

VLCT NEWS

A PUBLICATION OF THE VERMONT LEAGUE OF CITIES & TOWNS

STRENGTHENING VERMONT LOCAL GOVERNMENT

May 2001

STATE, LOCAL GOVERNMENTS: REACHING COMMON GROUND

FIRST STATE – LOCAL BRIDGE CONFERENCE A SUCCESS

Strengthening communication and collaboration between state and local governments was the goal of the first ever State-Local Bridge Conference sponsored by VTrans on April 26, 2001. According to the conference evaluations, the goal was met with flying colors. Over 100 people attended the conference, almost half of whom were local officials.

Critical to the success of the conference was the opportunity for municipal officials to dialogue directly with representatives from VTrans about bridge issues they face everyday. Some of these issues included project funding, bridge inspections, bridge maintenance activities, and environmental issues. The conference started with morning

sessions on topics of general interest; after lunch participants viewed a showcase of innovative town bridge projects and joined small break out discussion groups on particular topics. The format was well received, with the morning sessions providing much food for thought for the afternoon small groups. The conference attendees had many great ideas and suggestions for improving the process for implementing municipal bridge programs, including:

- ♦ VTrans should develop a guidebook with checklists for all local funding programs.
- ♦ District Transportation Administrators should be available to attend public hearings on bridge projects with

(Continued on next page)

LEUTENANT GOVERNOR VISITS VLCT BOARD

LOCAL LAND USE PERMITS; STATEWIDE ACIR ON AGENDA

Lieutenant Governor Douglas Racine attended the May meeting of the VLCT Board of Directors with two issues on his mind. First was better coordination of state and local land use permits to make obtaining them easier for applicants. Second was whether reinstating an Advisory Council on

Intergovernmental Relations would improve state-local government cooperation in Vermont.

Not surprisingly, the Lieutenant Governor found many opinions on both subjects amongst VLCT Board members. Knowing

(Continued on next page)

TOWN FAIR 2001 COUNTDOWN

SEPTEMBER 27, 2001
KILLINGTON, VERMONT

The snow was just beginning to melt this year when the work on Town Fair 2001 began. Last month, potential exhibitors were contacted; this month, we begin work on development of the *2002 Municipal Policy* and the schedule of workshops.

Many municipal officials will help VLCT staff put together a great Town Fair. Together, we will:

- ♦ write and approve the *Municipal Policy* to guide VLCT's 2002 legislative work;
- ♦ plan and present exciting and useful workshops;
- ♦ find and nominate colleagues for VLCT's five annual awards;
- ♦ volunteer or nominate another to serve as a board member on the VLCT, PACIF or Unemployment Boards of Directors;

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Lieutenant Governor Douglas Racine (r.) speaks with VLCT Board member/Middlebury Manager Bill Finger and Vermont Municipal Clerks & Treasurers' Association President/Killington Town Clerk Judith Hansen.



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Katherine B. Roe, Editor, VLCT News

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BUILDING BRIDGES -

(Continued from previous page)

- selectboards to expedite the public participation process.
- ♦ VTrans should provide municipalities with yearly status updates on their bridge projects.
 - ♦ Local legislative bodies should provide a single point of contact (project manager) for all projects.
 - ♦ Local officials should be notified when the state will do field inspections of bridges in their town so they can be present and see, first hand, any deficiencies.
 - ♦ VTrans should perform periodic inspec-

tions of local short span bridges (6-20 feet in length).

Conference participants also provided VTrans personnel with many ideas on areas in which training and technical assistance is needed in dealing with bridges and bridge programs. According to J.B. McCarthy, Director of VTrans Structures Division, "we heard many very positive comments about the conference and many folks have asked that this become an annual conference." There is no doubt that the open communication displayed at this conference will go a long way in ensuring the success of future state-local conferences.

- Molly Dugan, VLCT Associate, Legislative and Information Services

RACINE -

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that, as a state official, he was venturing into sensitive territory on the issue of local land use permits, Racine prefaced the discussion with his rationale for bringing them up. "When I invite people in to comment on Act 250," he said, "three-fourths of their comments are about the state agency and local land use permitting process." Because Act 250 legislation cannot fix their problems, the Lieutenant Governor noted, he is convening an informal working group to meet over the summer with Agency of Natural Resources management staff, with the goal of streamlining state permits. Racine asked for volunteers from local government to join the group, so that state agency permit reform can be coordinated with local permitting requirements, especially in the area of affordable housing.

Racine's proposal was welcomed by the

Board, as was his idea of exploring reinstating a Vermont Advisory Council on Intergovernmental Relations (ACIR). Commenting that "we are all part of government," Racine said that too often local government is perceived at the State House as just another special interest group, and that, as a result, state and local governments are often at odds. The Board agreed to have VLCT staff research how intergovernmental relations groups are administered in other states, and provide Racine with their findings. "While Governor Dean has been willing to meet with the VLCT Board as difficult issues have arisen," Burlington Mayor and VLCT President Peter Clavelle told Racine, "there is no place for an ongoing discussion." Clavelle added that he would like to spend less time reacting to state proposals. "Let's do front-end problem solving, not tail end," he urged Racine.

