

CITY OF VERGENNES, VERMONT
 REGULAR MEETING of the CITY COUNCIL
 Tuesday, February 14, 2023
 5:30 p.m.
AGENDA

In Person at Vergennes Fire Station – 50 Green Street

Or Remote Meeting Via Zoom

Join by Computer: <https://zoom.us/j/561577976>

Join by Phone: Dial: 1 (312) 626-6799

Meeting ID: 561 577 976

Meeting Password: 1234

1. Microphone Check
2. Call to Order
3. Pledge of Allegiance
4. Amendments to Agenda
5. Visitors
6. Approval of Minutes (01/24/23); (01/30/23); (02/02/23); and Approval of Warrant (02/14/23) *
7. Discussion of Financials (Budget Status and Trial Balance) for FY 22 and FY 23
8. Business
 - a. TIME CERTAIN: 5:45 pm. Update re: Sanitary Sewer Collection System and Wastewater Treatment Facility Upgrade.
 - i. 1272 Order Explanation, John Merrifield, Vermont Dept. of Environmental Conservation. (A copy of draft order, plus recent email communication with John Merrifield included in Council packet);
 - ii. Update of Sewer Upgrade presented by Rick Chaput, Chief Operator, WWTF; Jennie Auster, Hoyle & Tanner; Jim Larrow, Public Works Supervisor; Ron Redmond, City Manager. ***
 - b. Request from Addison County Communications Union District dba Maple Broadband for an easement from the City of Vergennes to build a telecommunications hub on City property at MacIntosh Park on Comfort Hill, that will allow Maple Broadband to expand service in northern Addison County. Steve Huffaker, Chair, Maple Broadband, and Shannon Haggett, Vergennes Delegate. **
 - c. Approval of Vermont Agency of Transportation's Certificate of Highway Mileage, Year Ending February 10, 2023. *
 - d. Presentation of Vergennes Police Department FY 23 budget projections, pending review and comments by City Council before approval of amended FY 23 Vergennes Police Department budget. **
 - e. February Agenda Planning, Alderman Hawley. **
9. City Manager Report
10. Executive session per 1 V.S.A. § 313(a)(3) regarding the evaluation of a public officer or employee, provided that the public body shall make a final decision to hire or appoint a public officer or employee in an open meeting and shall explain the reasons for its final decision during the open meeting. **

CITY OF VERGENNES, VERMONT
REGULAR MEETING of the CITY COUNCIL
Tuesday, February 14, 2023
5:30 p.m.
AGENDA

11. Adjournment

*Decision Item

**Possible Decision Item

***Discussion Item

**CITY OF VERGENNES, VERMONT
REGULAR MEETING CITY COUNCIL
Tuesday, January 24, 2023**

COUNCIL MEMBERS/STAFF: Mayor Mathew Chabot, Alderman Dickie Austin (Zoom), Alderman Mel Hawley, Alderwoman Jill Murray-Killon, Alderwoman Zoe Kaslow, Alderwoman Sue Rakowski, Alderman Ian Huizenga, City Manager Ron Redmond, City Clerk Penny Austin, City Treasurer Angie Bolduc (ZOOM)

VISITORS: Martha DeGraaf, Recreation Coordinator, Don Perley, Mark Koenig and Mike Kane from the ANWSD, and Bill Benton, Renny Perry, Julie Basol, Scott Gaines, Jen Russell, and Vaughn Collins from the Vergennes Partnership

Call to Order: 5:30 PM

Amendments to Agenda: Alderwoman Rakowski requested removal of item c.

Approval of Minutes (1/10/23). Motion by Alderman Austin, second by Alderwoman Murray-Killon, to approve the minutes as written. Vote: 7-0. Approved unanimously.

Approval of Warrant FY 23 (1/10/23). Motion by Alderman Austin, second by Alderwoman Rakowski. Vote 7-0, Approved unanimously.

Visitors: Mike Kane and Mark Koenig spoke about the upcoming 1% school tax rate increase to cover the 13% budget increase.

Business:

8a. Council went into executive session (per 1 V.S.A. § 313(a)(3)) at 5:55 pm. Council came out of executive session at 6:10 pm. No action taken.

8b. Update from the Vergennes Partnership. *** Bill Benton, Renny Perry, Julie Basol, Scott Gaines, Jen Russell, and Vaughn Collins from the Vergennes Partnership provided an update on activities by the Partnership. The council expressed their support for the efforts of the Partnership to support and strengthen the city's downtown district. Of note, Alderman Hawley discussed the importance for the next council considering an increase in its annual allocation. Currently, \$7,500 comes from the general fund and \$7,500 from the Water Tower Fund. Alderman Hawley suggested that increase could come from the Water Tower Fund.

8d. Request to Allocate \$2,395.84 from the Water Tower Fund to Complete Funding for Improvements to City Hall Storm Windows and Front Door Project. * Alderman Hawley asked about the additional step down requested by the State Fire Marshal, Josh Maxham. City Manager Redmond said that sourcing and placement of Panton Stone step will be a separate project and is being managed by Norm Leboeuf. Motion by Alderwoman Rakowski and second by Alderwoman Kaslow to do the requested allocation. Vote:7-0 Approved

8e. Adoption of the Annual City Warning including Article 2: Shall the city establish a reserve fund to be called the Infrastructure Improvement Fund for the purpose of funding improvements to city facilities, parks and sidewalks to be funded by Coronavirus State and Local Fiscal Recovery Funds totaling \$723,075.75, in accordance with 24 V.S.A. § 2804? *

Note: City of Vergennes original CSLFRF allocation was \$772,125.92 less funds allocated by the City council in FY 23 to fund a) 25% of the cost or \$24,050.25 for a 2022 Ram 3500 Dump Truck and b) \$25,000 for Fire Station emergency generator = remaining balance of \$723,075.75.

The Council reworded Article 2 and the total amount of ARPA funds, reflecting a small increase sent by the Treasury department. Alderwoman Rakowski moved to accept Article 2 as amended with Alderwoman Murray-Killon seconding. Vote approved 7-0. The new wording for Article 2 is shown below:

Article 2: Shall the City establish a reserve fund to be called the Infrastructure Improvement Fund for the purpose of funding capital improvements including but not limited to city facilities, parks, and sidewalks to be funded by Coronavirus State and Local Fiscal Recovery Funds totaling \$723,257.72, in accordance with 24 V.S.A.2804?

8f. Update on city sewer lines at 1-3 Main Street property. ***

At the 1/10/23 CC meeting, Mayor Chabot had requested that the city manager to reach out to Cornerstone Construction to either stop or slow down construction at the Portage Project, and report back to the council. The city manager and public works supervisor met with owner/foreman for Cornerstone construction on 1/11/23 to discuss coordination of the repair of the clay tile pipe while on-site construction continued. Redmond explained to the council the sequence of events that occurred, beginning with the former property owner re a commitment from the city manager to move the pipe, involvements of the property owners attorney and the former city attorney (Jim Ouimette) when the city manager learned it was not the practice of the city, and the eventual decision to hold with previous commitment (at the recommendation of the former city attorney) and move the pipe at the city's expense. An RFP was prepared by Otter Creek Engineering. As the RFP process was underway, OCE shared with city manager and Public Works supervisor that the cost to move the pipe be an unreasonable expense, plus an additional expense for blasting – something not possible because of site's proximity to the dam. The City Manager and Public Works supervisor met with the new property owners (Cornerstone) to discuss the situation. Rather than maintain their current design of building over the sewer pipe, the developer broke the design into two separate sections, with the sewer pipe running between the two buildings. In the meantime, the public works supervisor reached out to and is waiting to hear back from Green Mountain Pipeline Services, Bethel, for an estimate re: sleeving the existing 20+ feet of sewer line and installing new manholes at the site.

8g. Update re: 21st Century Grant, administered by the Addison Northwest School District, that funds 100% of expenses for Camp Commodore. ***

Council and staff discussed the city's relationship with funding from the 21st Century Grant (used to fund Camp Commodore) and if the Recreation Coordinator's time should be spent on this endeavor. In the end, there was consensus that the program is important and should be continued.

8h. February Agenda Planning, Alderman Hawley.** Alderman Hawley discussed a list of items to be included on agenda for discussions at the two upcoming February city council meetings.

9. City Manager Report.

- Mike Daniels reached to three potential vendors to provide cleaning services for the Pump House. Staff has selected Chris Mullis and his quote for \$7,000. Plan is for Public Works to seal up the pump house and repair pump house windows. Mullis is set to pressure wash, remove bird waste from site in May/June, 2023.
- Redmond gave an update on Wayfinding Signage Program
- Presentation on sewer upgrade on 2/14/23 will have a more in-depth explanation about the City's 1272 order.

10. The council went into executive session at 8:25 pm. per 1 V.S.A. § 313(a)(3) The Council came out of executive session at 9:30 pm. (no action taken). They immediately adjourned on motion by Alderman Austin, second by Alderman Huizinga.

CITY OF VERGENNES, VERMONT
SPECIAL MEETING of the CITY COUNCIL
MONDAY, January 30, 2023

COUNCIL MEMBERS/STAFF: Mayor Mathew Chabot (Zoom), Alderman Mel Hawley, Alderwoman Jill Murray-Killon, Alderwoman Zoe Kaslow (Zoom), Alderwoman Sue Rakowski, Alderman Ian Huizenga (Zoom), City Manager Ron Redmond, City Clerk Penny Austin (Zoom).

VISITORS: Renny Perry (Zoom), Julie Basol, Jen Russell, and Vaughn Collins representing the Vergennes Partnership

Call to Order: 5:30 PM

Amendments to Agenda: none.

Visitors: None

Business:

8a. Council discussed staff's request for approval to apply to the Vermont Downtown Program's Downtown Transportation Fund, for a grant to upgrade the Basin Block sidewalk between 233 Main Street (Lily Boutique) AND 257 Street Main (Ouimette & Runcie), increase accessibility at entrance to 233 Main Street and provide irrigation at Main Street/So. Maple Street bump-out.

Staff provided an overview of the project and application process. Alderman noted that it would not be necessary to ask the property owner at 233 Main to participate in funding this project as property owners paid a percentage of the cost of increasing accessibility to retail stores over twenty years ago. Alderman Hawley suggested that the project cost be increased to \$65,000 to cover any additional unanticipated costs that may occur. Also, staff was encouraged to consider including repair of the decorative lamps on the basin block.

Alderwoman Rakowski moved to approve the City's application to the Vermont Downtown Program's Downtown Transportation Fund to upgrade the Basin Block sidewalk between 233 Main Street (Lily Boutique) AND 257 Street Main (Ouimette & Runcie), increase accessibility at entrance to 233 Main Street and provide irrigation at Main Street/So. Maple Street bump-out and to allocate up to \$13,000 from the Water Tower Fund, to cover the city's required 20% match for the project. Alderman Hawley seconded. Motion was approved unanimously.

Meeting was adjourned at 6 pm.

**VERGENNES CITY COUNCIL
SPECIAL MEETING
Thursday, February 02, 2023**

COUNCIL MEMBER & STAFF

Mayor Mathew Chabot, Alderman Dickie Austin, Alderman Mel Hawley, Alderwoman Jill Murray-Killon, Alderwoman Zoe Kaslow (ZOOM), Alderwoman Sue Rakowski, Alderman Ian Huizenga, City Manager Ron Redmond, City Clerk Penny Austin, Everyone was on Zoom.

VISITORS

None

Call to Order: 5:30 PM by Mayor Chabot.

Amendments to Agenda: None

Visitors – None

Business: 5.a. The Council discussed the request from staff to amend Article 1 in the Warning for Annual City Meeting, March 6, 2023, FROM “one Commissioner to Vergennes-Panton Water District Board of Directors for a one-year term; one Commissioner to Vergennes-Panton Water District Board of Directors for a three-year term” TO “two Commissioners to Vergennes-Panton Water District Board of Water Commissioners, each for a respective three-year term.”

