



**Special Council Meeting**  
**Thursday, April 9 · 5:00 – 6:00pm**  
**Video call link: <https://meet.google.com/brd-iwpb-dnp>**  
**Or dial: (US) +1 302-307-3588 PIN: 842 122 374#**

Mayor Rick Ufford-Chase, President Carter Finegan, Council Members; Sharon Pare, John Monette and Andrew Touchette

Note: Due to time constraints, there will be no public comment for items not listed on the agenda for this special meeting.

1. Call the Meeting to Order
2. Additions/Deletions
3. Consent Agenda
  - a. Approval of Minutes: 4/6/26
  - b. AP Warrants:
  - c. PR Warrants:
  - d. Liquor Licenses, Vendor Permits, Special Events
4. NBRC Grant: Authorized Official Resolution (See Memo from the Mayor)
5. Review Manager Form of Government
6. Review and approve City Manager job description
7. Review and approve City Manager position posting
8. New Business
9. Old Business
10. Set the Next meeting of the Council - Regular Meeting April 20, 2026 at 6 pm
11. Adjournment

*ADA Accessibility Statement: City Council Meetings are open to all who wish to attend, including those who need special accommodations. There is a sign and intercom at street level in front of the building that you can push to let Police Dispatch know that you need access to the wheelchair ramp.*

## **Council Minutes**

**April 6, 2026**

A duly warned meeting of the Newport City council was held on Monday, April 6, 2026 in the council room in the Newport Municipal Building. Present were Mayor Rick Ufford-Chase, Council President Carter Finegan, council members John Monette, Sharon Pare', Andrew Touchette, City Clerk/Treasurer James Johnson, Financial and Office Administrator Kari Schulze, Police Chief Travis Bingham, PW Director Tom Bernier, Fire Chief Kevin LaCoss, Recreation Director Mike Brown, Zoning Administrator Frank Cheney, Attorney John Klesh, Jason Booth, Nate Pion, Members of the Press and Public

Mayor Ufford-Chase called the meeting to order at 6:00 PM.

### **Addition/Deletions**

None

### **Consent Agenda**

**Approval of Minutes: 3/16/26**

**AP Warrants: 3/20/26, 3/23/26, 3/24/26, 3/27/26, 4/3/26**

**PR Warrant: 3/17/26**

**Liquor License: Echodale Farm LLC.**

Mr. Monette moved to accept the consent agenda. Seconded by Mr. Touchette, motion carried.

### **Public Comment on Items not Included on the Agenda**

Mayor Ufford-Chase read a statement (attached)

Laurie Grimm commented on the Legislative Breakfasts, A council Rep, should attend

Jay Walsh commented on his complaints on Bonding and Conflicts of Interest

Ann Chiarello commented on public comments being at the beginning of the agenda instead of at the end

Pam Ladds commented on items in the packets and not on the agenda and moving the NEKTV filming to the back of the room.

Mike Coutu commented on the 250<sup>th</sup> Anniversary celebration

Adam Ortiz thanked the council for their hard work

**Annual Appointments (attached)**

Mr. Touchette moved to approve the appointments as presented. Seconded by Ms. Pare', motion carried.

**Executive Session per 1 V.S.A. sec 313(a)(A) to review proposed contract agreement with Northeast Police Benevolence Association**

Mr. Touchette moved to find that premature public knowledge of labor negotiations and attorney-client communications would place the city council at a substantial disadvantage, including by disclosing confidential information and potentially waiving attorney-client privilege. Seconded by Mr. Monette, motion carried.

Mr. Touchette moved that under 1 V.S.A. sec. 313(a) (1)(B) (F) I move to enter executive session and to invite legal counsel and Chief Bingham into executive session. Seconded by Mr. Monette, motion carried.

Mr. Touchette moved to come out of executive session. Seconded by Mr. Monette, motion carried.

No action.

**Possible Action to Approve Contract Agreement with Northeast Police Benevolence Association**

Item skipped, no action

**Review Stanstead's Resolution 25-11-116 (attached)**

Teresa Gerade spoke on the resolution, no action

**Discussion Regarding Gardner Park Sewer Siphon Project**

Mr. Bernier, Mr. Pion and Mr. Booth reviewed the project with the council at a cost of \$587,555. Mr. Touchette moved to approve the recommendation by Aldrich & Elliott and award the contract to Issac's Excavation and construction, LLC of Charleston VT. In the amount of \$587,555. Seconded by Ms. Pare', motion carried.

### **State Annual Financial Plan for Town Highways**

Mr. Touchette moved to approve and sign the Annual Financial Plan for town highways and the Certificate of Compliance for Town Road and Bridge Standards and Network Inventory. Seconded by Mr. Monette, motion carried.

### **Approval of Using SP&F to Conduct the City's Tax Sale**

Mr. Cheney discussed the tax sale process with the council. Mr. Monette moved to approve SP&F Attorneys, P.c. to conduct the City's tax sale process commencing in 2026. Seconded by Touchette, motion carried.

### **Consideration of Complaint of Violation of Charter with Regard to bonding Particular Public Officials**

Several people spoke pro and con on the issue.

Mr. Monette moved that the Clerk/Treasurer, Tax Collector and the Director of public works bond at the lowest amount the bond issuer will do. Seconded by Ms. Finegan, motion carried.

### **Consideration of Complaint Regarding Potential Conflict of Interest for Council Members**

The council discussed the complaint with the public. Members of the council provided Disclosures of Conflict of Interest and Mayor Ufford-Chase read a statement (attached)

### **Task Force Reports**

Water and Sewer: Meeting Thursday at 6:30 PM

Financial Reporting and Fiscal Practices: Recommended going with Bonnie Batchelder for the Annual audit

City Manager Search Committee: Dominic cloud is going over the job description and cover letter that will be sent out

Fire Dept. Strategic Planning: meeting Thursday 6:00 PM working on presentation to the council

Ms. Pare' moved a special Meeting for Thursday, April 9, 2026 at 5:00 PM with Dominic cloud for Manager Search and a grant related item. Seconded by Mr. Monette, motion carried.

### **New Business**

Ms. Pare' stated she had taken the Ethics Training and had watched the House Committee on commerce and Economic Development hearing.

**Old Business**

None

**Next Meeting Date**

Ms. Pare' moved to set the next meeting for Thursday, April 9, 2026 at 5:00 PM. Seconded by Mr. Monette, motion carried.

**Adjournment**

Mr. Monette moved to adjourn at 9:05 PM. Seconded by Ms. Pare', motion carried.

Attested \_\_\_\_\_ this \_\_\_\_\_ Day of \_\_\_\_\_ 2026

\_\_\_\_\_ Mayor

## **April 6, 2026: Rick's Opening Statement before Public Comment**

At our last Council meeting, Pam Ladds made a heartfelt statement about her hurt and anger regarding my decision to move the NEK TV camera to the back corner of the council room. I want to address that decision, which I made in consultation with Council members.

I said repeatedly last year, on many different occasions, that I have been extremely grateful for Pam's dedicated service to the City of Newport. In the time that I have been here, I don't believe there has been a single City Council meeting that Pam has missed, nor has she missed a single meeting of the three major task forces that have operated over the past year.

Having said that, it is also true that I have been asked repeatedly by Council members and by volunteers who have agreed to serve on our task forces to create a way of filming the proceedings of these meetings that is less disruptive to their deliberations.

I have been thinking for some time about how best to respond to this challenge. Before asking our Public Works department to build the platform in the back of the room for a camera, I consulted with the Director of NEK TV and we agreed on what we thought could be a solution that would minimize the presence of the camera but improve the experience of those who view the recordings of the meetings.

I did try to notify Pam four hours in advance of the meeting. Given the highly polarized nature of our current political climate, I was saddened but not surprised when Pam took it as retribution and chose to resign. I would have welcomed her feedback, which she chose not to offer, on how to improve the situation without reversing the decision to place the camera there.

Residents may have noticed other changes that took place at the same time. We have purchased a quality sound system and added microphones to the Council table, and we have placed the podium in a place where everyone in the room, including the camera, can see the speaker's profile instead of looking at their back. My intention is that no one will address the Council, which happens through me as Mayor, without going to the podium and microphone.

We will also be returning to Mayor Sullivan's practice of limiting comments from community residents to two to three minutes per topic, unless Council members invite further discussion. After a year of trying to allow for almost unlimited participation from Community residents, it is clear to me that this too can become a distraction from the important work that Council members need to do. Council meetings are a time for the Council to work together. Community residents will be given the opportunity to offer their thoughts and to ask questions. It is my job as Mayor to make sure that they have the opportunity to do so without fear of being attacked by others, and without themselves attacking City leaders or others from the community.