- Katherine Roe, VLCT Communications Coordinator

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LARRY KEMPTON LEAVES VLCT BOARD

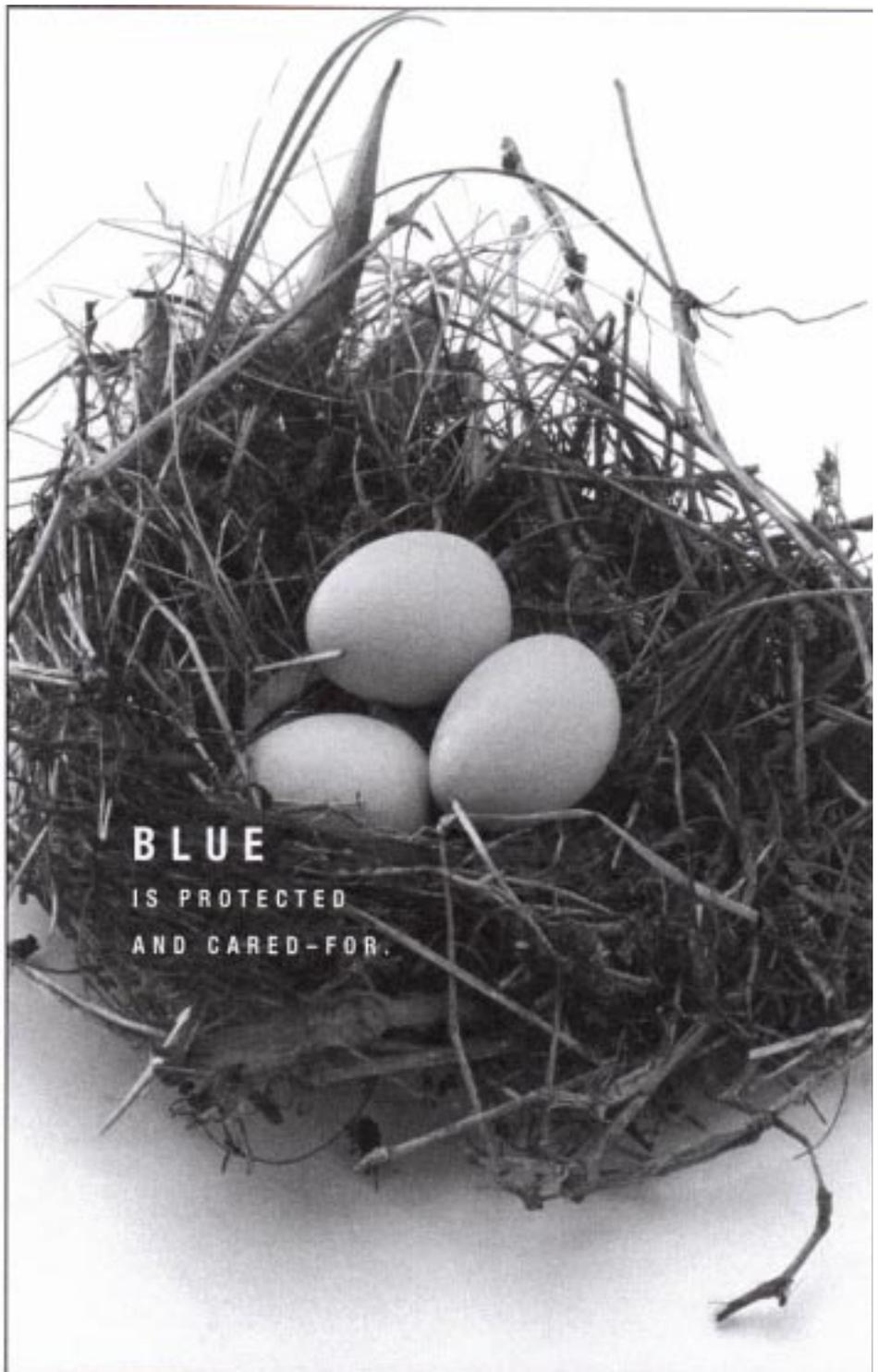
In the April *VLCT News*, we shared with you the retirement from the VLCT Board of Leigh Larocque, selectboard member from Barnet. At the time, we were unaware that we were losing another esteemed member of the Board, Larry Kempton, selectboard member from Franklin. Franklin elects its officers from the floor at Town Meeting and Larry lost his bid for reelection by one vote. Larry also serves as the Town Administrator of Highgate, and we had hoped that that position would allow him to retain his VLCT Board seat. However, the Board reviewed the VLCT Bylaws at its meeting at the end of April and it was clear that we couldn't keep Larry on the Board.

Larry served on the VLCT Board for two and one-half years and was a very active and supportive member. In addition to being on the VLCT Board, he served on the VLCT Transportation Policy Committee and represented VLCT on the Rural Fire Protection Task Force. He was always willing to respond to requests for assistance in legislative testimony and any other brush fire that developed. Not only did Larry do a great job representing the interests of Franklin County and its agricultural economy, he also believed firmly that local governments are the best governments and he advocated on their behalf with a statewide perspective.

In addition to his service to VLCT, the Town of Highgate and the Franklin Selectboard, he also served as the Franklin zoning administrator, the Chair of the Haston Library Trustees, the Chair of the Franklin County Extension Advisory Council, and President of the New England Jersey Breeders Association and the Vermont Jersey Breeders Association. Sounds like Larry will have plenty to do in his spare time!