Motion to approve: Alderman Hawley. Second: Alderwoman Murray-Killon

Adjournment: Motion to adjourn by Alderman Austin, second by Ian. Vote: 7-0. Adjourned at 5:45.

02/13/23

City of Vergennes Accounts Payable

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02:38 pm

Check Warrant Report # 61859 Current Prior Next FY Invoices
 All Invoices For Check Acct OF (General) 02/14/23 To 02/14/23

Treasurer

Vendor		Invoice	Invoice Description	Purchase Amount	Discount Amount	Amount Paid	Check Number	Check Date
A&DAUTO	A & D AUTOMOTIVE INC	10403	VPD- 2017 Expl. -LOF	72.75	0.00	-----	---	---/---/---
A&DAUTO	A & D AUTOMOTIVE INC	11303	VPD-2018 F150-LOF/Brks	411.83	0.00	-----	---	---/---/---
A&H	A & H SIGNS AND BANNERS	DPW RAM2023	DPW-2023 Ram Lettering	220.00	0.00	-----	---	---/---/---
A&H	A & H SIGNS AND BANNERS	VFD JAN2023	VFD-C2 Style Plates	71.20	0.00	-----	---	---/---/---
AAP	ADVANCE AUTO PARTS	1350	VPD- Wiper Blades	40.18	0.00	-----	---	---/---/---
AAP	ADVANCE AUTO PARTS	455923612458	WW - FARM/TRUCK BATTERY	107.19	0.00	-----	---	---/---/---
AAP	ADVANCE AUTO PARTS	5440	DPW- HYDRAULIC HOSE	30.28	0.00	-----	---	---/---/---
AAP	ADVANCE AUTO PARTS	559301125149	WW - SKID STEER BATTERY	134.99	0.00	-----	---	---/---/---
AAP	ADVANCE AUTO PARTS	6072	VFD-Diesel Supplement	43.76	0.00	-----	---	---/---/---
ACTR	ADDISON COUNTY TRANSIT RESOURC	12773	FY23 TRI-VALLEY TRANSIT	8160.00	0.00	-----	---	---/---/---
BADMANERI	ERIN BADMAN	703073	CH/VFD- JAN 23 CLEANING	580.00	0.00	-----	---	---/---/---
BC/BS	BLUE CROSS BLUE SHIELD OF VERM	156275188	MAR '23 HEALTH INS PREM	29935.97	0.00	-----	---	---/---/---
BLUETARP	CAPITAL ONE TRADE CREDIT	1646575189	JAN 23 AUBUCHON STATEMEN	1021.85	0.00	-----	---	---/---/---
BRISTOL	TOWN OF BRISTOL	OP-DEC 2022	DEC 2022 OP/GHSP	222.40	0.00	-----	---	---/---/---
BRISTOL	TOWN OF BRISTOL	OP-NOV2022	NOV2022 OP/GHSP	454.46	0.00	-----	---	---/---/---
CARGILL	CARGILL INCORPORATED	2907910408	DPW- Clearlane DeIcer	3100.50	0.00	-----	---	---/---/---
CARGILL	CARGILL INCORPORATED	2907936032	DPW-Clearlane DeIcer	2120.63	0.00	-----	---	---/---/---
CARGILL	CARGILL INCORPORATED	2907947736	DPW- CLEARLANE DEICER	2097.23	0.00	-----	---	---/---/---
CARGILL	CARGILL INCORPORATED	7338566	DPW- CLEARLANE DEICER	3174.60	0.00	-----	---	---/---/---
CARROTTOP	CARROT-TOP INDUSTRIES INC	INV112251	VPD-Flag	115.57	0.00	-----	---	---/---/---
CASELLA	CASELLA WASTE SYSTEMS INC	827686	3 YD RL WEEKLY TRASH	736.91	0.00	-----	---	---/---/---
CC	CONSOLIDATED COMMUNICATIONS	013023STMT	DEC-JAN PHONES	1137.84	0.00	-----	---	---/---/---
CC	CONSOLIDATED COMMUNICATIONS	VPD JAN23	VPD- JAN/FEB 23 PHONES	246.42	0.00	-----	---	---/---/---
CINTAS	CINTAS LOC. # 68M, 71M	4145579336	DPW - SHOP TOWELS	95.93	0.00	-----	---	---/---/---
CITIZENS	CITIZENS BANK	01192023STMT	JAN 2023 CREDIT CARDS	4935.51	0.00	-----	---	---/---/---
CLARKSEPT	CLARK-WRIGHT SEPTIC	73486	Line Clnout-1 Sunset Dr	250.00	0.00	-----	---	---/---/---
COCOSNAP	COCOSNAP, LLC	LOANDIST-2	RLF - 2nd Distribution	10048.55	0.00	10048.55	7126	01/27/23
COCOSNAP	COCOSNAP, LLC	LOANDIST-3	VRLF - 3rd Distribution	24854.13	0.00	-----	---	---/---/---
COMCAST	COMCAST	DPW FEB 2023	DPW - FEBRUARY 2023	229.07	0.00	-----	---	---/---/---
COMCAST	COMCAST	FD FEB 2023	VFD - FEBRUARY 2023	362.20	0.00	-----	---	---/---/---
COMCAST	COMCAST	PD INT FEB23	PD - FEB '23 INTERNET	146.85	0.00	-----	---	---/---/---
COMCAST	COMCAST	PD MDM FEB23	PD MODEM FEB 2023	142.15	0.00	-----	---	---/---/---
COMCAST	COMCAST	POOL FEB2023	POOL - FEBRUARY 2023	5.38	0.00	-----	---	---/---/---
COMCAST	COMCAST	WW FEB 2023	WWTP - FEBRUARY 2023	5.41	0.00	-----	---	---/---/---
COMMUNITY	COMMUNITY BANK NA	PD BLDG	VPD Bonded Debt interest	13499.87	0.00	-----	---	---/---/---
CROWPA	PATRICK CROWLEY	REIMB-LOWES	VFD-Cab Base/Drwr/Formic	521.09	0.00	521.09	7125	01/25/23
DESABRAIS	DESABRAIS CLEANERS INC	DA46 JAN2023	VPD-Dry Cleaning	81.00	0.00	-----	---	---/---/---
DESAGLASS	DESABRAIS GLASS CORP	D0070328	PUMP HOUSE - PLEXI GLASS	333.12	0.00	-----	---	---/---/---
DUBOIS&KI	DUBOIS & KING INC.	123176	SALT SHED PROJECT	311.65	0.00	-----	---	---/---/---
ENDYNE	ENDYNE INC	437095	WW-MNTHLY Sample	25.00	0.00	-----	---	---/---/---
ENDYNE	ENDYNE INC	437120	WW-Mnthly DMR Sampling	135.00	0.00	-----	---	---/---/---
FISHERAUT	FISHER AUTO PARTS	296-110029	DPW- FILTER STOCK ORDER	766.00	0.00	-----	---	---/---/---
FORDCREDI	FORD MOTOR CREDIT COMPANY LLC	1773619	VPD - CRUISER PMT	10558.03	0.00	-----	---	---/---/---
GLOBAL	GLOBAL MONTELLO GROUP	296498	JAN 2023 GAS CARDS	4059.31	0.00	-----	---	---/---/---
GMES	GREEN MOUNTAIN ELECTRICAL SUPP	S4263231.001	VFD-Halogen Bulbs	35.08	0.00	-----	---	---/---/---
GMPC	GREEN MOUNTAIN POWER CORPORATI	020923STMT	JAN23-FEB23 ELECTRICITY	4506.03	0.00	-----	---	---/---/---
GMPC	GREEN MOUNTAIN POWER CORPORATI	STLGHTS0223	STREETLIGHTS FEB 23	2610.02	0.00	-----	---	---/---/---
GOSSDODGE	GOSS DODGE CHRYSLER INC	749076266	DPW- Rear Outside Mirro	319.20	0.00	-----	---	---/---/---
GOVOS INC	GOVOS INC	231	Jan'23 Fusion Subscrptio	700.00	0.00	-----	---	---/---/---
GSTONE	G STONE MOTORS INC	83052	VPD-2017 Expl.Blwr Mtr.	412.50	0.00	-----	---	---/---/---

02/13/23

City of Vergennes Accounts Payable

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Check Warrant Report # 61859 Current Prior Next FY Invoices
All Invoices For Check Acct OF (General) 02/14/23 To 02/14/23