Over the next few weeks, the Council will be reviewing the rules for how similar practices will be followed by the commissions and task forces appointed by City Council. Nothing is set in stone. We will continue to learn how best to work together by actually working together, and the Council will have the opportunity to make suggestions to me about ways we can modify our practices as needed to find the balance we are looking for.

Draft – Not final w/o Council Approval

Appointments Worksheet for Newport City Council

April 6, 2026

Position	Recommendation	Notes
City Manager	No action	
Superintendent of Streets and Waterworks	Tom Bernier/DPW	
Chief of Police	Travis Bingham	
Board of Fire Wardens	Chief Kevin LaCoss, First Asst James LeClair, 2 <sup>nd</sup> Asst. Andrew Carbine	
Director Recreation/Parks	Michael Brown	
Recreation	For Reappointment – Jennifer Smith (Newport) - term till 2028 Kyle Chadburn (Coventry)- till 2028 <i>New appointment as non-voting member:</i> Ivy Crowe (Derby)- term till 2028	
Assessor	Frank Cheney	
Collector of Taxes	Frank Cheney (acting)	
Zoning Administrator	Frank Cheney	
City Attorney	SP&F	
Cemetery Commission	Paul Monette, Denis Chenette, Jean Condon	

City Landscaper	Robert Gosselin	
Planning Commission and Historic Preservation	Carole O'Connell to a three-year term	
Harbor Master	Interim Richard Story	
Harbor Commission	Reappoint - Tom Latta, William Round, Ronald Chaffee	
Devp Review Board	David Kerr-2 Year Term Laurie Grimm-2 year term Jay Walsh- 2 year Term Denis Chenette - 2 Year Term	
Animal Control Officer	Newport Police	
Health Officer	Michael Brown	

Grants Administrator	Frank Cheney	
Tree Warden	Robert Gosselin	
Representative to NVDA	Rick Ufford-Chase	
Building Safety Officer	Frank Cheney	
E911 Coordinator	Fire Chief Kevin LaCoss	
Emergency Management Director	Fire Chief Kevin LaCoss	
Auditors	TBD	
Grand Jurors	No appointments necessary	Terms expire 2027



At a regular meeting of the Council of the Municipality of Stanstead Township held on the tenth (10<sup>th</sup>) day of November in the year two thousand twenty-five (2025), at the usual time and place of meetings.

Present: Ms. Johanne Fradette, Ms. Marie-Josée Filteau, Ms. Thérèse McCutcheon, Mr. Mario Cantin, Mr. Andrew Phaneuf and Mr. Brian Wharry.

All forming a quorum, under the chairmanship of Mayor Jean-Pierre Berger.

#### RESOLUTION NUMBER 25-11-116

#### 8.5 PROTECTION OF LAKE MEMPHREMAGOG FROM LEACHATE ORIGINATING FROM THE COVENTRY, VERMONT LANDFILL

**WHEREAS** Lake Memphremagog is a natural and cultural jewel of the Eastern Townships, shared between Canada and the United States, and plays a fundamental environmental, cultural, economic, and social role for the surrounding communities;

**WHEREAS** this lake is a source of drinking water for more than 185,000 Canadians;

**WHEREAS** the municipalities of Sherbrooke, Magog, Pottou, and Saint-Benoît-du-Lac draw their drinking water from Lake Memphremagog, and the municipalities of Austin, the Township of Stanstead, and Ogden are in its immediate vicinity;

**WHEREAS** the only landfill site in the State of Vermont is located at the head of Lake Memphremagog, in the town of Coventry, and the lake flows from south to north, from the United States into Canada;

**WHEREAS** this landfill generates significant amounts of leachate, containing per- and polyfluoroalkyl substances (PFAS or "forever chemicals") and other toxic and hazardous pollutants;

**WHEREAS** the discharge of this leachate into the Lake Memphremagog watershed has been prohibited since November 1, 2019, thanks in particular to the sustained efforts of the organizations Don't Undermine Memphremagog's Purity (DUMP) and Memphremagog Conservation Inc. (MCI);

**WHEREAS** the Memphremagog RCM, as well as the Cities of Magog and Sherbrooke, formally opposed, as early as 2004, the treatment of Coventry's leachate at the Newport municipal wastewater treatment plant, and this opposition remains fully justified;

**WHEREAS** these same municipalities and the Memphremagog RCM were successful in achieving an initial moratorium banning the treatment of leachate at the Newport wastewater treatment facility from 2004 to 2009;

**WHEREAS** action by representatives from the Memphremagog RCM, the municipalities of Sherbrooke, Magog, and other lakeside communities, along with numerous environmental organizations, led to the permanent closure in 2010 of the Bestan landfill operated by Waste Management in Magog, explicitly aiming to protect Lake Memphremagog from a known source of pollution;

**WHEREAS** the National Assembly of Québec unanimously adopted, on June 3<sup>rd</sup>, 2021, a motion calling for the permanent ban of leachate discharge into the Lake Memphremagog watershed;

**Resolution number 25-11-116**

**WHEREAS** the Canadian Consulate General wrote to Governor Scott in April 2024 “to express Canada's concern about the application from Casella Waste Systems to amend its discharge leachate pretreatment permit for the Coventry landfill, particularly the proposal to attempt to remove per- and polyfluoroalkyl substances (PFAS) from leachate, (then) injecting (residuals) into concrete blocks and then burying them at Coventry landfill.

**WHEREAS** the Boundary Waters treaty of 1909, Article IV “It is further agreed that the waters herein defined as boundary waters and waters flowing across the boundary shall not be polluted on either side to the injury of health or property on the other.”

**WHEREAS** Health Canada issued drinking water quality guidelines for PFAS substances in August 2024;

**WHEREAS** the State of Vermont adopted in May 2024 the Environmental Justice Act (S.259), which recognizes the importance of marginalized populations in environmental decision-making, and that the population living within the Lake Memphremagog watershed represents 6% of Vermont's total population;

**WHEREAS** despite the current moratorium, leachate could once again be discharged into the Lake Memphremagog watershed at the end of this period if the technology implemented by the landfill operator is effective in achieving Vermont's regulatory standards;

**WHEREAS** treating leachate within the Lake Memphremagog watershed raises serious environmental, health, and ethical concerns, particularly as it could facilitate a new expansion of the Coventry landfill, increase the risk that treated leachate may again be discharged into the watershed, and raise the possibility that leachate from other landfills could also be treated on site;

**WHEREAS** the discharge of leachate, treated or not, into the Lake Memphremagog watershed poses a serious risk to public health, notably due to the persistent presence of toxic and hazardous pollutants such as arsenic, cadmium, and PFAS, a large family of thousands of chemical substances, many of which are recognized as endocrine disruptors, bio accumulative, toxic to reproduction, and proven or suspected carcinogens;

**WHEREAS** testing conducted in Lake Memphremagog has already revealed PFAS contamination in four species of fish in exceedance of EPA guidelines for consumption; and of PFOS in surface waters approaching the MCL of 4ppt.

**WHEREAS** numerous scientific studies have demonstrated that landfill leachate contains high concentrations of heavy metals, PFAS, volatile organic compounds, and other emerging contaminants that are not fully removed by conventional wastewater treatment processes, making their release into a drinking water source unacceptable;

**WHEREAS** elected officials on both sides of the border share a moral duty of mutual respect and shared responsibility in preserving the Lake Memphremagog watershed;

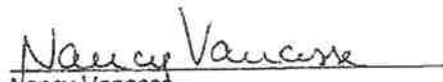
**THEREFORE, it is moved by Thérèse McChutcheon and unanimously resolved:**

1. **THAT** the Township of Stanstead formally and permanently opposes the treatment of leachate from the Coventry landfill at the Newport municipal wastewater treatment facility or at any other existing or future location within the Lake Memphremagog watershed;
2. **THAT** the Township of Stanstead invites the elected officials of the City of Newport to act in solidarity with Canadian lakeside communities by refusing to receive these wastewater discharges, whether treated or not;
3. **THAT** the Township of Stanstead reiterates its commitment to protecting Lake Memphremagog, its ecosystems, and its water quality, in accordance with the precautionary principle;