Thanks again, Larry, for your service to your municipal association. We look forward to the opportunity to work with you again in the future.

- Steven Jeffrey, *VLCT Executive Director*



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ZONING AGREEMENTS; CURB CUTS; SOVEREIGN IMMUNITY

SUPREME COURT CLARIFIES WHAT MUNICIPALITY CAN AGREE TO IN ZONING AGREEMENT

Can a property owner collect damages from a municipality when the municipality refuses to issue a zoning permit under the terms of a contractual arrangement between it and a prior owner of the property? The Vermont Supreme Court says "That depends." *Larkin v. City of Burlington, Vt.* Entry Order No. 1999-219 (April 31 [sic], 2001)

In 1985 Northshore Partnership and Northshore Development, Inc. applied for a zoning permit, and the City of Burlington denied it. Northshore went to court and the matter was resolved in 1989 with a consent judgment (an agreement which was approved by the court) that said that a permit could be issued for no more than 60 units, would be subject to the ordinances in effect as of April 26, 1989, and would be binding on Northshore's successors and assigns. In 1990 the City issued a permit for 38 units and the permit was later extended to 1993.

Eventually, the property fell into the hands of Chittenden Bank through foreclosure. The plaintiff in this case, Larkin, purchased it from Chittenden. Larkin received a copy of an appraisal that specifically noted there was no development permit in effect and that the status of the 1989 consent agreement was unclear. In addition, Larkin had initialed the hand-written "conveyed as is" amendment to the deed.

In 1997 Larkin applied for a permit for a 60-unit project. The Planning Commission denied it based on the current (1997) design review criteria. Larkin then appealed that decision to the Environmental Court and filed suit in Superior Court for damages and injunctive relief, claiming that the City's refusal to honor the 1989 consent judgment violated a court order, violated his constitutional rights and was a breach of contract.

The two cases were combined in Environmental Court. This Court ruled that the terms of the 1989 consent judgment applied

to the new zoning application. The matter went back to the Planning Commission, which issued a permit for two 18-unit structures under the terms of the consent judgment.

Meanwhile, back at Superior Court (to which the case had been remanded), that court ruled that Larkin was not entitled to

1989 consent agreement, which said that any future permit application would be processed under the zoning ordinances in effect in 1989, was not valid.

However, the Court said there are situations in which land-use agreements are appropriate in order to assure stability in permitting large projects. A municipality

The major lesson in this case for municipalities is that they cannot give away or bargain away their governmental powers. Here the City had the authority to grant permits but it also had the authority and duty to change its bylaws in the future in order to deal effectively with new and different situations. When it traded away its ability to change the zoning bylaws to meet new situations, it illegally abrogated a responsibility.

any damages. The City was acting properly in its governmental capacity when it issued the permit and, in that capacity, it could not barter away its zoning authority. That means that it did not have the authority in 1997 to say that the 1989 bylaws would apply to that parcel ad infinitum.

Larkin appealed to the Supreme Court, which agreed with the lower court that "It is well settled that a municipality cannot contractually deprive itself of its legislative or governmental powers." *Id.* at 3. Thus, the

may sign a contract saying that current regulations shall apply, but accompany that with a durational limit or with conditions that will terminate the contract. For example, adding "The current regulations shall apply for three years" or "If X, Y or Z happens this contract shall automatically terminate" might be acceptable.

A second point made by the Court was that Larkin was not one of Northshore's "successors or assigns" referred to in the

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LEGAL CORNER -

(Continued from previous page)

consent agreement. In corporate situations "successors and assigns" normally refers to another corporation that assumes the rights and obligations of the original corporation. Here Larkin acquired only a part of the original property from the Bank after the original owner lost it through foreclosure.

In addition, the development rights permitted to Northshore were "personal rights to the developer" and there was no provision in the consent agreement that they would run with the land.

The major lesson in this case for municipalities is that they cannot give away or bargain away their governmental powers. Here the City had the authority to grant permits but it also had the authority and duty to change its bylaws in the future in order to deal effectively with new and different situations. When it traded away its ability to change the zoning bylaws to meet new situations, it illegally abrogated a responsibility.

ENVIRONMENTAL COURT TO TOWN: SELECTBOARD ISSUES CURB CUT PERMITS

The Environmental Court has issued a ruling on applications for curb cuts/highway access, a rather unusual subject for a court cases. *In Re O'Rear et al.*, Env. Ct. No. 2-1-00Vtec (Apr. 24, 2001).

Black Rock Coal, Inc. applied for a conditional use permit to re-open a quarry in the Town of Calais. The permit was issued by the Town's Zoning Board of Appeals (ZBA) and appealed to the Environmental Court on the grounds that the access permit granted by the Town and incorporated into the conditional use permit was invalid. There were other issues raised in the appeal, but they are not relevant for our discussion.

Black Rock originally proposed a highway access via a new curb cut on the Guerette

property. The Calais town clerk issued the access permit. The Court ruled that this was not a valid permit because the permit must be issued by the selectboard under 19 V.S.A. § 1111 and the Calais Zoning Ordinance. Re-application was made and the selectboard denied the permit.