Treasurer

Vendor	Invoice	Invoice Description	Purchase Amount	Discount Amount	Amount Paid	Check Number	Check Date
HOYLE	HOYLE, TANNER & ASSOCIATES, IN	0068420 JAN-FEB MCDNG PS&FM	6184.00	0.00	-----	-----	--/--/--
HUESCH	CHRISTOPHER HUESTIS	REIMB-LOWES REIMB - WW H2O COOLER	138.03	0.00	138.03	7129	02/02/23
IDS	IDENTIFICATION SOURCE - IDS	23-358 Dog Tags 2023	186.02	0.00	-----	-----	--/--/--
IMPACT	IMPACT FIRE SERVICES LLC	25016870 VFD- Fire Ext.10lb	1071.00	0.00	-----	-----	--/--/--
JACKMAN	JACKMAN FUELS INC	121698 Skating Hut-Fuel	79.53	0.00	-----	-----	--/--/--
JACKMAN	JACKMAN FUELS INC	151773 Skating Hut Fuel	94.95	0.00	-----	-----	--/--/--
JACKMAN	JACKMAN FUELS INC	171836 DPW- Heating Fuel	465.04	0.00	-----	-----	--/--/--
JACKMAN	JACKMAN FUELS INC	172772 DPW-Heating Fuel	514.08	0.00	-----	-----	--/--/--
JACKMAN	JACKMAN FUELS INC	273297 Skating Hut-Fuel	293.19	0.00	-----	-----	--/--/--
KINNEYDRU	KINNEY DRUGS INC	92296 WWTP H2O CR/ VPD SUPPLIE	33.63	0.00	-----	-----	--/--/--
LEAF	LEAF	14296936 CH-Copier Lease	158.57	0.00	-----	-----	--/--/--
MCLLC	MISSION COMMUNICATIONS LLC	1072206 WW-Srvce Pckge Upgrade	347.40	0.00	-----	-----	--/--/--
MIDDLEBUR	TOWN OF MIDDLEBURY	NOV2022-OP NOV'22 OP/GHSP	109.06	0.00	-----	-----	--/--/--
MIDDSTATE	MIDDSTATE TOWING COMPANY	122973 DPW- Towing of Dump trk	350.00	0.00	-----	-----	--/--/--
MOMAR	MOMAR INC	PS1486232 WW- ORNGE PNCH PORTAPACK	264.40	0.00	-----	-----	--/--/--
MONAGHAN	MONAGHAN SAFAR DUCHAM PLLC	20903 LEGAL SVCS - GENERAL MTT	3375.00	0.00	-----	-----	--/--/--
MONAGHAN	MONAGHAN SAFAR DUCHAM PLLC	20904 LEGAL SVCS - CNTRCT NEG	517.50	0.00	-----	-----	--/--/--
MONAGHAN	MONAGHAN SAFAR DUCHAM PLLC	20905 LEGAL SVCS - USDA ROW	45.00	0.00	-----	-----	--/--/--
MRMIKES	MR MIKE'S CLEANING SERVICE INC	14038 VPD-Cleaning	400.00	0.00	-----	-----	--/--/--
MTE	MTE	01-356665 DPW-Ventrac Cutting Edge	665.18	0.00	-----	-----	--/--/--
MTE	MTE	04-355973 DPW-Ventrac Window/Trim	310.96	0.00	-----	-----	--/--/--
NACINC	NAC, INC.	14632 Pool-Onsite Consulting	162.50	0.00	-----	-----	--/--/--
NEMRC	NEMRC	52145 CONSLT - DRLENE ON/OFF S	1237.50	0.00	-----	-----	--/--/--
OVERHEAD	OVERHEAD DOOR COMPANY INC	14885666 VPD-Garage Door Repair	200.00	0.00	-----	-----	--/--/--
PARKSQZE	PARK SQUEEZE	2023 02/05 MEALS - CAMP COMMODORE	400.00	0.00	-----	-----	--/--/--
PARROS	PARRO'S GUN SHOP INC	57648 VPD - WEAPONS PURCHASE	5019.00	0.00	-----	-----	--/--/--
RADIO	RADIO NORTH	24144889 DPW - TRUCK ANTENNA MNT	58.75	0.00	-----	-----	--/--/--
RCC	REAL CAPITAL CONSULTING INC	1330 Municipal appraisal srvc	923.00	0.00	-----	-----	--/--/--
REYNOLDS	REYNOLDS & SON INC	3419870 VFD BAUER CMPRSSR SVC	730.78	0.00	-----	-----	--/--/--
RYANINC	J W & D E RYAN INC	325959 CH-Small Bthrm Zone Valv	238.17	0.00	-----	-----	--/--/--
SILLOWAY	SILLOWAY NETWORKS INC	42217621 VPD- Service Retainer	2500.00	0.00	-----	-----	--/--/--
SONETICS	FIRECOM	INV341425 VFD LITHIUM BATTERY	299.38	0.00	-----	-----	--/--/--
STPETERS	ST PETERS CATHOLIC CHURCH	207 Camp Comm-Hall Rental	300.00	0.00	-----	-----	--/--/--
SURPASS	SURPASS CHEMIICAL CO., INC.	374834 WWTP - SURFLOC B1630	4710.40	0.00	-----	-----	--/--/--
TECHGRP	TECH GROUP	101444 FEB23-IT SVCS AGRMNT	1342.00	0.00	-----	-----	--/--/--
TECHGRP	TECH GROUP	101548 CH-Comp Config&Install	217.50	0.00	-----	-----	--/--/--
TMDE	TMDE CALIBRATION LABS INC	46929 VPD- Radar Calb/Cert	196.00	0.00	-----	-----	--/--/--
USBANK	US BANK EQUIPMENT FINANCE	491997409 CH-Copier Lease	469.65	0.00	-----	-----	--/--/--
USBANK	US BANK EQUIPMENT FINANCE	492863675 VPD COPIER LEASE CREDIT	-347.69	0.00	-----	-----	--/--/--
VLCT	VERMONT LEAGUE OF CITIES AND T	MAC2022-0787 Zoning- Training	28.00	0.00	-----	-----	--/--/--
VLCT	VERMONT LEAGUE OF CITIES AND T	MAC2023-0052 CH- Twn MTG Wrng Webinar	10.00	0.00	-----	-----	--/--/--
VLCT	VERMONT LEAGUE OF CITIES AND T	MAC2023-0094 CH-Twn Mtg Aust Ball Wbn	10.00	0.00	-----	-----	--/--/--
VPWD	VERGENNES-PANTON WATER DISTRIC	VPD JAN2023 VPD- Jan '23 Meter Read	35.54	0.00	-----	-----	--/--/--
VSFA	VERMONT STATE FIREFIGHTERS ASS	VFD2023MEMBE VFD-2023 VSFA Membership	560.00	0.00	-----	-----	--/--/--
VTGAS	VERMONT GAS SYSTEMS	CH/FVOHJAN23 CH/FVOH-Heating Fuel	1087.52	0.00	-----	-----	--/--/--
VTGAS	VERMONT GAS SYSTEMS	VFDJAN-FEB23 VFD-Heating Fuel	609.59	0.00	-----	-----	--/--/--
VTGAS	VERMONT GAS SYSTEMS	VPDJAN-FEB23 VPD- Heating Fuel	378.02	0.00	-----	-----	--/--/--
VTGAS	VERMONT GAS SYSTEMS	WWJAN-FEB23 WW-Heating Fuel	769.29	0.00	-----	-----	--/--/--
WAGNERDWN	DAWN WAGNER	LOANDIST-1 RLF-Initial Distribution	9741.16	0.00	9741.16	7127	01/27/23
WBMASON	W B MASON CO INC	235613557 APC Back Up 425 VA Bttry	76.99	0.00	-----	-----	--/--/--

02/13/23

City of Vergennes Accounts Payable

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02:38 pm

Check Warrant Report # 61859 Current Prior Next FY Invoices
All Invoices For Check Acct OF (General) 02/14/23 To 02/14/23

Treasurer

Vendor	Invoice	Invoice Description	Purchase Amount	Discount Amount	Amount Paid	Check Number	Check Date
WBMAISON	W B MASON CO INC	235868331	CH-Bottled Wtr for coole	22.96	0.00	-----	--/--/--
WBMAISON	W B MASON CO INC	236031334	CH - WIRELESS MOUSE	21.99	0.00	-----	--/--/--
WBMAISON	W B MASON CO INC	236044149	CH - BINDER INDEXES	31.60	0.00	-----	--/--/--
WBMAISON	W B MASON CO INC	236071997	CH - WATER COOLER RENTAL	5.99	0.00	-----	--/--/--
WBMAISON	W B MASON CO INC	CM1553164	CH-Wtr bottle Dep Return	-6.00	0.00	-----	--/--/--
WBMAISON	W B MASON CO INC	CM1553166	CH-Wtr Cooler Dep rtn	-6.00	0.00	-----	--/--/--
Report Total			181,820.77	0.00	20,448.83	=====	=====

City Council

To the Treasurer of City of Vergennes, we hereby certify
that there is due to the several persons whose names are
listed hereon the sum against each name and that there
are good and sufficient vouchers supporting the payments
aggregating \$ ***181,820.77.
Let this be your order for the payments of these amounts.

STATE OF VERMONT
AGENCY OF NATURAL RESOURCES
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
1 NATIONAL LIFE DRIVE, DAVIS 3
MONTPELIER, VT 05620-3522

1272 ORDER-Discharge Permit No. 3-0368

IN THE MATTER OF:

City of Vergennes

P.O. Box 35

Vergennes, VT 05491

In accordance with the provisions of 10 V.S.A. § 1272, the Secretary (Secretary) of the Vermont Agency of Natural Resources (Agency) makes the following findings of fact.

FINDINGS OF FACT

- (1) The City of Vergennes (Vergennes) owns and operates the Vergennes Wastewater Treatment Facility (WWTF), which collects and treats sewage in its sanitary sewer system as well as stormwater and groundwater that enter that system through inflow and infiltration.
- (2) The WWTF is authorized to discharge treated and disinfected wastewater into the Otter Creek under the terms and conditions of Discharge Permit No. 3-0368.
- (3) Discharge Permit No. 3-0368 lists the following outfall within the collection system: S/N 002, CSO 1, MacDonough Drive Pump Station. While the outfall is identified as a CSO or combined sewer overflow, the outfall is technically an "SSO" or "sanitary sewer overflow" because the collection system for the Vergennes WWTF is not designed to collect and treat both sewage and stormwater, but rather is designed for the collection of sanitary wastewater only. However, during certain rain and snowmelt events, stormwater and groundwater enter the system through inflow and infiltration causing this outfall to discharge untreated sewage to Potash Brook and then Otter Creek. Such discharges can adversely affect the quality of waters of the State and create public health concerns.
- (4) The untreated combined groundwater, stormwater, and sanitary wastewater that discharges from this outfall to Potash Brook and then Otter Creek violates 10 V.S.A. Chapter 47, the Vermont Water Quality Standards (VWQS), and Discharge Permit No. 3-0368.
- (5) In 2000 and 2001, upgrades were completed on the MacDonough Drive Pump Station. These included two new pumps with increased capacity, a new wet well level control system, and a new auto-dialer alarm system. In addition, the Vergennes WWTF underwent improvements to allow an increase in flow to the facility (from 0.660 MGD to 0.750 MGD).

- (6) Discharge Permit No. 3-0368, effective January 1, 2005, required that Vergennes submit an overflow study on the MacDonough Drive Pump Station Overflow by June 30, 2009.
- (7) Vergennes submitted a Sewer Overflow Report on July 23, 2010. Those results indicated that sewer overflows at less than a storm of 2.5"/24 hour were discharging from the MacDonough Drive Pump Station Overflow to Potash Brook despite implementation of best management practices (BMPs).
- (8) On February 22, 2012, the Agency issued 1272 Order No. 3-0368 to Vergennes. The Order required Vergennes to identify the areas in the collection system where high inflow/infiltration was occurring, and to create a plan to reduce inflow and/or infiltration to achieve compliance with the Agency's 1990 Combined Sewer Overflow Control Policy (CSO Control Policy) at the MacDonough Drive Pump Station. The Order also required Vergennes to submit overflow monitoring data for the MacDonough Drive Pump Station. The report detailing this information was due by June 30, 2013.
- (9) Vergennes submitted the MacDonough Drive Pump Station Overflow Monitoring and Phase I Sewer System Investigation Report on July 1, 2013. The report included the results of the monitoring, the night-time flow gauging, and summarized the results of smoke testing done in 2007.
- (10) On July 16, 2013, the Agency and Vergennes met to discuss the report and the next phase of eliminating overflows at the MacDonough Drive Pump Station. At the meeting, the Agency and Vergennes agreed that additional night-time flow gauging was necessary to further define the extent of excessive infiltration; furthermore, improved monitoring of the overflows at MacDonough Drive SSO was necessary to correlate the volume of the overflows to storm size.
- (11) On January 3, 2014, the Agency issued 1272 Order No. 3-0368-1 to Vergennes. The Order required Vergennes to report the results of a second night of sewer system night-time flow gauging in the MacDonough Drive Pump Station collection system area; install an overflow metering structure at the MacDonough Drive Pump Station; commence monitoring the volume and flow rate of each overflow event; and submit a report with the results of the monitoring of overflow events and outlining recommendations for the overflow to become compliant with the CSO Control Policy.
- (12) On June 16, 2014, Vergennes submitted information to the Agency reporting the results of a second night of sewer system night-time flow gauging that further defined the extent of excessive infiltration in the MacDonough Drive Pump Station collection system area. The report identified approximately 7,750 feet of sewer lines

with excessive infiltration and recommended internal inspection with closed circuit television and detailed manhole inspections to determine where sewer line and manhole rehabilitation is required. Also, the South Maple Street cross country sewer line from Sanitary Manhole (SMH) 302 to SHM 36E needed to be flushed due to the accumulation of material in the pipelines.