**Resolution number 25-11-116**

4. **THAT** a copy of this resolution be sent to:
- The members of the City Council of Newport, Vermont; Mr. Rick Ufford-Chase, Mayor and all council members, 222, Main Street, Newport, Vt 05855 [Rick.UffordChase@newportvermont.org](mailto:Rick.UffordChase@newportvermont.org)
  - The Vermont Agency of Natural Resources; c/o Mrs. Julie More, 1 National Life Drive, Davis 2, Montpelier, VT 05620-3901
  - Honorable Governor of Vermont, Mr. Phil Scott, Pavilion Building, 209 State Street, Montpelier, Vt. 05609;
  - The Québec-Vermont Steering Committee on the "Cooperation Agreement on Environmental Management of Lake Memphremagog and its Watershed"; c/o Mrs. Ariane Orjikh, General Manager, 51, Cabana, Magog (Québec) J1X 2C4
  - The Memphremagog RCM; Mr. Dominick Faucher, Director General and Clerk-Treasurer, 455, rue MacDonald, bureau 200, Magog (Québec) J1X 1M2, [d.faucher@mrcmemphremagog.com](mailto:d.faucher@mrcmemphremagog.com)
  - Québec's Ministry of the Environment, the Fight Against Climate Change, Wildlife and Parks; Mr. Bernard Drainville, Ministre de l'Environnement, de la Lutte Contre les changements climatiques, de la Faune et des Parc, 674, boulevard René-Lévesque Est, 30<sup>e</sup>, Étage, Québec, (Québec) G1R 5V7 [ministre@environnement.gouv.qc.ca](mailto:ministre@environnement.gouv.qc.ca)
  - The Member of the National Assembly for the riding of Orford; Mr. Gilles Bélanger Orford County Deputy, 2389, rue Principale Ouest, Suite 100, MGOG (Québec) J1X 0J4 [Gilles.Belanger.ORFO@assnat.qc.ca](mailto:Gilles.Belanger.ORFO@assnat.qc.ca)
  - The federal Members of Parliament for the ridings of Brome-Missisquoi, Sherbrooke, and Compton-Stanstead;
    - The Honorable Mr. Louis Villeneuve, Riding of Brome-Missisquoi [louis.villeneuve@parl.gc.ca](mailto:louis.villeneuve@parl.gc.ca)
    - The Honorable Mrs. Élisabeth Brière, Riding of Sherbrooke, M20 2640, rue King Ouest, Sherbrooke, (Québec) J1J 2C3 [Elisabeth.Briere@parl.gc.ca](mailto:Elisabeth.Briere@parl.gc.ca)
  - The organizations:
    - Casella, 21 Landfill Lane, Coventry, Vt 05825
    - MCI, c/o Mrs. Ariane Orjikh, General Manager, 51, Cabana, Magog (Québec) J1X 2C4

I, the undersigned Nancy Vanasse, Acting Director General and Clerk Treasurer, of the Township of Stanstead hereby certify that the above extract is true.

  
Nancy Vanasse  
Acting Director General and Clerk Treasurer  
778, Sheldon Road  
Canton de Stanstead, QC  
J1X 3W4

**Mayor's statement to be read April 6th, 2026 regarding the complaint of Ethics Violation:**

City Council Members, Commission and Committee and Task Force Members, Newport Staff, and Community Residents,

Newport is at a crossroads.

- Our taxes are high. I'm told we have something like the ninth highest tax-rate in the state, while our median household income is nearly the lowest in the state.
- We were unfairly caught up in the EB-5 scandal that has defined our collective psyche for a decade, exemplified by an empty block in the heart of our small downtown that is a constant reminder of the way that our trust as a community was abused.
- In the past six months, we have restructured more than two million dollars of debt consisting of accrued deficits into a more manageable form for the long-term stability and solvency of the City. The two special task forces, the members of City Council, and the voters, who authorized these stabilization notes are to be commended for acting responsibly to address concerns which, at the very least, our previous leaders were not paying attention to – much less taking obvious measures to address.
- We have had a succession of leaders who intentionally polarized and divided our community into “us” and “them”, often turning social media spaces, the local newspapers, and City Council meetings themselves into free-for-alls in which Council members, City staff, and community residents were encouraged to choose up sides as if it were blood sport.
- As a community, we have battled one another with legal actions, ethical complaints, open meeting law violation allegations, and largely political requests for public records that distract our elected leaders and our staff from the work of running the city and that result in significant legal bills for a City that is facing serious financial challenges.
- Perhaps most importantly, while some in our community have fully embraced a culture of identifying allies and adversaries, most people in our community have simply opted out of the arena of city governance entirely. This is characterized by the language I hear all the time: “Newport will never be able to get out of its own way.” “Why should I step forward when I'm just going to get attacked for trying to help?” “Newport is a shit show and anyone who thinks it can be better is a fool.” This is devastating for the future of our city.

In the past year, our Council has tried to model a different way of being. We have recruited more than twenty volunteers to join special task forces to take on our most important challenges, even while those already appointed to our established commissions and committees have continued to try to keep their heads down and do their work. I believe we have shown the value of working together and seeking to bring out the best in one another. We have made difficult decisions, stabilized our financial situation, and brought a renewed level of openness to our financial reporting and budgeting. We have tried to model what it means to listen respectfully to one another and to engage thoughtfully with members in the community, which – just to be clear – does not mean that the council will always please everyone with every decision we make. Hard choices are what elected representatives are tasked to take on.

So, when there are allegations that there are council members who have either an actual or a perceived conflict of interest that they are not addressing, it is something that I take extremely seriously as Mayor.

In the case of the accusation that Council President Carter Finegan and Council Member John Monette have a conflict of interest regarding anything having to do with the City's partnership with Newport Downtown Development because they volunteer with NDD's Events Crew (in Carter's case) or NDD's Housing Committee (in John's), both of them have responded to the allegation with a statement of non-recusal that I fully support.

If being a volunteer for something that the City has an interest in constitutes a conflict of interest, a city the size of ours will be unable to function, much less to thrive. Volunteer fire fighters will be unable to serve on City Council, nor will teachers in our schools, those who offer critical social services in our community, or people who own businesses, to name just a few. In my judgment, we need those people, and many others, at the table, and we want them to share in the deliberations about matters with which they have experience. Of course, if they or a family member stand to benefit financially from a decision that the Council is making, they must recuse themselves, but in discussions about matters that impact important subjects where they have no potential for personal gain, the last thing we should desire is for them to recuse themselves.

In my own case, the accusation that I have something personal to gain in matters related to Newport Downtown Development is more challenging. This is why we have a process of allowing a Council member to explain why something that might be perceived as a conflict isn't, in their judgement, an actual conflict.

For the record, as I have stated publicly before over the last two years, I am the Director of Newport Downtown Development (NDD). For the last several years, I have received a salary of \$50,000 with no benefits from that organization for approximately 30 hours of work per week.

Starting around 2017 or 2018, NDD began receiving a grant of \$30,000 per year from the City's operating budget to support its efforts to revitalize downtown Newport. This took place long before I was involved in NDD or in the City of Newport. For several years, that grant was augmented by an additional \$30,000 per year from the Walmart funds that were initially given to support downtown Newport's economic development. That Walmart funding grant to NDD was terminated in 2023 in order to ensure that the remaining funds would be available for long-term economic development initiatives. At that time, NDD began a strategy of raising funds through Lead Sponsorships from local businesses that now account for more than \$75,000 of NDD's \$200,000 annual budget.

In December of 2024, the City Council voted unanimously (with my recusal due to a conflict of interest) to sign a Memorandum of Understanding in which NDD agreed to coordinate the process of determining the feasibility of Tax Increment Financing for the City of Newport and to manage a potential TIF application to the State of Vermont if the City Council chooses to move forward. Since my election as Mayor in March of 2025, I have attended most of the meetings related to the City's economic development along with Dave Laforce (NDD Board Member) and Brian Gray (NDD Volunteer for

Economic Development). Some of those meetings were also attended by a Council member, and Council members have had an open invitation to join when they are available. I have announced in every meeting I have attended that I am there in my capacity as Mayor. As agreed in that MOU, NDD has taken no compensation beyond the regular grant of \$30,000 that NDD has been receiving for years from the City of Newport, and NDD has met regularly and often with City Council to update the Council members and to consult about how best to move forward.

In January of 2024, I filed a statement that I was not recusing myself from a vote on the entire budget for the following reasons because I did not then, and do not now, believe that this engagement constitutes a Conflict of Interest for me personally. As I said in my non-recusal statement during budget deliberations in January of 2024, NDD receives about 15% of its budget from the annual contribution of the City, and my salary from NDD is more than covered from the many other sources of income that NDD depends upon.

