	Remaining	61,250	Remaining	40,000	Remaining	-4,877	Remaining	-2,655	Remaining	2,600

Amount Raised 484,132
Goal 598,000
Remaining 113,868

81%

15

**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 review is completed. Public Meeting held if requested.

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

16