- (13) On September 12, 2014, the new overflow metering structure at the MacDonough Drive Pump Station outfall was installed and became operational. The total volume for overflow events has been monitored and recorded since this date along with the rainfall amount and intensity.
- (14) On January 4, 2016, Vergennes submitted a report that detailed the results of the overflow events monitored with the new metering system. The report included the total overflow volume, total rainfall, and hourly rainfall data for six overflow events that occurred at the MacDonough Drive Pump Station Overflow between January 1, 2015 -August 4, 2015.
- (15) April 20, 2018: The Agency issued a 1272 Order requiring the City to:
 - (a) Comply with the Nine Minimum Controls:
 - (i) Proper operation and regular maintenance programs for collection systems and SSO outfalls;
 - (ii) Maximum use of the collection system for storage without endangering public health or property, or causing solids deposition problems;
 - (iii) Review and modification of pretreatment requirements to assure that SSO impacts are minimized;
 - (iv) Maximization of flow to the treatment plant for treatment consistent with an evaluation of alternative treatment options;
 - (v) Prohibition of SSOs during dry weather;
 - (vi) Control of solid and floatable materials in SSOs;
 - (vii) Establishment of pollution prevention programs to minimize contaminants in SSOs;
 - (viii) Public notification to ensure that the public receives adequate notification of SSOs and SSO impacts, which shall, at a minimum, comply with § 34-404 of the Combined Sewer Overflow Rule (Environmental Protection Rule, Chapter 34); and
 - (ix) Monitoring to effectively characterize SSO impacts and the efficacy of SSO controls.
 - (b) Prepare a Long-Term Control Plan (LTCP) for Sanitary Sewer Overflows and submit it to the Secretary within 18 months of the Order date. The LTCP shall, at a minimum, include:
 - (i) An alternatives analysis that shall evaluate the costs and performance of multiple

- SSO control alternatives;
- (ii) A detailed list of the selected SSO control projects necessary to bring the SSOs into compliance with the VWQS and a timeline for implementing the projects;
 - (iii) A strategy to ensure that new sources of stormwater and wastewater to the Sanitary Sewer do not increase the volume, frequency, or duration of SSO events through implementation of control measures;
 - (iv) Measures to address and prevent any documented, recurrent instances of sewage backups or discharges of raw sewage onto the ground surface;
 - (v) A financing plan to design and implement the SSO control projects identified; and
 - (vi) A proposed schedule to bring the municipality's SSOs into compliance with the Vermont Water Quality Standards.
- (16) January 31, 2019: The Annual SSO Report was submitted by Tata & Howard, Inc. (Tata & Howard) on behalf of the City.
- (17) October 20, 2019: The 1272 Order, dated April 20, 2018, required that a long term control plan (LTCP) to abate the sanitary sewer overflows (SSO) be submitted by this date. No SSO LTCP was submitted.
- (18) January 31, 2020: The Annual SSO Report was not submitted.
- (19) October 5, 2020: The City of Vergennes issued an RFQ for the preparation of the SSO LTCP.
- (20) January 31, 2021: The Annual SSO Report was not submitted.
- (21) April 2021: Hoyle, Tanner and Associates (HTA) was hired by the City to prepare the LTCP.
- (22) November 12, 2021: HTA submitted a 60% draft of the SSO LTCP on behalf of the City. Comments on the draft were provided by DEC staff on December 2, 2021.
- (23) January 25, 2022: HTA submitted a 90% draft of the SSO LTCP on behalf of the City. Comments on the draft were provided by DEC staff on February 11, 2022.
- (24) February 28, 2022: A public informational meeting was held discussing the bond vote to support the projects described in the draft LTCP.
- (25) March 1, 2022: A successful bond vote for \$25.5 million was held for funding the SSO and WWTF refurbishments.
- (26) May 23, 2022: The Final SSO LTCP was submitted by Hoyle, Tanner & Associates on behalf of the City.

- (27) Without the implementation of the requirements set forth in this Order, it can reasonably be expected that the overflows from Vergennes' one remaining SSO outfall, the MacDonough Drive Pump Station, to Potash Brook and the Otter Creek will continue to create or cause a discharge of untreated sewage to waters of the State in violation of 10 V.S.A. Chapter 47, the VWQS, and Discharge Permit No. 3-0368.
- (28) This 1272 Order will replace the 1272 Order issued by the Agency to the City of Vergennes on April 20, 2018.

ORDER

Based on the foregoing findings of fact, the Secretary issues the following Order, under 10 V.S.A. § 1272 and the Combined Sewer Overflow Rule (Environmental Protection Rule, Chapter 34), to ensure all remaining SSOs in Vergennes are brought into compliance with the applicable requirements of state and federal law, including the VWQS.

- (I) The municipality shall submit to the Secretary, **by no later than January 31st of each year**, a report on SSO control project(s) of the previous calendar year. The Secretary will use the information from the report to monitor the progress on implementation of SSO control project(s). The municipality shall report progress on:
- a. Compliance with the Minimum Controls;
 - b. The condition and operation of the SSOs;
 - c. The frequency, duration, and magnitude of the precipitation events leading to SSOs from the system in the past year and a comparison to prior years;
 - d. The frequency, duration, and magnitude of all SSOs from the system in the past year and a comparison to prior years; and
 - e. Key SSO control accomplishments, highlighting those that reduced the frequency and magnitude of SSOs; projects under design; and construction that occurred in the previous year.

The NPDES Permit 3-0368 effective January 1, 2005 and administratively continued on July 9, 2009, does not have a requirement for annual SSO reporting, and therefore this requirement has been included in this Order. It is anticipated that the annual SSO reporting requirements will be included in the upcoming renewal of the permit. Until the permit is renewed, or all SSO outfalls have been removed or reclassified to SSO outfalls, the City shall continue to report annually on the items described above. The first report is due January 31, 2023.

- (II) Activities to be performed by January 31, 2024:

- (1) Provide an update on the Sump Pump Disconnection Program described in Sections 4.2 and 5.1.1 of the SSO LTCP. This update should include:
 - i. The status of public education and outreach efforts.

- ii. A summary of the illicit sump pump connections known to the City. This summary shall include the property address, property owner's name, the size of the pump (if known) and any mitigating details that preclude disconnection. Other illicit sewer connections, such as roof drains, should be noted and disconnected at the earliest feasible date.
 - iii. The status of any sump pumps in City owned buildings.
- (2) Provide an update on the status of the proposed Sewer Pipe Rehabilitation projects:
 - i. MacDonough Drive as described on page 4-29 of the SSO LTCP;
 - ii. Maple Manor as described on page 4-30 of the SSO LTCP;
 - iii. North Main Street as described on page 4-31 of the SSO LTCP.
- (3) Provide an update on the development of the Inspection and Maintenance Program described in Sections 4.3 and 5.1.3 of the SSO LTCP. This update should include:
 - i. Progress on developing proposed CCTV investigation and cleaning program schedule.
 - ii. Progress on developing proposed sewer easement inspection and maintenance program.
 - iii. Progress on developing manhole inspection schedule and procedures.
 - iv. Progress on developing exposed pipe maintenance schedule and procedures.
 - v. Progress on improving data collection and record keeping.
 - vi. Progress on assigning identification numbers to sewer structures.
 - vii. A schedule for inspecting and cleaning rain gauges.
- (4) Provide an update on the Additional Systems Investigation Project described in Sections 4.4 and 5.1.4 of the SSO LTCP. This update should include:
 - i. A description of the area(s) investigated including length of pipe, number of manholes and general location.
 - ii. Types of investigation conducted (smoke testing, camera work, etc.).
 - iii. A summary of the findings including a description of necessary repairs/maintenance and a schedule for that work.
 - iv. Recommendations for specific areas of additional investigation based upon the findings.
- (5) Provide an update on the status of the Otter Creek Crossing, MDPS Upgrade, & Associated WWTF Hydraulic Upgrade Alternatives Preliminary Engineering Report described in Sections 4.6 and 5.1.5 of the SSO LTCP.

A written summary of these activities shall be provided to the Agency as part of the annual report on SSO activities. This report shall be due on January 31, 2024.

(III) Activities to be performed by January 31, 2025:

- (1) Provide an update on the Sump Pump Disconnection Program described in Sections

4.2 and 5.1.1 of the SSO LTCP. This update should include:

- i. The status of public education and outreach efforts.
- ii. A summary of the illicit sump pump connections known to the City. This summary shall include the property address, property owner's name, the size of the pump (if known) and any mitigating details that preclude disconnection. Other illicit sewer connections, such as roof drains, should be noted and disconnected at the earliest feasible date. The number and location of sump pumps disconnected since the last reporting period shall be included in the summary.
- iii. The status of any sump pumps in City owned buildings.
- iv. Status of sump pump ordinance revision process.

(2) Provide an update on the status of the proposed Sewer Pipe Rehabilitation projects:

- i. MacDonough Drive as described on page 4-29 of the SSO LTCP;
- ii. Maple Manor as described on page 4-30 of the SSO LTCP;
- iii. North Main Street as described on page 4-31 of the SSO LTCP.

That update shall include a schedule to construct the 3 projects before January 31, 2028 with at least one project completed by January 31, 2026 and one by January 2027.

(3) Provide an update on the development of the Inspection and Maintenance Program described in Sections 4.3 and 5.1.3 of the SSO LTCP. This update should include:

- i. Progress on developing proposed CCTV investigation and cleaning program schedule.
- ii. Progress on developing proposed sewer easement inspection and maintenance program.
- iii. Progress on developing manhole inspection schedule and procedures.
- iv. Progress on developing exposed pipe maintenance schedule and procedures.
- v. Progress on improving data collection and record keeping.
- vi. Progress on assigning identification numbers to sewer structures.
- vii. A schedule for inspecting and cleaning rain gauges.

(4) Provide an update on the Additional Systems Investigation Project described in Sections 4.4 and 5.1.4 of the SSO LTCP. This update should include:

- i. A description of the area(s) investigated including length of pipe, number of manholes and general location.
- ii. Types of investigation conducted (smoke testing, camera work, etc).
- iii. A summary of the findings including a description of necessary repairs/maintenance and a schedule for that work.
- iv. Recommendations for specific areas of additional investigation based upon the findings.

(5) Complete the Otter Creek Crossing, MDPS Upgrade, & Associated WWTF Hydraulic Upgrade Alternatives Preliminary Engineering Report described in Sections 4.6 and

5.1.5 of the SSO LTCP. Provide an update on this project that indicates the selected alternative and the status of design.

A written summary of these activities shall be provided to the Agency as part of the annual report on SSO activities. This report shall be due on January 31, 2025.

(IV) Activities to be performed by January 31, 2026:

- (1) Provide an update on the Sump Pump Disconnection Program described in Sections 4.2 and 5.1.1 of the SSO LTCP. This update should include:
 - i. The status of public education and outreach efforts.
 - ii. A summary of the illicit sump pump connections known to the City. This summary shall include the property address, property owner's name, the size of the pump (if known) and any mitigating details that preclude disconnection. Other illicit sewer connections, such as roof drains, should be noted and disconnected at the earliest feasible date. The number and location of sump pumps disconnected since the last reporting period shall be included in the summary.
 - iii. The status of any sump pumps in City owned buildings.
 - iv. Copy of the revised sump pump ordinance.
 - v. A statement regarding the addition of the \$0 penalty for sump pumps on the sewer bills to prepare the public for new sump pump penalties.
- (2) Provide an update on the status of the proposed Sewer Pipe Rehabilitation projects:
 - i. MacDonough Drive as described on page 4-29 of the SSO LTCP;
 - ii. Maple Manor as described on page 4-30 of the SSO LTCP;
 - iii. North Main Street as described on page 4-31 of the SSO LTCP.

The summary shall include the completion date, the linear feet of rehabilitated pipe, the method of rehabilitation and the number of rehabilitated manhole structures (if applicable) for at least one of the listed projects. It shall also include a schedule to construct the 3 projects before January 31, 2028 with at least one project completed by January 31, 2026 and one by January 2027.

- (3) Provide a copy of the Inspection and Maintenance Program described in Sections 4.3 and 5.1.3 of the SSO LTCP. This update should include:
 - i. Schedules and procedures for each of the programs developed.
 - ii. A summary of the activities and findings of those programs.
 - iii. A collection system map that includes the newly developed numbering system.
- (4) Provide an update on the Additional Systems Investigation Project described in Sections 4.4 and 5.1.4 of the SSO LTCP. This update should include:
 - i. A description of the area(s) investigated including length of pipe, number of manholes and general location.
 - ii. Types of investigation conducted (smoke testing, camera work, etc).

- iii. A summary of the findings including a description of necessary repairs/maintenance and a schedule for that work.
 - iv. Recommendations for specific areas of additional investigation based upon the findings.
- (5) Provide an update on the design of the alternative selected from the completed Otter Creek Crossing, MDPS Upgrade, & Associated WWTF Hydraulic Upgrade Alternatives Preliminary Engineering Report described in Sections 4.6 and 5.1.5 of the SSO LTCP.

A written summary of these activities shall be provided to the Agency as part of the annual report on SSO activities. This report shall be due on January 31, 2026.