Regarding NDD's work on behalf of the City's Economic Development initiatives, I do not believe that there is any financial benefit that can accrue to NDD or to me personally. NDD has not requested or received any additional compensation for countless volunteer hours that have been invested in its economic development efforts on behalf of the City of Newport over the course of the last year. Further, neither I personally nor NDD as an organization have any prospect of gaining financially directly from the economic development of downtown Newport – beyond what we all would gain as citizens if the downtown were to regain a sense of its former vibrancy.

I have spoken at length with the City's attorneys regarding this matter since the complaint was filed with the Clerk last Wednesday. This is how I intend to proceed:

1. On any matter regarding potential grants to NDD (or any other organization where I serve on a board of directors), I will ask that the Council remove that item from the total budget and treat it separately as an independent article(s) to be voted like social service appropriations. I intend to offer a statement of recusal from all participation in those discussions or decisions.
2. Similarly, if there is any discussion regarding a formal agreement or contract between The City of Newport and NDD, I will continue my practice of recusing myself entirely from that discussion. I will do so for as long as I serve as either paid staff or a board member for NDD, and will do the same for any other organization where I have a similar interest.
3. For any updates or recommendations that NDD may make to City Council regarding economic development or other revitalization strategies for downtown Newport, I will offer a formal statement that acknowledges the potential for an appearance of conflict of interest and state my reasons for non-recusal, which will be one of more of the following reasons as permitted in 1 VSA § 1992(b)(2)(ii)(I-V) as follows:
  - a. (I) the conflict is amorphous, intangible, or otherwise speculative; (II) the officer cannot legally or practically delegate the matter; or (III) the action to be taken by the officer is purely ministerial and does not involve substantive decision-making; or

- b. If, at a meeting of a public body, an officer becomes aware of a conflict of interest or the appearance of a conflict of interest for the officer and the officer determines there is good cause to proceed, the officer may proceed with the matter after announcing and fully stating the conflict on the record.

The question of a potential for conflict of interest was raised both in my campaign for City Council in 2024 and again in my campaign for Mayor in 2025. I am confident that the Newport residents who voted for me understood that the potential for a conflict of interest or the appearance of a conflict of interest existed because of my role as the Director of NDD, and they voted for me because they believed I would manage potential conflicts appropriately. Further, I believe that it is also true that the synergy that the partnership between NDD and the City of Newport has created has been highly effective and critical to the City's ability to develop a viable, long-term economic development strategy.

Given the culture of mistrust in our community and the reality that all of us can point to many instances in which the public trust has been abused by key leaders over the last decade, I will strive to combat even the perception of a conflict of interest on my part as the Mayor. We need to build trust, not mistrust. Trust is about honesty, character, and showing with one's actions that the trust placed in someone is deserved. I have worked hard as your Mayor to be transparent, to build personal relationships with as many people in our community as possible, to work collaboratively, and to produce results that inspire confidence that the city is headed in a new direction.

To that end, in the process of reviewing documents for my response to this allegation of an ethical violation, I realized that the MOU signed between City Council and NDD's Board of Directors in December of 2024 had an expiration date of either April 1, 2026 or upon the submission of a successful application for a TIF District to the State of Vermont, whichever would come first. Since we are now five days beyond the first of April, my recommendation is that the City Council meet with representatives of NDD's Board of Directors as soon as possible to determine whether it is in both parties' best interest to sign another agreement, and to agree on the terms of any prospective agreement. I intend to recuse myself from those conversations and to abide by any outcome that may develop.

Finally, I want to note that I have not taken a single vote in the year since I was elected Mayor. My commitment, whenever possible, is to build shared understanding and consensus among Council members. Though it may at some point be necessary, it will never be ideal for me to have to break a tie between Council members on an important matter. Here, as in all other ways, our goal should be to strengthen one another's opinions by listening respectfully to one another and attempting to create the strongest possible proposal with a shared consensus about how to move the City forward. I encourage all Newport residents who share that commitment to a constructive spirit to join in that effort.

In my judgment, the residents and leaders of the City of Newport have a very important choice to make. If we want a stable future for our kids and our grandchildren and for their grandchildren, we must work together right now to lay the foundation for that future. **Though it may surprise many to hear me say so, that foundation is not just about building the grand list and developing our downtown. The**

**indicator for our success as a community is going to be the good spirit with which we work together and the respect we will show one another when we disagree.** Together, we can rebuild trust with one another, and only by working together will we be successful in developing a vibrant downtown that can grow our Grand List and reverse the economic death spiral we have been in for many years. That trust will not happen overnight, nor will the economic turnaround we all long for happen quickly, but without that trust, I can guarantee it will not happen at all.

Trust starts with creating a safe space in which everyone is welcome to show up and share their opinion. As long as I am Mayor, we will not return to name-calling and temper tantrums and personal attacks in Council meetings, nor will I engage in social media debates that are often intended to demonize one another rather than to understand one another. Both attending Council meetings and volunteering one's time to do the work of the city must be honored and appreciated, even when we disagree with one another.

I believe in this City. I believe in the people who live in Newport and in the surrounding towns and villages who have helped Newport to thrive in the past and who want it to thrive again in the future. I believe whatever we do, we must do it together and I can't wait to see what's in store for this great City when we do so.

Sincerely,

Rick Ufford-Chase,

Mayor of Newport, VT

**DISCLOSURE OF CONFLICT OF INTEREST AS REQUIRED BY THE VT CODE OF ETHICS**  
 TO BE FILED ONLY IF A PUBLIC SERVANT CHOOSES TO ACT


PUBLIC SERVANT INFORMATION	
Name and title/position of public servant:	Carter Finegan, City Council President
Agency/Department:	City of Newport
Office Phone:	(802) 334-5136
Office E-mail:	carter.finegan@newportvermont.org
<p>In my capacity as a public servant, I am expected to take certain action(s) in the performance of my official duties. Under present circumstances, a reasonable person could conclude that I am, or will be, confronted with a conflict of interest in the performance of these duties.</p> <p>A conflict of interest is defined as a direct or indirect interest in the outcome of a matter pending before me, or the public body in which I serve, that is greater than that of another person generally affected by the outcome of the matter. The interest can be my own, that of an immediate family or household member, or of a business associate.</p> <p>I am filing this disclosure form to disclose the facts surrounding this potential conflict of interest, and to explain why, despite the conflict, I choose to take official action.</p>	
CONFLICT OF INTEREST INFORMATION	
<p><b>Briefly state the nature of the conflict</b> (including identities of all potentially affected parties or properties, whether the conflict is ongoing or a one-time event, potential or perceived benefits, and any other relevant information).</p>	<p>I volunteer with Newport Downtown Development's "Events Crew", which helps organize and facilitate community gatherings. I serve on the Newport's City Council.</p>
<p><b>Explain your relationship to the person or organization at issue.</b></p>	<p> <input type="checkbox"/> Self  <input type="checkbox"/> Immediate family member  <input type="checkbox"/> Business I am associated with  <input type="checkbox"/> Business a family member is associated with  <input type="checkbox"/> Business partner  <input type="checkbox"/> Property I own or co-own  <input type="checkbox"/> Property owned or co-owned by a family member  <input checked="" type="checkbox"/> Other [Explain]:                      non-profit I am associated with                 </p>

<p><b>State the action(s) you intend to take, and how your action(s) may affect the person or organization at issue.</b></p>	<p>Approve the long standing agreement of financial support for NDD through the city obligation</p>
<p><b>Explain why, despite the relationship, you will act on the matter</b> (Check at least one box)</p>	<p> <input checked="" type="checkbox"/> The conflict is de minimis in nature  <input type="checkbox"/> My action on the matter is ministerial or clerical  <input checked="" type="checkbox"/> My action will not benefit me [or the person or organization at issue] any more than others who are generally affected by the outcome of the matter  <input type="checkbox"/> The conflict is amorphous, intangible, or speculative  <input type="checkbox"/> I cannot legally or practically delegate the matter to another person  <input type="checkbox"/> I have received advice from the Ethics Commission that permits my action(s)  <input type="checkbox"/> Other [Explain]: </p>
<p><b>Confirmation and Signature</b></p>	
<p><b>Confirmation</b></p>	<p><input type="checkbox"/> This disclosure fully discloses the nature of my conflict of interest. Taking into account the facts that I have disclosed above, I believe that I nonetheless can perform my official duties objectively and fairly, and in the best interest of the State.</p>
<p><b>Public servant signature:</b></p>	<p><b>Carter Finegan</b> Digitally signed by Carter Finegan Date: 2026.04.03 17:36:43 -04'00'</p>
<p><b>Date:</b></p>	<p>4/3/26</p>

Attach additional pages if necessary.