The applicants then submitted an application for an alternative curb cut via an existing driveway on the Simmons property. Appellants challenged the concept of alternative proposals, but the Court held that alternative proposal could be filed.

Appellants also argued that, although the ZBA had considered the Guerette access, it had never seen the application for the Simmons access when considering the conditional use permit application. The Court agreed that the ZBA must consider the proposed access because one of the factors that must be considered for conditional use is "traffic on roads and highways in the vicinity." 24 V.S.A. § 4407 (2)(C)

Next, the question of whether an access permit was even required was raised. Black Rock argued that no permit was needed for use of an existing driveway and, even if it were required, 19 V.S.A. § 1111 (b) is triggered only if the work will affect the grade of the existing highway or divert the flow of water into the right-of-way.

Here the Court said the purpose of the statute is to regulate the use of the highway right-of-way through a permitting process. Factors to be considered include development, construction, and resurfacing of any driveway or change in grade or diversion of water. Since either of the proposed driveways will require widening with added materials, the criteria for "development or construction" will be met. Therefore, the Court said, an access permit was required.

This is an interesting case because, although it is a lower court case and not binding law, it highlights the topic of access and curb cuts on town highways. First, the **legislative body, not the town clerk, shall** issue the permit. It cannot merely delegate the task to the town clerk as a rubber stamp job. Second, there must be some criteria for issuing the permit. The statute specifically says that safety, service to the public and protection of the infrastructure must be considered. It also says that a condition of the permit is to comply with "all local ordinances and regulations." That gives implied authority for the selectboard to adopt an access policy or ordinance regulating highway access. Such a policy or ordinance must set clear criteria for denying

or issuing the permit, or it will probably be held invalid and unenforceable by a court.

The Vermont Local Roads Program's excellent booklet, *Developing a Highway Access Policy*, contains guidelines and a model ordinance. Every town should have one! To get a copy, call the Program at 800/462-6555.

SUPREME COURT LETS MUNICIPAL SOVEREIGN IMMUNITY STAND

In *O'Connor et al. v. City of Rutland, Vt.* Entry Order No. 2000-072 (Apr. 13, 2001), the Supreme Court declined to eliminate the governmental/proprietary distinction in the context of municipal sovereign immunity. In this case, it appeared that the City was negligent in failing to maintain adequate crosswalks and street lighting, which resulted in a pedestrian being struck and killed.

At the trial court level, the case was dismissed based on prior decisions of the Supreme Court, which upheld the doctrine of sovereign immunity for municipalities when they are acting in their governmental capacity. Since the maintenance of streets, lights and crosswalks is a governmental function, there can be no suit for liability.

The Supreme Court upheld that decision, saying that it would not "lightly overturn recent precedent, especially where the precedent could be changed easily by legislation at any time." *Id.* at 1. This seems to refer to the fact that the Legislature has limited sovereign immunity for the state in 29 V.S.A. § 5601. It has also eliminated sovereign immunity for towns and counties in so far as they are covered by conventional liability insurance. 24 V.S.A. § 1403. (Coverage by PACIF is not considered "insurance" and is an exception here.)

The Court almost seemed to throw out a challenge to the Legislature, not unlike the challenge to change the school funding law or the legal barriers to same sex unions. It pointed out that it has already sent a hint to the Legislature that it should take the first step in addressing this issue. *Hillerby v. Town of Colchester*, 167 Vt. 270, 276 (1997). In *Hillerby* it referred to *Hudson v. Town of East Montpelier*, 161 Vt. 168 (1993) where Note 3 referred to attempts "by many courts, including this one, to alleviate the harsh results of municipal immunity, which has long been under attack."

The major lesson from this case seems to be a preview of some change, either legislative or judicial, in the status of sovereign immunity for municipalities.

- Libby Turner, Esq., VLCT Staff Attorney

DON'T FORGET US...

Has your municipality recently enacted a new ordinance or approved a new policy? If so, please send a copy to VLCT, Attn: Municipal Law Center, 89 Main Street, Suite 4, Montpelier, VT 05602, fax, 802/229-2211, or e-mail, glawson@vlct.org.



ASK THE LEAGUE

GRIEVANCES; GLEBE LAND; LAND SURVEYS; DEEDS & DIVORCE; *EX PARTE* COMMUNICATION

If a taxpayer appeals his or her taxes, does he or she still have to pay the taxes while the grievance process is going on?

Yes. There is no moratorium on paying taxes during the grievance and appeal process. Some grievances take up to a couple of years if they are appealed all the way to the Vermont Supreme Court. In the meantime, the taxpayer should pay the taxes as billed by the town. If he does not, they should be treated as delinquent. That means penalty and interest (if applicable) should be charged.

There are two bits of good news for the taxpayer. First, if the grievance results in a lowering of the appraisal, the taxpayer shall be entitled to a credit against the next tax year or years until the excess tax paid is used up. 32 V.S.A. § 4469. For example, if the lowered appraisal resulted in the tax being lowered \$500.00, then the taxpayer has a credit of \$500.00 towards the next year's taxes.