(V) Activities to be performed by January 31, 2027:

- (1) Provide an update on the Sump Pump Disconnection Program described in Sections 4.2 and 5.1.1 of the SSO LTCP. This update should include:
 - i. The status of public education and outreach efforts.
 - ii. A summary of the illicit sump pump connections known to the City. This summary shall include the property address, property owner's name, the size of the pump (if known) and any mitigating details that preclude disconnection. Other illicit sewer connections, such as roof drains, should be noted and disconnected at the earliest feasible date. The number and location of sump pumps disconnected since the last reporting period shall be included in the summary.
 - iii. The status of any sump pumps in City owned buildings.
 - iv. A copy of the sewer bill format that includes the penalty line for sump pumps
 - v. A description of enforcement activities undertaken to disconnect sump pumps from the sanitary sewer system. This should include a table showing the street address for all properties with illicit sump pumps, the owner's name, whether disconnection is currently feasible, and the amount of the sump pump penalty levied against each property with illicit connections.
- (2) Provide an update on the status of the proposed Sewer Pipe Rehabilitation projects:
 - i. MacDonough Drive as described on page 4-29 of the SSO LTCP;
 - ii. Maple Manor as described on page 4-30 of the SSO LTCP;
 - iii. North Main Street as described on page 4-31 of the SSO LTCP.

The summary shall include the completion date, the linear feet of rehabilitated pipe, the method of rehabilitation and the number of rehabilitated manhole structures (if applicable) for at least two of the listed projects. It shall also include a schedule to construct the 3 projects before January 31, 2028, with at least one project completed by January 31, 2026 and one by January 2027.

- (3) Provide a report on the Inspection and Maintenance Program activities conducted in the

previous year. This report should include:

- i. A summary of the activities and findings of those programs.
- ii. A description of changes or modifications made to improve the section on and Maintenance Programs.

(4) Provide an update on the Inspection and Maintenance Program described in Sections 4.3 and 5.1 of the SSO LTCP. This update should include:

- i. A summary of Inspection and Maintenance tasks conducted during the year.

(5) Provide an update on the design, permitting and construction of the alternative selected from the completed Otter Creek Crossing, MDPS Upgrade, & Associated WWTF Hydraulic Upgrade Alternatives Preliminary Engineering Report described in Sections 4.6 and 5.1.5 of the SSO LTCP. Include an estimated date for advertising the project for construction.

A written summary of these activities shall be provided to the Agency as part of the annual report on SSO activities. This report shall be due on January 31, 2027.

(VI) Activities to be performed by January 31, 2028:

(1) Provide an update on the Sump Pump Disconnection Program described in Sections 4.2 and 5.1.1 of the SSO LTCP. This update should include:

- i. The status of public education efforts.
- ii. A summary of the illicit sump pump connections known to the City. This summary shall include the property address, property owner's name, the size of the pump (if known) and any mitigating details that preclude disconnection. Other illicit sewer connections, such as roof drains, should be noted and disconnected at the earliest feasible date. The number and location of sump pumps disconnected since the last reporting period shall be included in the summary.
- iii. The status of any sump pumps in City owned buildings.
- iv. A description of enforcement activities undertaken to disconnect sump pumps from the sanitary sewer system. This should include a table showing the street address for all properties with illicit sump pumps, the owner's name, whether disconnection is currently feasible, and the amount of the sump pump penalty levied against each property with illicit connections.

(2) Provide an update on the status of the proposed Sewer Pipe Rehabilitation projects:

- i. MacDonough Drive as described on page 4-29 of the SSO LTCP;
- ii. Maple Manor as described on page 4-30 of the SSO LTCP;
- iii. North Main Street as described on page 4-31 of the SSO LTCP.

The summary shall include the completion date, the linear feet of rehabilitated pipe, the method of rehabilitation and the number of rehabilitated manhole structures (if

applicable) for all of the listed projects.

- (3) Provide a report on the Inspection and Maintenance Program activities conducted in the previous year. This report should include:
 - i. A summary of the activities and findings of those programs.
 - ii. A description of changes or modifications made to improve the section on and Maintenance Programs.
- (4) Provide an update on the construction of the alternative selected from the completed Otter Creek Crossing, MDPS Upgrade, & Associated WWTF Hydraulic Upgrade Alternatives Preliminary Engineering Report described in Sections 4.6 and 5.1.5 of the SSO LTCP. Indicate when construction of this project will be substantially complete.
- (5) Submit a revised Sanitary Sewer Overflow Long Term Control Plan. This LTCP shall conform to the requirements of the Vermont CSO Rule and this order and shall contain an evaluation of the effectiveness of activities conducted under this order in eliminating impacts to water quality in the Otter Creek from sewer overflows at S/N 002, the MacDonough Drive Pump Station. This LTCP shall also include a plan to disconnect all remaining illicit sump pumps.

A written summary of these activities shall be provided to the Agency as part of the annual report on SSO activities. This report shall be due on January 31, 2028.

(XI) General Conditions

- (1) The plans and information required by this Order shall be submitted in electronic format to ANR.WSMDWastewater@vermont.gov.
- (2) The Secretary reserves the right to amend this Order at any time as necessary to protect water quality and to comply with state and federal law.
- (3) The State of Vermont and the Secretary reserve continuing jurisdiction to ensure future compliance with all statutes, rules, and regulations applicable to the facts and violations set forth above.
- (4) Nothing in this Order shall be construed as having relieved, modified, or in any manner affected the municipality's on-going obligation to comply with all other federal, state, or local statutes nor does it relieve the municipality of the obligation to obtain all necessary federal, state, and local permits.
- (5) This Order does not grant any exclusive rights or privileges, which would impair any rights possessed by riparian or littoral owners of the State of Vermont. It does not grant any right, title, or easement to or over any land,

nor does it authorize any damage to private property or invasion of private rights or the violation of federal, state, or local laws or regulations.

- (6) The Secretary, in issuing this Order, accepts no legal responsibility for any damage, direct or indirect of whatever nature and by whoever suffered, arising out of the activities described.
- (7) This Order is not a resolution of any enforcement action that may be pending, contemplated, or initiated in this matter.
- (8) The municipality shall allow access to Agency representatives, upon the presentation of proper credentials, to inspect the subject site and sample any discharge or receiving waters as necessary to assess compliance with this Order and applicable state laws related to water quality.
- (9) Pursuant to 10 V.S.A. Chapter 220, any appeal of this Order must be filed with the clerk of the Environmental Division of the Superior Court within 30 days of the date of this Order. For further information, see the Vermont Rules for Environmental Court Proceedings, available online at www.vermontjudiciary.org. The address of the Environmental Court is Vermont Superior Court, Environmental Division, 32 Cherry Street, 2nd Floor, Suite 303, Burlington, VT 05401 (Tel# (802)951-1740). The filing of an appeal does not stay this Order. The Notice of Appeal must specify the parties taking the appeal and the statutory provisions under which each party claims party status; must state the act or decision appealed from; must name the Environmental Division; and must be signed by the appellant or their attorney. In addition, the appeal must give the address or location and description of the property, project, or facility which the appeal is concerned and the name of the applicant or any permit involved in the appeal. The appellant must also serve a copy of the Notice of Appeal in accordance with Rule 5(b)(4)(B) of the Vermont Rules for Environmental Court Proceedings.
- (10) This Order shall be effective upon the date of signing and shall remain in effect until such time as the activities governed under this Order are completed or until such time as the Agency rescinds this Order or issues a subsequent Order, whichever occurs first.

Dated this ____ day of ____, 2023

Julia S. Moore, Secretary
Agency of Natural Resources

Page 13 of 13

By: _____
Peter LaFlamme, Director
Watershed Management Division

DRAFT

From: Merrifield, John <John.Merrifield@vermont.gov>
Sent: Friday, January 27, 2023 8:03 AM
To: Mel Hawley <melvin.s.hawley@gmail.com>
Cc: Ron Redmond <manager@vergennes.org>; Rick Chaput <rchaput@vergennes.org>; Matt Chabot <mayor@vergennes.org>; Bates, Jamie <Jamie.Bates@vermont.gov>; Kolb, Michelle <Michelle.Kolb@vermont.gov>; Auster, Jennifer <jaster@hoyletanner.com>; DiBiaso, Marisa <mdibiaso@hoyletanner.com>
Subject: RE: draft 1272 order for City review - Vergennes 3-0368

Good morning Mel,

MacDonough has been changed to Macdonough in the 1272 order. The variation with the capital D is how the pump station overflow point was described in your permit application and I've put in a request to update the name when the permit is renewed.

The language about notifying customers that there would be a \$0 line item on their bill for sump pumps has been changed to be clearer. The new language is:

- i. copy of the notice to sewer customers that a penalty and/or fee line for sump pumps, roof drains and other illicit connections will be added to the sewer bills to prepare the public for compliance with the new illicit connection penalties or fees.

Adding a line item to the sewer bills before imposing fees or penalties for noncompliance with the revised sump pump ordinance was discussed during the development of the LTCP. Notifying people in the sewer bills that there was going to be a new charge is intended to 1) educate people about the issue who aren't reached through other forms of outreach, and 2) encourage customers to disconnect any sump pumps or other connections prior to the imposition of the fees/penalties. The fee and/or penalty amounts will be developed by the City and defined in the revised ordinance. These fees should cover the cost to treat the extra water, and any penalties should be structured to encourage compliance with inspection requirements and fees.

Have a nice Friday.

John Merrifield



John Merrifield, P.E. | Direct Discharge Analyst
 Vermont Department of Environmental Conservation
 Watershed Management Division, Wastewater
 Management Program
 Davis 3, 1 National Life Dr | Montpelier, VT 05620-3522
 802-490-6188 (cell)
<https://dec.vermont.gov/watershed/wastewater>

From: Mel Hawley <melvin.s.hawley@gmail.com>
Sent: Tuesday, January 24, 2023 7:43 AM
To: Merrifield, John <John.Merrifield@vermont.gov>
Cc: Ron Redmond <manager@vergenne.org>; Rick Chaput <rchaput@vergenne.org>; Matt Chabot <mayor@vergenne.org>; Bates, Jamie <Jamie.Bates@vermont.gov>; Kolb, Michelle <Michelle.Kolb@vermont.gov>; Auster, Jennifer <jauster@hoyletanner.com>; DiBiaso, Marisa <mdibiaso@hoyletanner.com>
Subject: Re: draft 1272 order for City review - Vergennes 3-0368

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

I actually only have a couple items hopefully can be passed on to your legal team. One is the "Macdonough" does n have a capital "D". The other is reference to a "\$0" penalty required to be in our sump pump ordinance. It that a typo?

On Jan 24, 2023, at 7:23 AM, Merrifield, John <John.Merrifield@vermont.gov> wrote:

Good morning Mel,

I've already sent your 1272 order to our legal team for final review. The Maple Manor project has been corrected to the Downtown Refurbishment Project based upon HTA's comments.

As Ron mentioned in his email, I can attend a City Council meeting to explain the City's obligations if needed. If you want to send your questions over for me to review before then that could be helpful, but I needed comments on the document by the 13th of January.

John Merrifield



John Merrifield, P.E. | Direct Discharge Analyst
 Vermont Department of Environmental Conservation
 Watershed Management Division, Wastewater
 Management Program
 Davis 3, 1 National Life Dr | Montpelier, VT 05620-3522
 802-490-6188 (cell)
<https://dec.vermont.gov/watershed/wastewater>

From: Mel Hawley <melvin.s.hawley@gmail.com>
Sent: Monday, January 23, 2023 1:56 PM
To: Merrifield, John <John.Merrifield@vermont.gov>
Cc: Ron Redmond <manager@vergenne.org>; Rick Chaput <rchaput@vergenne.org>; Matt Chabot <mayor@vergenne.org>; Bates, Jamie <Jamie.Bates@vermont.gov>; Kolb, Michelle <Michelle.Kolb@vermont.gov>; Auster, Jennifer <jauster@hoyletanner.com>; DiBiaso, Marisa <mdibiaso@hoyletanner.com>
Subject: Re: draft 1272 order for City review - Vergennes 3-0368

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

I finally found some time to read the draft 1272. I know you wanted comments/questions by Friday, the 13th of January. Is it too late to talk to you? I have a couple comments and questions. Thanks.

On Jan 4, 2023, at 2:57 PM, Merrifield, John <john.merrifield@vermont.gov> wrote:

Good afternoon,

Attached is a draft of the 1272 order for Vergennes. During the approval process for your Long-term Control Plan Mel requested that the City be given a chance to review prior to issuance.