**DISCLOSURE OF CONFLICT OF INTEREST AS REQUIRED BY THE VT CODE OF ETHICS  
TO BE FILED ONLY IF A PUBLIC SERVANT CHOOSES TO ACT**

<b>PUBLIC SERVANT INFORMATION</b>	
Name and title/position of public servant:	Rick Ufford-Chase, Mayor of City of Newport
Agency/Department:	City Council
Office Phone:	845 608 4056
Office E-mail:	rick.uffordchase@newportvermont.org
<p>In my capacity as a public servant, I am expected to take certain action(s) in the performance of my official duties. Under present circumstances, a reasonable person could conclude that I am, or will be, confronted with a conflict of interest in the performance of these duties.</p> <p>A conflict of interest is defined as a direct or indirect interest in the outcome of a matter pending before me, or the public body in which I serve, that is greater than that of another person generally affected by the outcome of the matter. The interest can be my own, that of an immediate family or household member, or of a business associate.</p> <p>I am filing this disclosure form to disclose the facts surrounding this potential conflict of interest, and to explain why, despite the conflict, I choose to take official action.</p>	
<b>CONFLICT OF INTEREST INFORMATION</b>	
<p><b>Briefly state the nature of the conflict</b> (including identities of all potentially affected parties or properties, whether the conflict is ongoing or a one-time event, potential or perceived benefits, and any other relevant information).</p>	<p>There has been a complaint from a Newport Resident that I have a conflict of interest regarding Executive Sessions of the City Council in which sensitive matters regarding potential Real Estate are discussed with representatives of Newport Downtown Development (NDD) and the City's contractor White and Burke Real Estate Advisors. These matters have been discussed regularly by Council, and such deliberations will be an ongoing obligation of Council. I believe there is no actual conflict because neither Newport Downtown Development (an organization where I am the Executive Director) because NDD has no power to make decisions in their MOU with City Council, nor any potential for financial benefit. In all deliberations regarding economic development strategies over the past year, I have announced that I am there in my capacity as Mayor of Newport.</p> <p>I have reviewed the 24 VSA 1992, and I do not believe that I have a real conflict. Though there may be a potential appearance of conflict, I choose not to recuse myself from these discussions because potential conflict is amorphous, intangible, or otherwise speculative; I cannot practically delegate the matter as Mayor, and I believe that there is good cause to proceed.</p> <p>As stated in my Disclosure of January, 2026, my current salary with NDD is \$30,000, no benefits. NDD has been receiving a grant of \$30,000 per year for nearly ten years. The organization has not requested or received an increase in that grant for its efforts to coordinate the City's economic development strategy.</p>
<p><b>Explain your relationship to the person or organization at issue.</b></p>	<p> <input type="checkbox"/> Self  <input type="checkbox"/> Immediate family member  <input type="checkbox"/> Business I am associated with  <input type="checkbox"/> Business a family member is associated with  <input type="checkbox"/> Business partner  <input type="checkbox"/> Property I own or co-own  <input type="checkbox"/> Property owned or co-owned by a family member  <input checked="" type="checkbox"/> Other [Explain]:                      I am the Executive Director of the City's non-profit partner, Newport Downtown Development, whose mission is the revitalization of the City of Newport and which is tasked with acting as the City's main support in developing a long-term, actionable economic development strategy for downtown Newport.                 </p>

<p><b>State the action(s) you intend to take, and how your action(s) may affect the person or organization at issue.</b></p>	<p>If there is a matter with an actual conflict of interest, I intend to recuse myself each time such a matter arises.</p> <p>If in my judgment there is only an appearance of a conflict, I intend to state my reason for non-recusal publicly and file a statement explaining my non-recusal.</p>
<p><b>Explain why, despite the relationship, you will act on the matter</b> (Check at least one box)</p>	<p><input checked="" type="checkbox"/> The conflict is de minimis in nature</p> <p><input type="checkbox"/> My action on the matter is ministerial or clerical</p> <p><input checked="" type="checkbox"/> My action will not benefit me [or the person or organization at issue] any more than others who are generally affected by the outcome of the matter</p> <p><input checked="" type="checkbox"/> The conflict is amorphous, intangible, or speculative</p> <p><input checked="" type="checkbox"/> I cannot legally or practically delegate the matter to another person</p> <p><input type="checkbox"/> I have received advice from the Ethics Commission that permits my action(s)</p> <p><input type="checkbox"/> Other [Explain]:</p>
<p><b>Confirmation and Signature</b></p>	
<p><b>Confirmation</b></p>	<p><input checked="" type="checkbox"/> This disclosure fully discloses the nature of my conflict of interest. Taking into account the facts that I have disclosed above, I believe that I nonetheless can perform my official duties objectively and fairly, and in the best interest of the State.</p>
<p><b>Public servant signature:</b></p>	
<p><b>Date:</b></p>	<p>4/6/26</p>

Attach additional pages if necessary.

**DISCLOSURE OF CONFLICT OF INTEREST AS REQUIRED BY THE VT CODE OF ETHICS**  
 TO BE FILED ONLY IF A PUBLIC SERVANT CHOOSES TO ACT

PUBLIC SERVANT INFORMATION	
Name and title/position of public servant:	John Monette, member of Newport City Council
Agency/Department:	
Office Phone:	no office
Office E-mail:	john.monette@newportvermont.org
<p>In my capacity as a public servant, I am expected to take certain action(s) in the performance of my official duties. Under present circumstances, a reasonable person could conclude that I am, or will be, confronted with a conflict of interest in the performance of these duties.</p> <p>A conflict of interest is defined as a direct or indirect interest in the outcome of a matter pending before me, or the public body in which I serve, that is greater than that of another person generally affected by the outcome of the matter. The interest can be my own, that of an immediate family or household member, or of a business associate.</p> <p>I am filing this disclosure form to disclose the facts surrounding <del>this</del> <sup>an allegation of a</sup> potential conflict of interest, and to explain why, despite the <del>conflict</del>, I choose to take official action.</p>	
CONFLICT OF INTEREST INFORMATION	
<p><b>Briefly state the nature of the conflict</b> (including identities of all potentially affected parties or properties, whether the conflict is ongoing or a one-time event, potential or perceived benefits, and any other relevant information).</p>	<p>complaint dated April 1, 2026 by Jay Walsh alleging conflict of interest due to ongoing service on Newport Downtown Development housing committee and thus alleging that I should recuse myself from all matters involving NDD</p>
<p><b>Explain your relationship to the person or organization at issue.</b></p>	<p> <input type="checkbox"/> Self  <input type="checkbox"/> Immediate family member  <input type="checkbox"/> Business I am associated with  <input type="checkbox"/> Business a family member is associated with  <input type="checkbox"/> Business partner  <input type="checkbox"/> Property I own or co-own  <input type="checkbox"/> Property owned or co-owned by a family member  <input checked="" type="checkbox"/> Other [Explain]:                      Volunteer member of Newport Downtown Development housing committee                 </p>

<p><b>State the action(s) you intend to take, and how your action(s) may affect the person or organization at issue.</b></p>	<p>I do not intend to recuse myself from any matter involving Newport Downtown Development at this time as I do not believe there to be any conflict. The definition of "conflict of interest" requires a "direct or indirect interest" in the outcome of a matter that differs from that of the public as a whole. It specifically excludes any interest that "is not greater than that of other individuals generally affected by the outcome of a matter."</p> <p>As a volunteer with no personal or family business or financial interests that may be affected in any way by any action by or related to NDD that is in any way different than any member of the community as a whole, there is no conflict by definition.</p>
<p><b>Explain why, despite the relationship, you will act on the matter</b> (Check at least one box)</p>	<p> <input type="checkbox"/> The conflict is de minimis in nature  <input type="checkbox"/> My action on the matter is ministerial or clerical  <input checked="" type="checkbox"/> My action will not benefit me [or the person or organization at issue] any more than others who are generally affected by the outcome of the matter  <input type="checkbox"/> The conflict is amorphous, intangible, or speculative  <input type="checkbox"/> I cannot legally or practically delegate the matter to another person  <input type="checkbox"/> I have received advice from the Ethics Commission that permits my action(s)  <input checked="" type="checkbox"/> Other [Explain]:         </p> <p>I do not believe that any reasonable individual with knowledge of the relevant facts would conclude that there is the appearance of a conflict much less an actual conflict.</p> <p>I am a volunteer. Neither I, nor any member of my family, will derive any financial benefit or business advantage from my role on the NDD committee. To the extent that NDD's activities affect the community as a whole, I will not be affected either positively or negatively to a greater extent than anyone else in the community.</p>
<p><b>Confirmation and Signature</b></p>	
<p><b>Confirmation</b></p>	<p><input checked="" type="checkbox"/> This disclosure fully discloses the nature of my conflict of interest. Taking into account the facts that I have disclosed above, I believe that I nonetheless can perform my official duties objectively and fairly, and in the best interest of the State.</p>
<p><b>Public servant signature:</b></p>	<p><i>[Handwritten Signature]</i></p>
<p><b>Date:</b></p>	<p><i>4/6/2020</i></p>

Attach additional pages if necessary.

