

## **Council Meeting**

**August 5, 2024**

A duly warned meeting of the Newport City council was held on Monday, August 5, 21024 in the council room in the Newport Municipal Building. Present were Mayor Linda Sullivan, Council President Chris Vachon, Council Members Kevin Charboneau, Rick Ufford-Chase, Clark Curtis, City Manager Jonathan DeLaBruere, City Clerk/Treasurer James Johnson, Frank Cheney Jr. Tom Bernier, Members of the Press and Public.

Mayor Sullivan called the meeting to order at 6:00 PM.

### **Additions/Deletions to the Agenda**

Item number 4 changed to Tax abatement/stabilization, number 6 Tabled, and number 12 deleted.

### **Consent Agenda**

Mr. Curtis moved to approve the consent agenda including a new vendor permit request. Seconded by Mr. Vachon, motion carried.

### **Tax Stabilization- NEKDC**

The council and Mr. Cheney discussed the 2022 Stabilization request. The council agreed to the stabilization policy but a motion was never passed granting the stabilization. This may not be a valid reason to abate taxes. NEKDC should reapply for tax stabilization. Mr. Cheney will contact NEKDC.

### **FY 2023-2024 Single Audit Engagement Letter**

Mr. Vachon moved to authorize the mayor to sign off on the Single Audit engagement letter pending the Mayor and city Managers review of the auditing firm. Seconded by Mr. Curtis, motion carried.

### **Update to the Policy on the Administration of Public Records Requests**

Deleted from the agenda.

**DPW 2024 Paving Bids (attached)**

Mr. Ufford-Chase moved to approve the bid from Gray's Paving. Seconded by Mr. Vachon, motion carried.

**DPW Equipment Purchases (attached)**

Mr. Vachon moved to approve getting bids for the Zero turn Mower, Trailer and new Truck. Seconded by Mr. Curtis, motion carried.

**DPW In-Kind Grant timeline Update**

Mr. DeLaBruere stated that DPW is committed to two remaining projects. The Gardner Park Remediation and the Causeway lighting Project. The Gardner Park Project is nearing completion and the Causeway project will hopefully be completed in the spring.

**Authorization to Have Council Conduct a Tax Sale**

Mr. Ufford-Chase authorized the City Attorney to move forward with the tax sale process. Seconded by Mr. Vachon, motion carried.

**USDA Community Facilities Grant Public Meeting for FY 24 RADIOS AND Water Rescue Equipment**

The council held a Public Hearing on the USDA Community Facilities Grant Application. Mr. DeLaBruere explained the Grant Process and Requirements. This is a \$56,000 grant. \$19,600 will be grant funds and \$36,400 will come from City funds. The grant is for Fire Department 10 Radios, 10 Pagers and Water Rescue Equipment. Ms. Chiarello asked if they were absolutely needed. Mr. DeLaBruere noted that the Radios and pagers are older models and there is no water rescue equipment.

**FY 2024-20235 Cash flow Projection – Update**

Mr. DeLaBruere update the council on his cash flow projection project.

**Water/Sewer Audit Timecards Update**

Mr. DeLaBruere updated the council on the timecard audit.

### **Real Estate Litigation 1 V.S.A. 313(a)(2)**

Mr. Vachon moved that premature public knowledge of confidential attorney-client communications made for legal services to the city council, pending civil litigation to which the public body is a party would place the city at a substantial disadvantage by disclosing the cities negotiation strategies and priorities and would waive the city's attorney-client privilege and prematurely disclose the city's strategies. Seconded by Mr. Curtis, motion carried.

Mr. Vachon moved to enter executive session in accordance with 1 V.S.A. 313(a) (2) to discuss potential real estate litigation and invite the City Manager and Zoning Administrator to join in the executive session. Seconded by Mr. Ufford-Chase, motion carried.

No action.

### **Evaluation of an Employee 1 V.S.A. 313(a) (3)**

Mr. Vachon moved to find that premature public knowledge of confidential attorney-client communications made for providing legal services to the city council, pending civil litigation to which the public body is a party and regarding a labor relations agreement with employees would place the city at a substantial disadvantage by disclosing the cities negotiation strategies and priorities and would waive the cities attorney-client privilege and prematurely disclose the cities legal strategy. Seconded by Mr. Ufford-Chase, motion carried.

Mr. Vachon moved to enter into executive session to discuss confidential attorney-client communications for the purpose of providing professional services related to negotiating a labor relations agreement, and for the discussion of pending civil litigation pursuant to 1 V.S. A. 313(a)(B)(E)(F) and to later potentially invite in employees. Seconded by Mr. Curtis, motion carried.

No action.

Mr. Ufford-Chase moved to authorize the mayor the sign a settlement agreement with the union and continue to negotiate with the union on a separate matter and select an arbitrator if necessary. Seconded by Mr. Curtis, motion carried.

### **Comments by the Pubic**

Jennifer Bjurling commented on Mr. DeLaBruere's salary booked to Sewer and water and the Personnel policy.

Anne Chiarello commented on the stabilization request.

Jennifer Hopkins commented on the Personnel Policy.

**New Business**

Mayor Sullivan noted the Purple Heart Ceremony on Wednesday at 10:00 am and the Community forum on August 15<sup>th</sup> at the Gateway 5:00 pm.

**Old Business**

Mr. Charboneau stated that there needs to be a Special Council Meeting on the Personnel Policy per Mr. Ufford-Chase’s motion on July 15, 2024.

Mr. Ufford-Chase noted that the VHB contract is moving along. We should have a draft by September 15<sup>th</sup>.

**Next Meeting Date**

Mr. Curtis moved to set the next meeting date for August 19, 2024. Seconded by Mr. Vachon, motion carried.

**Adjournment**

Mr. Charboneau moved to adjourn at 8:42 pm. Seconded by Mr. Vachon, motion carried.

Attested \_\_\_\_\_ This \_\_\_\_\_ Day of \_\_\_\_\_ 2024

\_\_\_\_\_ Mayor