Please distribute to others at the City as needed and send me any comments/questions that you have by Friday the 13th of January.

As a reminder, your current 1272 order has an annual reporting requirement due on the 31st of this month.

Thank you.

John Merrifield



John Merrifield, P.E. | Direct Discharge Analyst
Vermont Department of Environmental Conservation
Watershed Management Division, Wastewater
Management Program
Davis 3, 1 National Life Dr | Montpelier, VT 05620-3522
802-490-6188 (cell)
<https://dec.vermont.gov/watershed/wastewater>

<1272Order.3-0368 20230104 for City review.pdf>

February 10, 2023

TO: Vergennes City Council
FROM: Ron Redmond, City Manager
RE: UPDATE ON UPGRADE TO OUR CITY'S SANITARY SEWER COLLECTION SYSTEM AND WASTEWATER TREATMENT FACILITY

Our city's sanitary sewer collection system and wastewater treatment facility has a long list of deficiencies related to outdated technologies and materials, deferred maintenance, and changes in environmental regulations. In April 2018, the City of Vergennes was issued an updated 1272 Order from the Department of Environmental Conservation because our aging system periodically discharges untreated sanitary sewer overflow to Potash Brook and Otter Creek during and immediately following rainfall events. The city has not been in compliance for many years. What are the consequences for not complying with the 1272 order? The State of Vermont can do two things: 1) prohibit any expansion of the city's sewer system to new development; 2) take the city to court for not complying.

This past March, city voters overwhelmingly passed a \$25.5 million bond (less any federal and state grants the city receives) to fund a replacement of portions of our sanitary sewer collection system and wastewater treatment facility. The bond passed 87-13% and we thank our voters for this their support! Bond passage has enabled us to pursue additional federal and state grants and loan funds, congressionally directed spending and monies from American Rescue Plan Act (ARPA) monies.

In May 2022, after city staff worked with state regulators and our engineering firm (Hoyle & Tanner) we completed a state-mandated Long-Term Control Plan to address our sewer plant's pollution violations. This is an important milestone and puts us on the path of resolving the 1272 order. A copy of our most recent 1272 order and our Long-Term Control Plan can be viewed on the Sewer Department page of the city's website.

With the unanticipated and rapid increases in inflation this year, we are projecting that the total project cost could be as much as \$33 million. Our saving grace has been that right now there has never been a better time to replace an aging sewer system. There has been an abundance of funding available from state and federal sources, and to date the city has secured \$28 million - \$16 million in grants and \$11 million in long term, low interest loans. We are mindful that we must keep advancing this project, as our ARPA must be obligated by December 31, 2024, and spent by December 31, 2026.

State & Federal Funds Secured during 2021-2023

Federal & State Grants	\$16,785,189
Low Interest, Long-Term Loans	<u>\$11,303,179</u>
TOTAL	\$28,088,368

It is notable that the percentage of grants Vermont municipalities usually receive from state and federal sources to fund sewer upgrades, generally ranges between 5 and 15% of the total project cost. Vergennes' state and federal funding for its sewer upgrade is currently at 58% of the total project cost.

Components of the system upgrade include:

1. **Macdonough Drive Pump Station (MDPS) and Force Main.** The pump station located next to Macdonough Park, receives wastewater from the city's residential, commercial, and institutional sources in its service area located to the north and east of the pump station. MDPS is fed by a gravity sewer and discharges to a force main (pipe under Otter Creek) that carries flow across Otter Creek to the Vergennes Wastewater Treatment Facility on the southwest side of Otter Creek. Our progress to date:
 - Preliminary Engineering Study was initiated April 28, 2022. A 30% Review Meeting summarizing existing conditions July 6, 2022, was completed. A 60% Review Meeting review of alternatives was completed on December 13, 2022. The next step: 90% Draft Preliminary Engineering Report Submission March 1, 2023, with refined recommended alternative. Construction is anticipated to commence in 2024.

2. **Wastewater Treatment Facility Upgrade.** The Vergennes Wastewater Treatment Facility (WWTF) is a super-primary aerated lagoon system followed by chemical addition and filtration for phosphorus removal. The facility discharges tertiary treated, chlorinated wastewater to Otter Creek. Our progress to date on the planned upgrade:
 - Preliminary Engineering Report received concurrence (approval) from USDA RD March 25, 2022. The city received a funding offer from USDA RD received March 30, 2022. Next Step: Ready to start final design, which is an 18-month process. Engineering services for final design were estimated at \$915,670 in the study phase, not including state grants available to defer a portion of that cost. Draft agreement approved by VTDEC for \$879,000, ready for City approval.

3. **Replacement of Five Sewer Segments (North Main, Downtown, Macdonough Drive, Maple Street, Green Street)** These locations were identified in the Long-Term Control Plan based on inspections and information provided by City Staff. Next steps:
 - We will replace existing sewer pipes in three specific sewer segments and start construction in next 5 years per VTDEC input provided 2/10/2022 at 90% LTCP Review Meeting. The remaining two are to be completed in years 6-10, using US Army Corps of Engineering funding. (Note only 2 sewer segments were included in estimates ahead of bond vote).
 - Following a meeting with City Staff on January 10th to discuss next steps, Hoyle Tanner is preparing final design agreements for North Main Street and Maple Manor (originally in years 6-10 plan)
 - For now, we're holding on replacing the sewer line on Macdonough Drive pending coordination with construction of the Macdonough Pump Station project.

4. **Update of Sewer Use Ordinance/Sump Pump Disconnection Program**
 - a. VTDEC input at LTCP 90% Review Meeting held February 10, 2022
 - b. The city must begin enforcement in years 3-4 after the 1272 Order is issued.
 - c. VTDEC expects reports from City identification of illicit connections and their removal.
 - d. Next Step: Initiate Sewer Use Ordinance/Sump Pump Disconnection Program

Summary of Estimated Project Costs and Grants

Project	WWTF	MDPS/FM	3 Sewer Segments	2 Sewer Segments ⁸	Total
Estimated TPC March 2022	\$16,200,000	\$6,700,000	\$2,809,000	\$2,235,000	\$27,944,000
Estimated Date of Bid ²	Dec-24	Dec-24	Sep-24	Mar-25	
Estimated Cost at Bid⁷	\$18,870,000	\$8,190,000	\$3,250,000	\$2,710,000	\$33,020,000
Grants					
VTDEC ARPA ³	\$1,122,579	\$3,182,000			\$4,304,579
VTDEC Pollution Control Grant ⁵	\$1,876,820	\$744,140			\$2,620,960
VTDEC Engineering Services Subsidy ⁴	\$250,000	\$175,000	\$150,000	\$125,000	\$700,000
Congressionally Directed Spending		\$3,000,000			\$3,000,000
USDA RD Grant	\$6,038,546		\$1,047,054		\$7,085,600
ACOE Grant				\$1,452,750	\$1,452,750
Total Grants	\$9,287,945	\$7,101,140	\$1,197,054	\$1,577,750	\$19,163,889
% Funded by Grant	49%	87%	37%	58%	58%
Loan/Debt					
Remaining in Loan/Debt	\$9,582,000	\$1,089,000	\$2,053,000	\$1,132,000	\$13,856,111

Notes:

1. Escalated costs at bid use an estimated rate of inflation based on projecting the Engineering News Record Construction Cost Index to the estimated bid date.
2. Bid dates are dependent on completion and approval of final design contract documents.
3. ARPA funds must be obligated by December 31, 2024 and spent by December 31, 2026.
4. VTDEC Engineering Services Subsidy is estimated based on 50% subsidy on engineering services for study and design up to \$100,000 per project per fiscal year.
5. VTDEC Pollution Control Grants must be funded by the Vermont Legislature and are as identified in the Vermont Clean Water State Revolving Fund Intended Use Plan for Federal Fiscal Year 2022 and State Fiscal Year 2023 Priority List dated September 26, 2022.
6. APRA Grants are as identified in the Vermont Clean Water State Revolving Fund Intended Use Plan for Federal Fiscal Year 2022 and State Fiscal Year 2023 Priority List dated September 26, 2022.
7. All cost estimates are planning level estimates and will be updated at 90% of Final Design.
8. 2 Sewer Segments are not obligated to be in construction during years 0-5 of the 1272 Order.

OPTION AGREEMENT FOR TELECOMMUNICATIONS SITE
(Easement)

Know All Persons by These Presents that on this _____ day of _____, 2023, this Option Agreement is made by and between **the City of Vergennes**, in the County of Addison and state of Vermont (herein, regardless of the number of GRANTORs, called the “GRANTOR”), owner of property known as McIntosh Park, located at Comfort Hill Road, in the City of Vergennes, Vermont (the “Property”), and **Addison County Communications Union District dba Maple Broadband**, a Vermont communications union district formed under 30 V.S.A. Chapter 82, with a principal place of business in Middlebury, Vermont, and to any of its successors and assigns, (hereinafter, regardless of the number of GRANTEEes, called the “GRANTEE”).

GRANTOR and GRANTEE have hereto agreed to execute an easement and related documents in a form and with language reasonably acceptable to GRANTOR when presented by GRANTEE, for the exclusive and perpetual right and easement to erect, place, construct, reconstruct, bury, operate, repair, maintain, replace, upgrade, patrol and remove a concrete pad, pre-fabricated shelter/hut, chain link fence, overhead and/or underground cables (including fiber), wires, lines, conduits, handholes, poles, guys, anchors, braces, transformer, foundations, back-up power, above and below ground equipment, fixtures and appurtenances (hereinafter, called the facilities or a facility), for all telecommunications uses and transmission (including data, information, video and voice) as well as for fiber optic cable or other overhead facilities/services, under, upon or across an area of GRANTOR’s land in Vergennes, in the County of Addison, State of Vermont, hereinafter referred to as the “Easement Area,” the general terms and location of easement being outlined herein as may be more particularly described by GRANTEE in the written easement, subject to the following terms and conditions:

1. The easement area shall be located on GRANTOR’s Property hereinabove mentioned, the exact location of which to be determined by the parties and as particularly described in the final easement document to be executed.
2. The final easement shall be subject to the following terms and additional conditions:
 - a. Approval of all required governmental review agencies, unless waived by GRANTEE.
 - b. GRANTOR shall retain the right to enjoy the use of the easement area so long as such use does not interfere with or is inconsistent with GRANTEE’s rights of easement.
 - c. GRANTEE shall have the reasonable right of ingress and egress over GRANTOR’s Property adjacent to the easement area.
 - d. GRANTEE shall have the reasonable right to cut trees, vegetation and generally control growth of vegetation which may interfere or be inconsistent with GRANTEE’s easement rights.
3. GRANTEE shall have the right to enter upon the GRANTOR’s Property during the option period for purposes of surveying, inspecting, and testing, if necessary, at the expense of the GRANTEE. GRANTEE shall repair any damage to GRANTOR’s property related to the entry onto GRANTOR’s property for surveying, inspecting, and testing. GRANTOR agrees to sign any applications or permits for building and/or zoning and construction at GRANTEE’s request. All fees and costs associated with the same to be paid by GRANTEE.
4. The exercise of the option right by GRANTEE shall be given by written notice by GRANTEE to GRANTOR to the address indicated by GRANTOR below, prior to the expiration of the option period. GRANTOR’s address for notice is:
_____.
5. This Option Agreement shall remain in full force and effect for one year from the date of full execution hereof, and shall inure to the benefit of, and be binding upon, GRANTOR, GRANTEE, and their respective heirs, successors, executors and assigns. GRANTEE may record this Option Agreement in the applicable land records’ office.

Dated this _____ day of _____, 2023 at _____, in the County of _____, State of Vermont.

[Signature pages follow]

IN WITNESS WHEREOF, I/We have hereunto set my/our hand(s) this ____day of _____, 2023.