RECEIVED  
APR 01 2026  
CLERK/TREASURER  
CITY OF NEWPORT, VT

DATE April 1, 2026

**To:** Ethics Commission Recipient of Complaints – Clerk Treasurer James Johnson  
Newport City Municipal Building  
222 Main St, Newport, VT 05855

**Re: Formal Ethics Complaint – Violations of 24 V.S.A. Chapter 60**

This complaint alleges violations of Vermont’s municipal ethics standards (24 V.S.A. Chapter 60), which require public officials to avoid conflicts of interest, including both actual and perceived conflicts, and prohibit participation in matters where the official has a direct or indirect personal or organizational interest.

Under Vermont ethics law, officials must not use their position for the benefit of affiliate entities and must recuse where impartiality may reasonably be questioned. Failure to do so undermines public trust and may invalidate affected actions.

**Parties Named in the Complaint**

**Mayor Rich Ufford-Chase** – As Executive Director of Newport Downtown Development (NDD), his participation in City Council deliberations and executive session discussions involving NDD and related real estate matters constitutes a direct conflict of interest and failure to recuse.

**Council President Carter Finegan** – As a current NDD committee member and long-standing supporter, participation in discussions, votes and executive session discussions involving NDD presents clear appearance of conflict requiring recusal.

**Council Member John Monette** – Serving on the NDD Housing Committee, his involvement in deliberations and executive session discussion and actions affecting NDD similarly violates recusal obligations.

**Most recent and notable violation**

All three complainants failed to recuse themselves in the vote to enter executive session and participated in the executive session with NDD representatives, and White & Burke, to discuss sensitive real estate matters, despite clear conflicts.

This is just one of many actions in which they have failed to recuse themselves.

**Council Action on this matter: Quorum Impasse**

The Newport City Council consists of five members; however, three members—constituting a majority—are directly implicated in this ethics complaint. Under **Vermont Open Meeting Law 1 V.S.A. § 310(2)**, a public body may only conduct official business when a quorum is present, meaning a majority of disinterested members capable of deliberating and acting.

Because the three implicated members must recuse themselves due to conflicts of interest, only two remaining members are available—insufficient to establish a lawful quorum. As a result, the Council is procedurally barred from convening to investigate, deliberate, or enforce the ethics provisions under its Municipal Code.

This creates a fundamental legal and ethical barrier. The governing principle applies: *“no one may be a judge in their own case”* (nemo iudex in causa sua). Allowing conflicted members to participate would violate core due process principles and undermine the legitimacy of any outcome; and

Under Article 10 of the City Code of Ethics, the City Council is authorized to take progressive disciplinary action against an elected officer, but this authority is predicated on the Council’s ability to lawfully convene and act. The failure to compose a quorum thereby deprives the Council of the legal capacity to meet, deliberate, or take any of the prescribed enforcement steps as any such action would require a quorum of disinterested members that does not exist; and

Because the Mayor is an accused officer in the ethics complaint and holds the sole authority to appoint the Police Chief under City Charter § 7-9, the Chief—as the Mayor’s direct appointee serving at the pleasure of the Mayor’s appointment power—cannot serve as a neutral Ethics Commission Liaison in this matter. The Chief’s position derives entirely from the Mayor’s unilateral appointment, creating an inherent conflict of interest and appearance of partiality that disqualifies him from investigating, weighing, or adjudicating any aspect of a complaint against the very official who appointed him.

Accordingly, the City faces a structural impasse where internal enforcement is not possible. What allowable actions remain are, either voluntary recusal, or judicial intervention to ensure compliance with Vermont law and preservation of public trust.

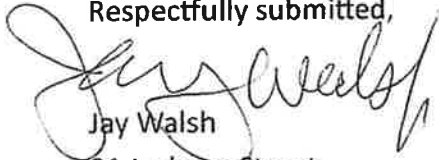
### **Formal Demand for Disclosure of Conflicts and Immediate Recusal from All NDD Matters**

1. **Publicly acknowledge** that their respective roles with Newport Downtown Development (NDD) create a conflict of interest under the Municipal Code of Ethics and Vermont’s Act 171 ethics code; and

2. **Voluntarily recuse themselves** from any and all future City Council matters involving NDD, no matter how minor, including discussion, deliberation, and voting.

It is respectfully requested that these concerns be addressed promptly through voluntary acknowledgment and recusal, consistent with Vermont's Municipal Code of Ethics. Should these matters remain unresolved, consideration will be given to pursuing appropriate next steps through established legal channels to ensure recusal compliance with applicable ethics requirements and to preserve public confidence in the Council's decision-making process.

Respectfully submitted,

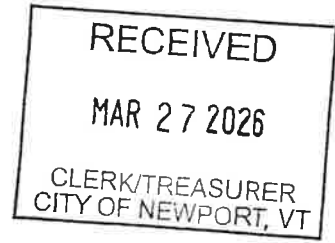
A handwritten signature in black ink, appearing to read "Jay Walsh", written over the printed name.

Jay Walsh

91 Jackson Street

Newport, VT 05855

DATE: 3/27/2026



Mayor Rick Ufford-Chase and Members of the City Council  
Newport City Council  
222 Main Street  
Newport, VT 05855

**Re: Formal Notice of Charter Violation – Failure to Secure Required Bonds for City Officers (Section 7-32)**

Dear Mayor Rick Ufford-Chase and Members of the City Council:

This letter serves as formal written notice pursuant to **1 V.S.A. § 314(b)** of an ongoing and unresolved violation of the Newport City Charter. Specifically, the City Council has failed to ensure that certain city officers have given bonds to the city as mandatorily required by **Section 7-32 of the Newport City Charter**, and this failure leaves taxpayer money at unnecessary risk.

**I. The Charter Itself Creates a Mandatory, Self-Executing Duty to Bond**

Section 7-32 of the Newport City Charter states:

*"The Treasurer, Clerk, Constable, Tax Collector, and Superintendent of Streets and Waterworks **shall annually give bonds** to the City to the satisfaction of the City Council for the faithful discharge of their respective duties, and any other City officer may be required by the City Council to give similar bonds."*

The word "shall" imposes a mandatory duty. This duty is triggered **by the charter itself**, not by any action of the Council. The moment an officer assumes office—whether by election, appointment, or holdover status under Section 7-6—the charter requires that they have a current bond on file. There is no grace period. There is no exception. The requirement is immediate and continuous.

**II. The 10-Day Notice is a Remedy for Non-Compliance, Not a Discretionary Trigger**

Section 7-32 continues:

*"In case any officer neglects to give bonds as above specified, after 10 days' notice from the City Council that he or she is required to do so, his or her office **shall thereupon become vacant** and the vacancy shall be filled as hereinbefore provided."*

The 10-day notice is not a grant of discretion to the Council to decide *whether* bonding should occur. It is a **remedial tool**—a final opportunity for an officer to comply before the charter itself, by its own force, declares their office vacant. The notice exists to protect the officer's due process rights, not to give the Council the power to suspend the charter's requirements.

The Council does not have the authority to "trigger" the bonding requirement. The charter has already triggered it. The Council's only role is to enforce compliance when the charter's command is ignored. Failure to issue the 10-day notice does not excuse the underlying violation; it merely compounds it by adding the Council's inaction to the officer's non-compliance.

### **III. The Council Has No Discretion to Ignore a Charter Violation**

The City Council is the body charged under Section 7-7 with the administration of "all fiscal, prudential, and municipal affairs." This includes the affirmative obligation to ensure that every charter provision is followed. When an officer violates Section 7-32 by serving without a bond, the Council cannot simply look away. Their duty to achieve compliance is just as mandatory as the officer's duty to obtain the bond.

As the Vermont Supreme Court has long held, a writ of mandamus is available to compel public officers to perform "simple and definite ministerial duties imposed by law." *Roy v. Farr*, 128 Vt. 481 (1970). Where an official refuses to perform such a duty, or where there is an "arbitrary abuse of the power vested by law... which amounts to a virtual refusal to act," the courts will intervene. *Sagar v. Warren Selectboard*, 170 Vt. 167 (1999).