Second, if the town has voted to charge interest for delinquent taxes, it must pay interest to the taxpayer on the overpayment of taxes that resulted from the lowered

appraisal. Thus, if the taxpayer paid the original taxes on time but has now had his or her taxes lowered by \$500.00 because of that change, the municipality owes interest on that \$500.00 from the time it was paid. 32 V.S.A. § 5136 (b).

There is some "glebe" land in our town. What is it? How does it get taxed? Can the town sell it? Can the person who leases it sell it?

"Glebe land," or "lease land," has been referred to by our Supreme Court as a "somewhat unusual Vermont institution." It is land that was designated in the original town charter to be set aside for special uses, such as support for churches, ministers, schools or colleges. With the Revolutionary War and the subsequent separation of church and state, lots reserved for the Church of England or the local minister were generally passed on to the town or school to be used for the benefit of local schools or the town general fund.

Glebe lands are not subject to property tax because rental income is collected in lieu of taxes.

Originally, these lands could not be sold by the town or other owner and the leases were "durable leases." Eventually, the law changed to allow towns and schools to sell their lease lands. There are conditions attached to sale of the land. First, preference must be given to the leaseholder. Second, the proceeds of the sale must be kept intact and put into a trust fund for the use of the original benefactor of the lease land (e.g. the school, college or town), and only the interest from the trust fund can be used. 24 V.S.A. § 2406.

Since the leases contained language saying that they might run for "as long as grass grows and water runs," lessors sometimes thought they owned and could sell the land. However, a person can sell only the rights that he or she owns; thus a lessor can only sell the lease, not the land. Therefore, a glebe land that was purportedly "sold" by the lessor still belongs to the town or school.

Not all towns have glebe or lease lands. And not all town officials or even attorneys know about or understand the rather unique law that applies to them. It is critical to trace

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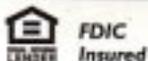
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ASK THE LEAGUE -

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the history of your town or school's glebe land and to understand the applicable law before attempting to do anything with it or with the proceeds of any sale of it.

Mr. A had his property surveyed and the survey shows that Mr. A owns 19 acres that the abutting landowner, Mr. B, thinks he owns. Mr. A would like the town clerk to record that survey and Mr. B is forbidding her to do so because "that would make it official" that Mr. A owns those 19 acres. He is threatening to tell the selectboard to forbid the clerk to record it. What is the town clerk's responsibility in this case?

First of all, "A town clerk shall record in the land records ... other instruments

MARK YOUR CALENDARS...

VLCT MUNICIPAL LAW CENTER ADDS TELECOMMUNICATIONS WORKSHOP TO JUNE SCHEDULE

- ♦ **Telecommunications Tower Workshop,** June 21, 2001, Suzanna's Restaurant, Berlin. See Calendar in this issue for more information.

delivered to the town clerk for recording." 24 V.S.A. § 1154 (a). The word "shall" indicates that the clerk is mandated to record such documents. Even if the clerk thinks there may be an error in the document, she or he shall record it. (As a favor, the clerk may point out the error and suggest that it be corrected.)

Second, the selectboard has no authority to forbid the clerk to record a document which is properly presented for recording. The clerk is an independently elected official who is not subject to orders from the selectboard.

Third, recording the survey does not in any way make the survey official or binding. It looks as if Mr. B has this survey confused with a plat for a subdivision which may be certified by the clerk. 24 V.S.A. § 4416. Such a plat has no relationship to the land survey in this case.

Finally, the problem is a disagreement between two private landowners over a boundary and it is not the clerk's business to settle it. Of course, the listers may ultimately take an interest in the actual acreage, but that is not pertinent at this point.

Can the town clerk change or remove the names on a deed or on the tax bills? Recently, a citizen came into the office and wanted his ex-wife's name removed from the deed and bill. He said that he had showed a copy of the divorce decree to the previous clerk several years ago but it had never been put into the town records

The clerk has no authority to alter legal records on request. If a citizen brings in a certified copy of the divorce decree (judgment) and has it recorded in land records of the town where the property is located, it will be as effective as a deed in transferring the ownership, consistent with the terms of the decree. The citizen should also bring in a completed property transfer tax return to be filed, even though there is no transfer tax due. 15 V.S.A. § 754.

Why is ex parte communication forbidden?

Ex parte (from one side only) communication is forbidden because it interferes with a fair and open hearing on a matter such as a zoning permit application or a tax appeal. In a hearing, each party has an opportunity to present evidence and to cross-examine the witnesses and examine the evidence presented by the other party. This is done in an open hearing with give and take before an impartial hearing officer or panel. A fair and open hearing is a part of due process under the constitution.

Ex parte communication is when advocates for Side A contact the hearing officer or some members of the panel outside of the hearing and try to persuade them to decide the matter in favor of Side A. The people supporting Side B have no knowledge of this and no chance to ask questions or point out errors, contradictions or plain lies being presented by Side A. Such *ex parte* communication may be perpetrated by the parties themselves, their attorneys or other representatives. The persuasion could be verbal or of other types.

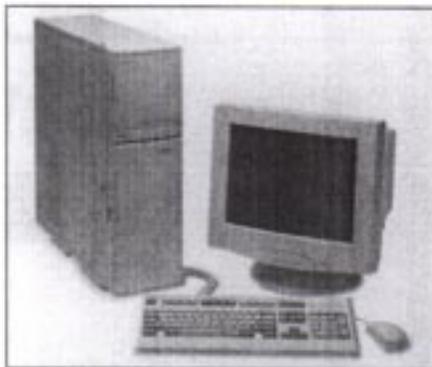
Ex parte communication is forbidden in the courts. Anyone who watches television knows that jury tampering or bribing judges is bad and thwarts justice.