GRANTOR: THE CITY OF VERGENNES

By: _____
Duly Authorized Agent
Print Name: _____
Title: _____

STATE OF VERMONT

_____ COUNTY, ss:

At _____ in said County and State this _____ day of _____, 2023, _____, Duly Authorized Agent of the City of Vergennes, personally appeared and he acknowledged this instrument by him subscribed to be his free act and deed and the free act and deed of the City of Vergennes.

Before me,

Notary Public
My Commission Expires: __/__/_____
Notary Number:_____

IN WITNESS WHEREOF, I have hereunto set my hand this ____day of _____, 2023.

**GRANTEE: ADDISON COUNTY COMMUNICATIONS UNION DISTRICT
DBA MAPLE BROADBAND**

By: _____
Duly Authorized Agent
Print Name: _____
Title: _____

STATE OF VERMONT

_____ COUNTY, ss:

At ____ day of _____, 2023, before me personally appeared _____, to me known, who being by me duly sworn, did depose and say that she/he is the _____ of _____, the GRANTEE described in and which executed the foregoing instrument as her/his free act and deed and the free act and deed of said Addison County Communications District dba Maple Broadband.

Before me,

Notary Public
My Commission Expires: __/__/_____
Notary Number: _____

District 5
 Certcode 0120-0

CERTIFICATE OF HIGHWAY MILEAGE
YEAR ENDING FEBRUARY 10, 2023

Fill out form, make and file a copy with the Town Clerk, and submit the Mileage Certificate on or before February 20, 2023 to: Vermont Agency of Transportation, Division of Policy, Planning and Intermodal Development, Mapping Section via email to: aot.mileagecertificates@vermont.gov or if necessary via mail to: VTrans PPAID - Mapping Section, 219 North Main Street, Barre VT 05641.

We, the members of the legislative body of VERGENNES CITY in ADDISON County
 on an oath state that the mileage of highways, according to Vermont Statutes Annotated, Title 19, Section 305, added 1985, is as follows:

PART I - CHANGES TOTALS - Please fill in and calculate totals.

Town Highways	Previous Mileage	Added Mileage	Subtracted Mileage	Total	Scenic Highways
Class 1	2.850				0.000
Class 2	3.740				0.000
Class 3	8.10	0.11		8.21	0.000
State Highway	0.000				0.000
Total	14.690				0.000
* Class 1 Lane	0.000				
* Class 4	0.13				0.000
* Legal Trail	0.00				

* Mileage for Class 1 Lane, Class 4, and Legal Trail classifications are NOT included in total.

PART II - INFORMATION AND DESCRIPTION OF CHANGES SHOWN ABOVE.

1. NEW HIGHWAYS: Please attach Selectmen's "Certificate of Completion and Opening".

0.11 Class 3 Commodore Drive

2. DISCONTINUED: Please attach SIGNED copy of proceedings (minutes of meeting).

3. RECLASSIFIED/REMEASURED: Please attach SIGNED copy of proceedings (minutes of meeting).

4. SCENIC HIGHWAYS: Please attach a copy of order designating/discontinuing Scenic Highways.

IF THERE ARE NO CHANGES IN MILEAGE: Place an X in the box and sign below.

☐

PART III - SIGNATURES - PLEASE SIGN.

Signatures of Selectmen/ Aldermen/ Trustees:

Signature of T/C/V Clerk:

Date Filed:

Please sign ORIGINAL and return it for Transportation signature.

AGENCY OF TRANSPORTATION APPROVAL: Signed copy will be returned to T/C/V Clerk.

APPROVED:

Representative, Agency of Transportation

DATE:

CERTIFICATE of COMPLETION and OPENING
of a HIGHWAY for PUBLIC TRAVEL

VTrans Use Only

Certificate Year: _____

Highway Class: _____

Town Highway #: _____

Mileage: _____

Penny Austin, _____ City Clerk of the City _____ of
(Clerk's Name) (City/Town/Village) (City/Town/Village)
Vergennes, Vermont.
(City/Town/Village Name)

Pursuant to Title 19, V.S.A., Chapter 7, this is to certify that the following described section of Class 3
(1,2,3 or 4)
 Highway in the City of Vergennes was COMPLETED AND OPENED
(City/Town/Village) (City/Town/Village Name)
 FOR PUBLIC TRAVEL on _____,
(Month - Day) (Year)

DESCRIPTION OF RIGHT OF WAY:

(Include road name and intersecting town highway numbers)

Commodore Drive - Phase 2

Intersects with TH-2

and as shown on a Highway Map of the City of Vergennes,
(City/Town/Village) (City/Town/Village Name)
 dated _____, _____, and filed in Book _____ on page _____ of the Records of
(Month - Day) (Year) (Book #) (Page #)
 the City of Vergennes by the City Clerk of said City
(City/Town/Village) (City/Town/Village Name) (City/Town/Village) (City/Town/Village)
 incorporated herein by reference and attested to on said map by said City Clerk.
(City/Town/Village)

Dated at Vergennes, County of Addison and State of Vermont,
(City/Town/Village Name) (County Name)
 this _____ day of _____, A.D., _____.
(Date - Day) (Date - Month) (Date - Year)

BOARD

OF

SELECTMEN,

ALDERMAN,

or TRUSTEES

(Selectman/Alderman/Trustee Signature)

(Selectman/Alderman/Trustee Signature)

(Selectman/Alderman/Trustee Signature)

(Selectman/Alderman/Trustee Signature)

(Selectman/Alderman/Trustee Signature)

(Selectman/Alderman/Trustee Signature)

(Manager/Mayor Signature)

and the Manager/Mayor of the City/Town/Village of _____
(City/Town/Village Name)

Vergennes, VERMONT
(City/Town/Village Name)

_____, _____
(Month - Day) (Year)

THE ABOVE IS A TRUE COPY OF THE DESCRIPTION OF CLASS 3 HIGHWAY COMPLETED AND OPENED
(1,2,3 or 4)
 FOR PUBLIC TRAVEL, RECORDED IN BOOK _____ ON PAGE _____ OF THE _____ RECORDS
(Book #) (Page #) (Land, Highway, etc.)
 OF THE City OF Vergennes ON THE _____ DAY OF _____,
(City/Town/Village) (City/Town/Village Name) (Date - Day) (Date - Month)
 _____, AT _____ O'CLOCK, _____ M.
(Date - Year) (Time) (A or P)

ATTEST:

(Clerk's Name)

Revision 12/2020

City CLERK OF Vergennes, VERMONT
(City/Town/Village) (City/Town/Village Name)

WARRANTY DEED

KNOW ALL PERSONS BY THESE PRESENTS, That River's Edge Associates LLC, a Vermont limited liability company with place of business in Essex, in the County of Chittenden and State of Vermont, GRANTOR (whether singular or otherwise, hereinafter referred to as "Grantor"), in the consideration of TEN AND MORE DOLLARS paid to Grantor's full satisfaction by the City of Vergennes, a Vermont municipality within in the County of Addison and State of Vermont, GRANTEE (whether singular or otherwise, hereinafter referred to as "Grantee"), by these presents, do freely GIVE, GRANT, SELL, CONVEY AND CONFIRM unto the said Grantee, City of Vergennes, and Grantees' successors and assigns forever, a certain piece of land in the City of Vergennes, in the County of Addison and State of Vermont, described as follows, viz:

Being a parcel of land, which comprises a portion of the roadway known as Commodore Drive, which said parcel is more particularly described as follows:

Being a parcel of land having a uniform width of sixty feet (60') which extends from the northeast corner of Lot 30 in an easterly direction to the northwest corner of Lot 25, then turning to the left at a 90° angle and continuing 60' to the southeast corner of Lot 10, then turning to the left and continuing in a westerly direction to the southwest corner of Lot 6, then turning to the left at a 90° angle and continuing 60' to the point and place of beginning. Reference is made to a plan entitled "Subdivision Plat of Lands Owned by River's Edge Associates, LLC", prepared by O'Leary-Burk Civil Associates, PLC, dated September 18, 2014, last revised April 20, 2021 and recorded on May 7, 2021, at Map Book 3, Pages 108A, 108B and 108C of the City of Vergennes Land Records. Meaning and intending to convey herein that land comprising the roadway of Phase II of Commodore Drive.

Also conveyed herein is an easement for a temporary turnaround for municipal vehicles located at the easterly end of the above-described property. The turnaround easement conveyed herein shall terminate upon Grantor's completion of Phase III of Commodore Drive.

The herein conveyed lands and premises are subject to easements to Green Mountain Power Corporation and Vermont Gas Systems all as more particularly set forth on the above-referenced plats.

The herein conveyed parcel of land is a portion of the lands and premises conveyed to River's Edge Associates LLC by Warranty Deed of Paul Bourgeois, Lorette Ann Bourgeois, Marcel Bourgeois and Carolyn Bourgeois dated December 28, 2010, and of record at Volume 211 Page 439 of the City of Vergennes Land Records

To said deeds and plan, the records thereof, and to the deeds and records therein referred to, reference is hereby made in further aid of this description.

TO HAVE AND TO HOLD all said granted premises, with all the privileges and appurtenances thereof, to the said Grantee, City of Vergennes, and Grantees' successors and assigns, to Grantees' own use and behoof forever;

And the said Grantor, River's Edge Associates LLC, for Grantor and Grantor's successors and assigns, does covenant with the said Grantee, and Grantees' heirs and assigns, that until the encasing of these presents Grantor is the sole owner of the premises, and has good right and title to convey the same in manner aforesaid, that they are **FREE FROM EVERY ENCUMBRANCE**, except as aforesaid, and except for all easements, rights of way and other rights as may appear of record, provided that such exception shall not reinstate any such rights or encumbrances previously extinguished by Title 27 Vermont Statutes Annotated, Chapter 5, Subchapter 7; and Grantor hereby engages to **WARRANT AND DEFEND** the same against all lawful claims whatever, except as aforesaid.

IN WITNESS WHEREOF, Peter Kahn, duly authorized agent for Grantor has caused this instrument to be executed and acknowledged this 18th day of January, 2022.

RIVER'S EDGE ASSOCIATES LLC

BY: [Signature]
Duly Authorized Agent

STATE OF VERMONT
Addison COUNTY, SS

At Vergennes, Vermont, this 18th day of January, 2022, Peter Kahn, duly authorized agent for River's Edge Associates LLC, personally appeared and acknowledged this instrument, by him sealed and subscribed to be his free act and deed, and the free act and deed of River's Edge Associates LLC.

Before me,

[Signature]
Notary Public

My commission expires: 1/31/23

Britney S. Aube
Notary Public, State of VT
#187.0012719/Exp. 1/31/23

VERGENNES, VT, CITY CLERK'S OFFICE
RECEIVED FOR RECORD

JANUARY 20 AD. 20 22
4 o'clock 37 minutes P M
are recorded in Book 91 Page 347-348
Attest: Britney S. Aube City Clerk

A motion was made by Alderman Mel Hawley, seconded by Alderwoman Susan Rakowski, to set the first public hearing to review the proposed zoning and subdivision regulations for Tuesday, April 12, 2022, at 5:30 p.m. VOTE- all members voted in favor.

- d. **Recommendation for appointment to the Vergennes Planning Commission for term to expire August 1, 2023.***

Planning Commission Chair Shannon Haggett Requested the appointment of Ryan Adreon to the Planning Commission for a term expiring August 1, 2023.

A motion was made by Alderwoman Susan Rakowski, seconded by Alderman Dickie Austin, to appoint Ryan Adreon to the Planning Commission for a term expiring August 1, 2023. VOTE- all members voted in favor.

- e. **Request to appoint Britney Aube, City Clerk, to be Assistant to the Listers/Assessor, a requirement for certification as a Level 1 Assessor.***

A motion was made by Alderman Mel Hawley, seconded by Alderwoman Susan Rakowski, to appoint Britney Aube as the assistant to the listers/assessor. VOTE- all members voted in favor.

- f. **Request for approval of Certificate of Highway Mileage from the Vermont Agency of Transportation, Division of Policy, Planning and Intermodal Development, Mapping Section.***

Alderman Mel Hawley noted that there was a recent change to the Highway Mileage since a portion of Commodore Drive has been deeded over to the City. That mileage should be added to the Certificate of Highway Mileage.