If the Council knows that officers are serving without bonds and takes no action—issuing neither the 10-day notice nor any other enforcement measure—they are not exercising discretion. They are refusing to perform a duty imposed by law. This is precisely the "virtual refusal to act" that the *Sagar* court identified as subject to mandamus.

### **IV. The Council Lacks Authority to Substitute Insurance for Charter-Required Bonds**

While the Council may believe that general liability insurance coverage, such as that provided through the Vermont League of Cities and Towns (VLCT), satisfies the bonding requirement of Section 7-32. This belief is legally incorrect.

A surety bond and an insurance policy are legally distinct instruments. A surety bond is a three-party agreement where a bonding company guarantees the official's faithful performance and retains the right to seek reimbursement from the official for any losses paid. The bond creates personal accountability. Insurance is a two-party contract that protects the insured entity against loss without creating personal recourse against the individual official. The charter specifically requires "bonds"—not insurance—and these terms are not interchangeable.

## V. Distinction between these financial products

1. **Personal Qualifications:** In bonding, the surety company evaluates the "Three Cs": **Character, Capacity, and Capital**. To be bonded, an official must demonstrate a clean background, financial stability, and the ability to perform their duties.
2. **Guarantee vs. Protection:** A bond is a guarantee of **personal performance**. If an official fails to meet background or character standards, they may be deemed "unbondable," whereas insurance typically covers a pool of employees regardless of individual history
3. **Liability:** Unlike insurance, where the carrier pays the loss, the principal (the official) is legally obligated to **reimburse the surety** for any claims paid due to their failure to perform
4. A **surety bond** is a three-party guarantee designed to ensure legal compliance, where the protection often extends directly to any member of the community injured by an official's breach of duty. Conversely, **insurance** is a two-party contract that primarily protects the City entity against unexpected financial losses, with an insurer's duty remaining with the City rather than the aggrieved citizen. While both may address official conduct, the bond keeps risk and accountability squarely on the official to protect constituents, whereas insurance simply transfers the City's financial risk.

## VI. The Council Cannot Unilaterally Change Charter Requirements and the Conflict of Self-Adjudication

The City Council does not have the authority to ignore, waive, or substitute alternatives for mandatory charter provisions. The charter is a legally binding document, effectively the city's constitution, which can only be amended through public hearings and voter approval under **17 V.S.A. § 2645**. If the council believes the bonding requirement should be replaced with insurance, the proper path is to propose a charter amendment and let the voters decide. Until such an amendment passes, Section 7-32 remains in full force and effect.

1. **Distinction of Responsibility:** A **surety bond** is a performance guarantee focused on the individual officer's faithful discharge of duties, whereas **insurance** is a "lesser mechanism" that typically only covers the entity's liability for negligence. Insurance lacks the direct, individual accountability and the "burdens of a traditional lessor" role required to protect public funds from intentional breach or malfeasance.

2. **Impartiality in Governance:** Furthermore, the Council must adhere to the fundamental legal principle that "no one should be a judge in their own case." By attempting to redefine or waive their own bonding obligations, Council members create an inherent conflict of interest, acting as both the party required to provide security and the party determining if that security is sufficient.

## VII. Holdover Officers Are Not Exempt

Under **Section 7-6**, elected officers serve "until the next annual meeting and until their successors are duly elected and qualified." This holdover provision ensures continuity of government, but it **does not** exempt those officers from the annual bonding requirement. Whether in their original term or holding over, every officer named in Section 7-32 must provide an annual bond. The charter requires it. The Council must enforce it.

## VIII. Documented Conflict of Interest: Contradictory Legal Counsel Regarding Bonding and Municipal Immunity

The City Attorney has now more than once offered an opinion that contradicts their own prior legal guidance provided to the Council.

1. **Prior Legal Statement:** On January 18, 2024, at 4:11 PM, Attorney Beriah C. Smith of Stitzel, Page & Fletcher, P.C., explicitly stated:  
"A performance bond is not insurance. It can only be claimed by the entity (in this case the City) that holds the security in the bond. Therefore, a bond does not waive municipal immunity."
2. **Conflict of Interest:** By offering a current opinion that reverses this 2024 stance—specifically regarding the functional equivalence of insurance and bonds—the City Attorney has created an irreconcilable conflict of interest.
3. **Required Disqualification:** Under professional ethics standards and the principle of consistent legal application, the City Attorney must disqualify themselves from further advising the Council on this matter. The Council cannot rely on shifting legal interpretations that undermine the Charter's specific security requirements and the City's immunity status

## IX. The Consequences of Inaction Are Severe

If a financial loss occurs while an officer is unbonded:

- **No bond exists to cover the loss** – The city cannot make a claim against a surety that never issued a bond

- **The city's only remedy is against the officer personally** – If the officer lacks personal assets, any judgment is worthless
- **Taxpayers bear the loss** – The very protection the charter was designed to provide is absent
- **The Council may face liability** – For neglect of a clear ministerial duty under *Roy v. Farr and Sagar v. Warren Selectboard*

This is not a theoretical risk. It is the precise harm the charter's bonding requirement was designed to prevent.

#### **X. Request for Cure and Public Response**

Pursuant to **1 V.S.A. § 314(b)(2)**, I request that the City Council publicly respond to this notice at its next regular council meeting and provide the following information:

1. A public announcement detailing whether all officers named in the City Charter provision 7-32—specifically the Treasurer, Clerk, Constable, Tax Collector, and Superintendent of Streets and Waterworks and School Trustees as identified in Charter provision § 7-39—have given bonds to the City for the current fiscal year;
2. For each such officer and trustee, the date on which their bond was executed and the date on which the Council affirmatively "satisfied" itself as to the sufficiency of that bond, as required by the charter;
3. If any named officer has not provided a required bond, a public statement of:
  - How long that officer has served without a bond
  - Why the Council has not issued the 10-day notice required by Section 7-32 as a remedy for this ongoing violation
  - What specific actions the Council will take to achieve full charter compliance, including a timeline for securing the required bonds or, in the case of appointed officers, exercising the Council's removal authority under Section 7-8;

#### **XI. Consequences of Non-Compliance**

Under **1 V.S.A. § 314(b)(3)**, if the Council fails to respond to this notice within 7 calendar days of receipt, that failure shall be treated as a denial of the alleged violation for purposes of enforcement.

If the Council acknowledges a violation but fails to cure it within 14 calendar days at a regular council open meeting, as required by **1 V.S.A. § 314(b)(4)**, or if the Council denies the violation

and I believe such denial to be in error, I reserve the right to pursue all available legal remedies. These may include, but are not limited to:

- An action in the nature of mandamus under **Vermont Rule of Civil Procedure 75** to compel the Council to perform its clear ministerial duty under Section 7-32, citing *Roy v. Farr and Sagar v. Warren Selectboard*;
- An application for injunctive relief; and
- An application for costs and attorney's fees as permitted by law under **1 V.S.A. § 314(d)**.

The citizens of Newport have a clear and certain right to have city officials who handle public money bonded as their charter requires—not insured, not partially covered, and not left unprotected while the Council fails to act. The Council's duty under Section 7-32 is not optional. The charter itself commands compliance, and it is the Council's responsibility to enforce that command.

I await your public response at the next regular council meeting and your written response within the 7-day statutory period.

Sincerely,

Jay Walsh  
91 Jackson Street  
Newport, VT 05855  
413-329-1755  
[jaywalsh@usa.net](mailto:jaywalsh@usa.net)

**Memo: From Mayor Rick Ufford-Chase**

**To: Council Members**

**Re: Authorization to pursue NBRC Grant Request for Main Street Infrastructure improvements**

**Date 4/7/2026**

Council Members,

Following a pre-application that was submitted by City Staff and Newport Downtown Development with support from Annie McLean from NVDA, The Northern Borders Regional Commission has invited the City of Newport to submit a funding request to take on a major infrastructure project to improve water and sewer lines on Main Street and carry out pedestrian, bike and vehicle transportation improvements above grade. This project, if it were to move forward, would be a major step toward preparing for serious economic development efforts in downtown Newport.

Initial estimates from VHB suggest that the cost of this project would be approximately \$ 3,750,000, and, if awarded, this grant from NBRC would cover \$3,000,000, or 80%, of the total project cost. The City is exploring possible sources of funding to cover our 20%, \$750,000 match. If awarded, no grant would be accepted without a clear explanation and Council approval of a plan to secure the necessary local match.

This is very exciting news. The process is extremely competitive, and this invitation to apply for such a significant amount represents a high level of interest from NBRC in supporting the development of critical public infrastructure to rebuild Newport's downtown. Grants such as this one are critically important to the success of any potential application for TIF or CHIP status by the City of Newport.