Likewise, the Municipal Administrative Procedures Act forbids *ex parte* communication in municipal hearings. 24 V.S.A. § 1207. That statute provides that no presiding officer or member of a hearing panel shall communicate directly or indirectly with a party, party's counsel or representative or any person interested in the outcome of the proceeding. It also provides that if a member receives any *ex parte* communication related to the proceeding, he or she must place on the record any written communication and a memorandum of any verbal contact and the names of the persons involved.

- Libby Turner, Esq., VLCT Staff Attorney

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VLCT STAFF NOTES

Spring is a time of growth and change, and the VLCT staff has recently done a lot of both! Below is a rundown of the changes.

GOODBYE

At the end of March, we bid goodbye to **Irene Manion**, Finance Manager. Irene started with the League in 1995 as a Financial Assistant. Later she took on more responsibility as Finance Officer for the VLCT Property and Casualty Intermunicipal Fund (PACIF) and then as Finance Manager for our entire organization. Irene decided to seek part-time work in order to spend more time with her eight-month old son, Liam. Our loss is Liam's gain, and we wish them both well!

In April, Loss Prevention Supervisor **Rob Gentle** left the League for a position with the State Agency of Transportation. Rob was hired in 1996 as a Loss Prevention Representative and was promoted to the new position of Loss Prevention Supervisor shortly before his departure. Rob worked extensively in the field conducting safety programs for PACIF members. Public works, police, and fire and rescue personnel from PACIF member towns will certainly miss his trainings, which were always liberally infused with his great sense of humor. Good luck, Rob!

CONGRATULATIONS

When **Dave Sichel** took over as Director of Group Services last fall, one of his first tasks (well, almost first, after drafting the three Trust budgets and directing renewals) was to look at the organization of Group Services staff with an eye toward improvements. The

reorganization is now complete, and congratulations are in order for several staff members who received promotions or who have taken on extra responsibility in their current positions.

Patrick Williams has been promoted from Manager, Risk Management Services to Deputy Director, Group Services. Patrick joined the League in 1996 as an Outside Claims Representative, and became Deputy Manager of Risk Management Services when the Loss Prevention and Claims Departments were merged into Risk Management Services in 1998. His current position will not be filled; instead, **Darlene Bresett**, Claims Supervisor, and the incoming Loss Prevention Supervisor will each take on additional duties to ensure smooth operation of the Claims and Loss Prevention Departments. **Suzanne Schittina**, current Trust Marketing Representative, has been promoted to the new position of Member Relations Manager. Suzanne will continue her insurance Trusts marketing duties, but will now supervise the Trusts' marketing and underwriting functions as well.

The League is also filling two more new positions in the Group Services Department. One is an Underwriter to carry out PACIF underwriting. The other is a second Loss Prevention Representative, who will direct a new PACIF initiative called the Municipal Safety Evaluation Program (MSEP). On a fee basis, MSEP will offer more in-depth assistance to municipalities with VOSHA compliance and emergency planning. The service will be available to all VLCT mem-

bers; PACIF members will be charged a discounted fee. Look for more information on this new program in the July *VLCT News*.

WELCOME

Rebecca Shaffer began in the position of Production Clerk at the height of the legislative session in February. Getting the *Weekly Legislative Report* copied and mailed to over 2,000 municipal officials proved to be no problem, and she has continued to help VLCT staff produce and mail handbooks, reports, newsletters, seminar announcements, etc. ever since. Rebecca came to the League from Green Mountain Chocolates in Waterbury, where she worked in the Shipping and Receiving Department. She is a graduate of the Franklin, Pennsylvania Rocky Grove High School. Welcome, Rebecca!

This month, **John Grosvenor** started as Trust Finance Officer. He came to the League from Montpelier's Hunger Mountain Coop, where he was Finance Manager of the member-owned food store. There he managed the Accounting Department and information systems, reported all financial information to the management and council, oversaw accounts receivable/payable and investments, and prepared an annual budget of over \$8 million. Prior to his work at the Coop, John worked for the Family Center of Washington County in Montpelier, Cabot Cooperative Creamery and the State of Vermont Departments of Corrections and Health. John is a graduate of Bowdoin College in Maine, and has taken graduate courses at the Boston University School of Management. Welcome, John!

- *Katherine Roe, VLCT Communications Coordinator*

COMING IN THE MAIL -

Two publications from VLCT will be arriving at municipal offices in June:

- ♦ The *Annual Legislative Wrap-up*, a compendium of new laws (assuming the Legislature adjourns!)
- ♦ The *2001-2 Municipal Calendar*, a listing of important tax and election deadlines, generously underwritten by the Chittenden Bank.