44 54

A motion was made by alderman Dickie Austin, seconded by Alderwoman Jill Murray-Killon, to approve the Certificate of Highway Mileage as amended adding the new portion of Commodore Drive. VOTE- all member voted in favor.

- g. **Request for approval of Municipal Policies and Code MP-1 Form for grant portfolio with State of Vermont, Vermont Community Development Program.***

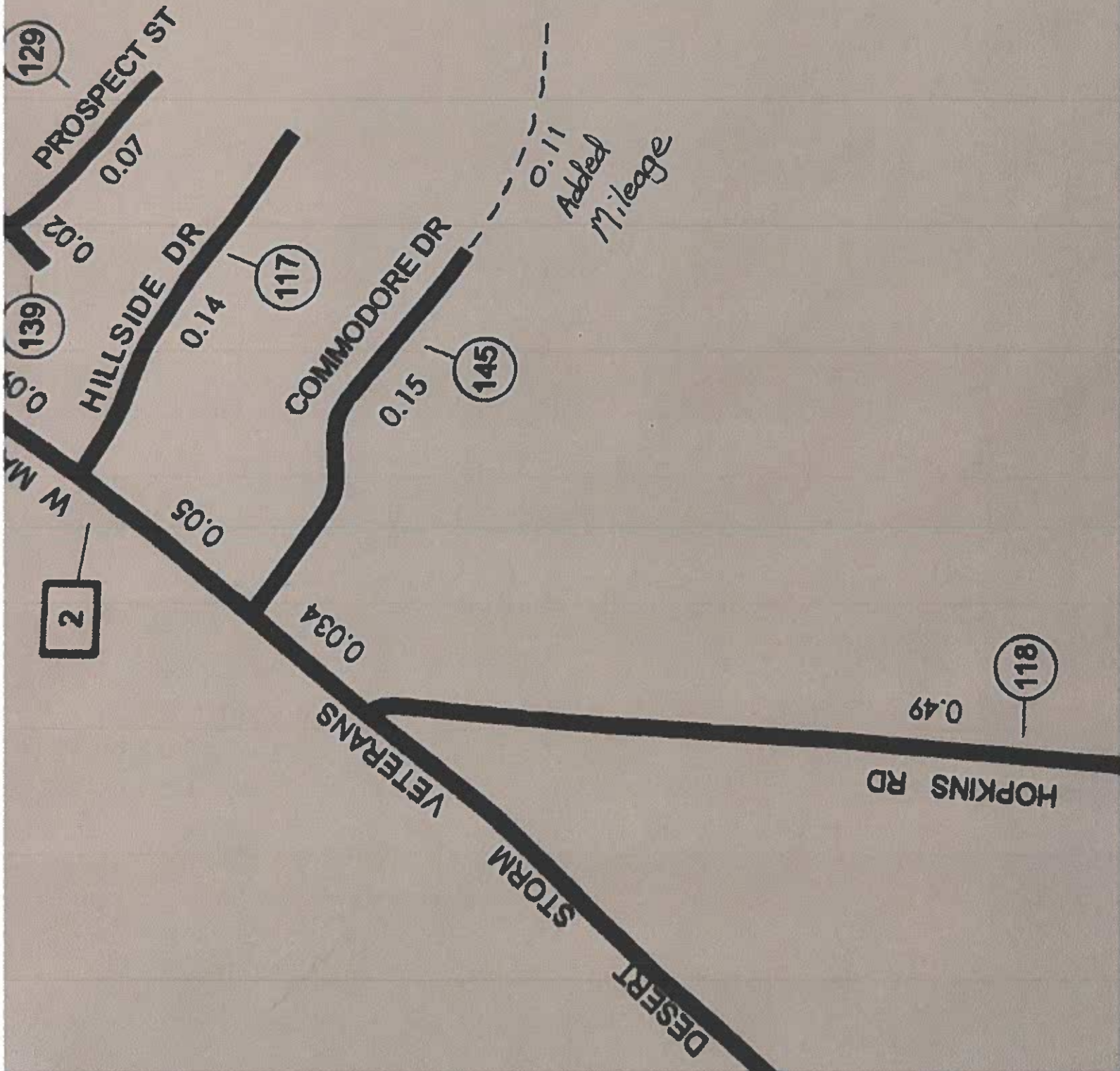
A motion was made by Alderwoman Susan Rakowski, seconded by Alderwoman Jill Murray-Killon, to approve the Municipal Policies and Code MP-1 Form for grant portfolio with State of Vermont, Vermont Community Development Program. VOTE – all members voted in favor.

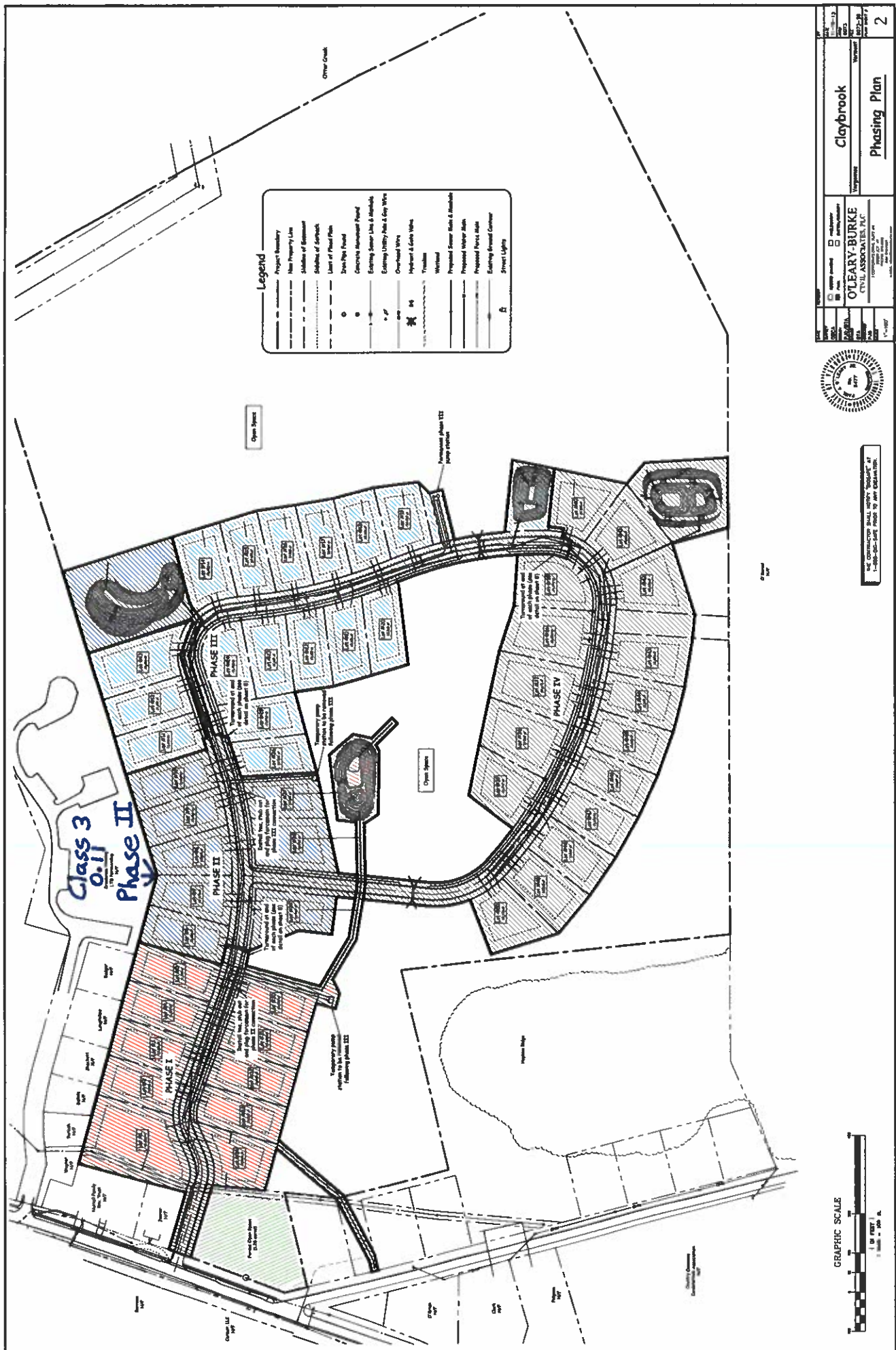
- h. **Request for approval to:**

- i. **allocate up to \$6,000 from the Watershed Fund, to purchase a pool vacuum for the Sam Fishman Memorial Pool;**
- ii. **and allocate up to \$50,000 from the Water Tower Fund to fund a second, \$30,000 donation to the Pavilion Project and up to \$20,000 to fund electrical improvements at Veterans Memorial Park.***

A motion was made by Alderwoman Susan Rakowski, seconded by Alderman Dickie Austin, to allocate up to \$6,000 from the Watershed Fund, to purchase of a pool vacuum for the Sam Fishman Memorial Pool. Alderman Mel Hawley noted that there were plenty of funds available in the Watershed Fund to purchase the vacuum, which may cost less than \$6,000. VOTE – All members voted in favor.

A motion was made by Alderwoman Susan Rakowski, seconded by Alderman Dickie Austin, to approve allocating \$50,000 from the Water Tower Fund to fund a second. \$30 000 donation





CC Meeting Date	Alderman Hawley's List of Items to Discuss at 2/14 and 2/28 City Council Meetings	Notes from City Manager
2/14/2023	Amend & Approve FY 23 Budget for Vergennes Police Department	2/14 agenda. Staff to present detailed projections w/ Council, allow for questions and follow up, with final approval at 2/28/23 meeting
2/14/2023	Certificate of Highway Mileage	2/14 agenda
2/14/2023	Sewer Upgrade Update	2/14 agenda
	1272 Order	John Merrifield will discuss the city's 1272 order during the first part of 2/14 CC meeting
	Update on Overall Program	Jennie, Rick, Ron, Jim L.
	Rewriting Sewer Ordinance	Staff will take the lead on ordinance rewrite w/ support from VLCT, Monaghan Safar plus review of local ordinances. Public hearings will be held at City Council meetings
	Preparing and Launching Sump Pump Program	Ron, Rick
2/14/2023	Funding of Pumphouse cleaning - City Manager Report	Use the following sources: Otter Creek Basin Fund: \$ 2,361.74. PLUS 4,632.26 = \$7,000 fee to pressure wash, haul away pigeon waste. Interior of Pump House is sealed up, birds have all parted.
2/14/2023	Treasurer's report of Fund Balances	2/14 packet
2/28/2023	Resolution associated with taking the standard allowance for the second and final ARPA revenue	2/28 agenda
2/14/23 or 2/28/23	Review and discuss policies associated with accounts in Fund 8 and Fund 9	Mel, are you able to provide the council and staff with a presentation. Staff would like to document this - especially as we start the FY 22 audit with RHR Smith
2/28/2023	Sewer Connection Fees and commitments of reserved sewer capacity	Are you able to present past practices used when you were city manager? Staff will be sharing its updated policy and procedures with council in March.
2/28/2023	Amend FY2023 Fire Department Budget due to outstanding loan payments to Ray E.	
?	Northlands Job Corps police services contract	Mayor's call re: exective session for either 2/14/23 or 2/28/23 meetings so that Alderman Hawley can be updated, or defer to new City Council, or hold two executive sessions.
TBD	Discuss Town Boundaries as it relates to Resolution adopted regarding Ferrisburgh	
TBD	Terminate Macintosh Park MOU with Addison County Bike Club	
TBD	Zoning fees refund and waiver policy	
	Discussion of one-time \$24,200 Watershed Fund allocation	
TBD	Review and Update City Clerk Job Description	
TBD	Review and Update City Treasurer Job	

TBD	City Manager Performance Evaluation Follow-up	
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