**For now, the Council is simply being asked to name an Authorized Representative to be the primary contact for NBRC. My recommendation is that we name Grants Administrator Frank Cheney the Authorized Representative.**

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



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

## CITY OF NEWPORT MUNICIPAL RESOLUTION

Resolved by the City Council of Newport, VT as follows:

WHEREAS, the City of Newport VT has been awarded Northern Border Regional Commission funding in the amount of \$ 3,000,000 for the Downtown Redevelopment Project;

NOW THEREFORE, the Grants Administrator, Frank Cheney, is hereby authorized, on behalf of the City of Newport, VT to be the Authorized Official and apply for, accept, and expend grant funds from the Northern Border Regional Commission. As Authorized Official, Frank Cheney has permission to sign all Northern Borders Regional Commission investment documents that bind the applicant.

Approved this 9th day of April, 2026

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Rick Ufford- Chase, Mayor

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Carter Finegan, President

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Andrew Touchette

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John Monette

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Sharon Pare

## **City Manager Newport, Vermont**

### **The Opportunity**

The City of Newport, Vermont (pop. 4,500) is recruiting for an experienced public sector manager to serve as its next City Manager. Located on the southern shore of Lake Memphremagog, Newport serves as the economic and cultural hub of Vermont's Northeast Kingdom (NEK). The NEK offers four seasons of outdoor recreation anchored by Jay Peak ski resort, miles of hiking, biking, and four wheeling, and Newport's lakefront downtown.

Newport's downtown is recovering from a failed private redevelopment project. The City has responded with the Newport Initiative -- an ambitious vision to form public/private partnerships to redevelop critical downtown properties, increase housing opportunities, and expand the tax base. For more on the Newport Initiative, visit [discovernewportvt.com](http://discovernewportvt.com).

The City Manager will help achieve this vision by recruiting private sector partners, utilizing development incentives such as tax increment financing, and promoting the City's vision to the public and other stakeholders in writing and in person. The Mayor and City Council envision a capable leader who inspires public confidence, works well with community partners, and can build and maintain public trust.

### **The Position**

The City Manager is the Chief Administrative Officer of the City. They work closely with the Mayor and City Council to develop policy priorities, pursue strategic opportunities, and implement the Council's vision in the City's departments and programs. The Manager is responsible for developing and managing the annual budget, managing economic development projects, overseeing personnel matters, implementing City Council decisions, and managing the delivery of City services.

Newport is a full service community that provides police, fire, water/sewer, recreation, and public works services in seven square miles. The Manager reports to the five-member City Council, comprised of four Aldermen and the Mayor who are elected at large and typically meet twice a month. The Mayor and City Council provide broad policy direction while delegating operational matters to the Manager. The Mayor provides political leadership to advance key City initiatives while the Manager provides administrative leadership.

The Manager oversees all day-to-day operations and is responsible for building a strong leadership team. There are 47 full time employees and two unions (police and public works). Labor relations are generally strong. The City has combined budgets of \$13 million across multiple funds. A Finance and Office Administrator assists with budgeting and human resource administration.

The Manager must be the consummate generalist and able to easily transition from strategic conversations about redevelopment opportunities and growing the tax base to operational matters such

as camping regulations on the City owned campground and annual street paving. While the position has many responsibilities, it is primarily a people-centered position. The Manager must be both affable and knowledgeable, and able to connect with others from all walks of life. A detailed job description is available at [newportvermont.org](http://newportvermont.org).

### **Desired Characteristics (Text Box)**

- Fit: The Manager should enjoy living in Vermont's Northeast Kingdom.
- Trustworthy: an honest broker who upholds high ethical standards.
- Stabilizing force: The Manager should provide stability in a position with recent turnover.
- Strategic: The Manager must be a strategic thinker and able to navigate through challenging political waters.
- Consensus builder: The Manager must be skilled at finding the common ground between different perspectives and helping to forge consensus.
- Energetic: The Manager should be genuinely excited over the challenge of managing a resurgent community and the process of renewal.
- Knowledgeable: previous experience as a Manager or a department head in a full service community.
- Pragmatic: able to think creatively and solve problems both large and small.
- Budget experience: previous experience building budgets and achieving economies of scale or efficiency.

### **Compensation and Qualifications**

The City Council envisions starting the next Manager with an annual salary between \$125,000 and \$140,000, depending on qualifications and experience. Newport covers 100% of health insurance for employees and family. Retirement benefits are provided through the Vermont Municipal Employees Retirement System Group C, with full retirement eligibility at age 55. A relocation stipend of up to \$7,500 is available. The Manager will receive either a City car or a mileage stipend.

A Bachelor's Degree is required. A Master's in public administration or equivalent combination of managerial experience is preferred. Previous leadership experience in a comparable organization is required. While city residency is not required, reasonable proximity to Newport is important for participation in the civic life of the community.

### **The Process**

The City has formed a search committee who will conduct the first round of interviews. The committee is comprised of two City Councilors, two staff members, and two members of the public. Recruitment is being managed by the Vermont League of Cities and Towns. Initial review of resumes is planned for ~~xxxxxx xx~~, 2026. To apply, please send a PDF formatted resume and cover letter via email to Dominic Cloud at [dcloud@vlct.org](mailto:dcloud@vlct.org). Mr. Cloud can also be reached via phone or text at (802) 309 – 1775.

**City Manager  
Job Description**

**Nature and Scope**

The Newport City Manager is the Chief Administrative Officer of the City. They work closely with the Mayor and City Council to develop policy priorities, pursue strategic opportunities, and implement the Council's vision through the City's departments and programs.

The Manager is responsible for developing and managing the annual budget, managing economic development projects, overseeing personnel matters, implementing City Council decisions, managing the delivery of City services, and administering City departments efficiently and effectively.

**Essential Functions**

The Manager serves as the critical link between the Mayor / Council and the staff and is responsible for the following duties and responsibilities:

- Serve as the principal advisor and staff member to the Mayor / Council; ensure that City Council meetings are well staffed with clear, concise materials and action items that facilitate the work of the Council.
- Manage all operations and personnel of the City in accordance with City Charter.
- In close collaboration with the Mayor, facilitate the development of policy-oriented goals and objectives at the City Council level and implement those goals and objectives through the Department Heads and other staff.
- Collaborate with the Mayor and City Council, Newport Downtown Development staff, and other economic development advisors to advance redevelopment efforts of the City.
- Cultivate an accomplished team of Department Heads and facilitate their collaboration in support of City priorities; provide the supervision and performance management necessary to build a high-performance organization.
- Ensure the preparation and implementation of various City budgets and capital programs and regular reporting on the financial condition of the City; serves as chief procurement officer for the City.
- Develop or maintain a deep knowledge of Vermont municipal management and the laws, best practices, and emerging trends in the field; serve as resident expert on municipal government.

- Take a leadership role on major City agreements such as union contracts, insurance settlements, real estate, and legal matters.
- Serve as primary press contact for the City, unless a Department Head or the Mayor is more appropriate due to the subject matter.
- Serve as a principal representative of the City; regularly engage with stakeholders, partner organizations, and the general public. Appear formally and informally at City and community events.
- Provide the Mayor / City Council with strategic advice that includes professional expertise of the staff, operational constraints, and legal requirements.

#### KNOWLEDGE, SKILLS, AND ABILITIES

- Strong, working knowledge of local government.
- Ability to think strategically and anticipate possible outcomes based on knowledge and experience.
- Ability to build consensus and find common ground between different perspectives.
- Strong personnel and project management skills.
- Ability to gain the trust and respect of others.
- Ability to use tact and diplomacy to express disagreement or concerns to others while still serving as a strong collaborator.
- Ability to inspire confidence of others.
- Ability to accept constructive criticism, communicate, and work well with others.
- Ability to build and maintain effective relations with State and Federal agencies and representatives, City leadership, business leaders, and community stakeholders.
- Ability to drive and travel locally, statewide, and into Canada.

## EDUCATION, TRAINING, AND EXPERIENCE

- Bachelor's Degree required; a relevant advanced degree such as public administration, business management, or public policy is preferred.
- At least five years of public management experience.
- Working knowledge of principles and practices of public administration.

## PHYSICAL DEMANDS / WORK ENVIRONMENT

This is an office-based position. The Manager is expected to have a physical presence throughout the City. While performing the duties of this job, the Manager is required to communicate frequently with the public, City Councilors, and City staff members, operate office equipment, move throughout the City, and travel throughout the State. The Manager is often required to sit for long periods of time.