WELCOME



Trust Finance Officer John Grosvenor



Production Clerk Rebecca Shaffer



NOMINEES SOUGHT FOR VLCT TOWN FAIR AWARDS PROGRAM

Please take a moment and fill out the Town Fair Awards nomination form below (attach additional sheets if necessary), detach it and return it to: VLCT, 89 Main St., Ste. 4, Montpelier, VT 05602; fax, 802/229-2211. This is your chance to reward those who "give their all" to Vermont's local governments. **PLEASE SUBMIT YOUR NOMINATIONS BY FRIDAY, JUNE 29, 2001.** Make the Awards Committee of the VLCT Board of Directors work - send us a lot of nominations!

MUNICIPAL PERSON OF THE YEAR -

This award is given to an elected or appointed municipal official who has demonstrated outstanding service to not only his or her own municipality, but has also shown an active commitment to strong local government and service to the Vermont League of Cities and Towns.

Name of person nominated: _____

Municipality: _____ Position(s): _____

Address: _____

City/Town: _____ State: _____ Zip Code: _____

Phone: _____ Reasons for nomination: _____

TOWN GOVERNMENT AWARD -

Given in memory of Andrew E. Nuquist, this award recognizes an individual who is not a local official but has shown an exceptional awareness of the problems of local government and an active commitment to strengthening local government.

Name of person nominated: _____

Municipality: _____ Position(s): _____

Address: _____

City/Town: _____ State: _____ Zip Code: _____

Phone: _____ Reasons for nomination: _____

LEGISLATIVE SERVICE AWARD -

Initiated in 1976, this award recognizes a member of the Vermont General Assembly who, through his or her service, has best shown an awareness of

Name of person nominated: _____

Municipality: _____ Position(s): _____

(over)



**LEGISLATIVE SERVICE
AWARD - (continued)**

the problems facing local government and has sought to help solve those problems in the Legislature on a statewide basis.

Address: _____

City/Town: _____ State: _____ Zip Code: _____

Phone: _____ Reasons for nomination: _____

**TOWN CITIZENSHIP
AWARD-**

This award is given to a Vermont citizen who is not a municipal elected official or employee but who contributes to the well-being of his or her community through volunteer work on municipal boards and commissions and non-governmental organizations. Examples include service on library boards, recreation boards, and community facility fund-raising efforts as well as actions as a concerned citizen.

Name of person nominated: _____

Municipality: _____ Position(s): _____

Address: _____

City/Town: _____ State: _____ Zip Code: _____

Phone: _____ Reasons for nomination: _____

**LIFETIME ACHIEVEMENT
AWARD -**

This award is presented to a municipal official or employee who has dedicated his or her career to serving Vermont local government and/or the Vermont League of Cities and Towns.

Name of person nominated: _____

Municipality: _____ Position(s): _____

Address: _____

City/Town: _____ State: _____ Zip Code: _____

Phone: _____ Reasons for nomination: _____



NOMINEES SOUGHT FOR VLCT BOARD VACANCIES

If you or a qualified individual you know is interested in municipal issues of statewide significance, and would like to be involved in VLCT's work on these issues as a member of the VLCT Board of Directors, please fill out the form below, detach it and return it to: VLCT, 89 Main St., Ste. 4, Montpelier, VT 05602; fax, 802/229-2211. Please attach additional sheets if necessary and return by **JUNE 29, 2001**.

DUTIES AND QUALIFICATIONS -

The VLCT Bylaws state that a member of the Board of Directors shall be "a qualified official of a member city or town" and that "a qualified official is a person currently holding the position of selectperson, mayor, municipal manager, clerk, treasurer or position established in a municipal charter with responsibilities comparable to one of the aforementioned."

A person elected to the Board of Directors must be able to attend the monthly Board meeting, which is held at the office of the Vermont League of Cities and Towns in Montpelier, usually commencing at noon and lasting two to three hours. As a board member you will be asked to help formulate League legislative policy for approval by the membership, provide direction for VLCT's long-range goals and objectives and assist staff on specific legislative positions, including possibly testifying before legislative committees. The position also demands approximately two days in September or October of each year to help with the Annual Town Fair and Annual Meeting of the VLCT and may involve membership on VLCT legislative policy committees. Lastly, many of the members of the Board are asked to act on occasion as "Ambassador" for the League by visiting neighboring towns and cities to explain our programs and policies, and to seek input from other local officials. VLCT provides reimbursement for travel expenses plus a small per diem for attendance at Board meetings.

The term is for two years.

VLCT BOARD OF DIRECTORS APPLICATION FORM

Name: _____

Mailing Address: _____

Telephone No.: _____ Municipality: _____

Position: _____ Years in Position: _____

Other Municipal Involvement (include dates): _____

Other Information (e.g. occupation, other activities of interest, etc.): _____

Why do you want to serve on the VLCT Board? What contribution do you feel you can make to VLCT? _____

If you are making a recommendation for the above, please complete the following:

Name: _____ Telephone No. _____

Position: _____ Municipality: _____

Address: _____

Why are you making this recommendation? _____

How do you know the person you are recommending? _____



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Richard Ranaghan

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RISK MANAGEMENT NOTES



A monthly column by the VLCT Property and Casualty Intermunicipal Fund (PACIF)

OSHA ERGONOMICS STANDARD REPEALED

As I am sure you have all heard by now, the proposed OSHA Ergonomics Standard has been repealed by the federal government. Without going into a long discussion as to why this controversial standard was repealed, I think that our efforts would be better focused on examining why a comprehensive ergonomics program is still a good idea for your municipality.

It is no secret that repetitive stress type injuries cost employers millions and millions of dollars every year. These costs are for medical payments, workers' compensation premiums, sick time for injured workers, reduced productivity by injured workers, retraining and rehabilitation costs. Trying to control these costs is reason enough to have a comprehensive ergonomics program, whether it is federally mandated or not.

The VLCT Property and Casualty Intermunicipal Fund (VLCT PACIF) has experienced the effects of ergonomic-type injuries over the past few years. *These types of claims account for approximately 40% of all workers' compensation claims that PACIF receives* - a trend our Risk Management Services Department strives everyday to combat. One way that we are encouraging our members to deal with this issue is by implementing an ergonomics program.

Program components should include:

- ♦ management leadership and employee participation
- ♦ hazard information and reporting
- ♦ job hazard analysis and control
- ♦ training
- ♦ MSD (musculoskeletal disorder) management

- ♦ program evaluation
- Together, VLCT PACIF and our members can eliminate the effects of ergonomic injuries from the workforce and keep all municipal employees on the job proudly and efficiently serving the communities they represent. If you would like more information on ergonomics and are interested in getting a comprehensive program in place, please contact VLCT PACIF Risk Management Services at 800/649-7915.

- Patrick Williams, VLCT Deputy Director, Group Services

SEND THAT SURVEY BACK!

Earlier this month, the VLCT Health Trust sent out an extensive survey of health benefits offered by its member municipalities. We asked you about your health, prescription drug, life, disability and dental plans. We also asked about benefits you provide part-time employees and how you and your employees share the cost of health benefits.

Let us know your answers to these questions by sending the bright yellow survey back to VLCT by the May 31 deadline. Thank you!

VLCT PROPERTY AND CASUALTY INTERMUNICIPAL FUND, INC. (VLCT-PACIF)



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- Workers' Compensation
- Boiler & Machinery
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ADVANTAGES:

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- Education



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Tech Check



E-GOVERNMENT, PART II

WEBSITE DEVELOPMENT: SOME ISSUES AND INITIATIVES

So you have just finished your plan for your website after weeks of wrangling over the content and the "look and feel." You want to ensure that your town's website projects just the right image and provides the necessary information and services to employees, taxpayers and citizens, as well as all other external users. The next step is to create the website.

You have three options here: do it yourself, pay someone else to do it, or find a volunteer to do it for you. Doing it yourself requires that you either know how to use a website development application or have the time and patience to learn. (For those of you who wish to do this and don't have a whole lot of experience, check out www.techsoup.org for some guidance in website development as well as lots of other useful information on other technology topics.) You will also need to research applications in order to choose the right tool for a price you can afford. Some initiatives that VLCT is exploring may provide towns with a cost-effective and user-friendly tool for website development. More on those at the end of this article.

Paying for website development and the ongoing maintenance through an outside source eliminates the problem of finding a qualified employee or volunteer, or having to train one. However, you should remember to carefully screen your potential contractors for their experience and efficiency. You may find a developer who will put together your website for \$40 an hour (a great low rate!) but it may take him five hours more than the developer you would have paid \$60 an hour for the same job. Check references carefully and be sure to get a written commitment to meet your deadline if you have one.

If you are lucky enough to find a volunteer to create your website, you have probably saved a fair amount of money for your town. Keep in mind, though, that you

have less control over the work of a volunteer than an employee or paid contractor. What do you do when the volunteer has created a website completely different from what you had envisioned? What will you do if your volunteer is the son of a selectboard member, or a retired business owner and one of your top ten taxpayers? Ongoing maintenance and updating of your website could be a real nightmare as well. Volunteers will work as time permits and your website may not be a top priority for them. You might consider offering some kind of contractual arrangement to ensure that you have a commitment to the initial development as well as ongoing maintenance and updates. Or you could have a volunteer create the website and train an employee to maintain it.

A real issue with many websites is maintenance. Keeping information current can be a real problem unless you have a staff member who can make website updating a priority, or a contractor or volunteer who will stay on top of all updates. Talk to other towns about their strategy for keeping their websites current. And include maintenance and **timely** updates in your discussion about how you will create the website.

Remember the following when you develop your own website or review one developed by a contractor or volunteer:

- ♦ Text has to be readable: good size and pleasing fonts that stand out in contrast to the background colors.
- ♦ Avoid large graphics that take forever to download. That nifty graphic you added to the Town Events page could be a nightmare for the citizen with the older computer trying to get a simple schedule of meetings.
- ♦ Keep your pages short and simple to avoid information overload and user confusion.
- ♦ Do not make spelling or grammar errors

(Continued on next page)

FORGING AHEAD WITH E-GOVERNMENT

WHAT'S OUT THERE?

- ♦ The State of Pennsylvania is using a "bottoms up" approach and has chosen to work on infrastructure before applications. They are standardizing desktop software to cut purchasing and maintenance costs and improve support. Fiber optic lines will connect 3,000 state offices and a "public network" will be established for libraries, schools, local governments and private businesses.
- ♦ Paperless council meetings in Sioux City, Iowa allow council members to download the agenda, attach documents and presentations (including graphics) onto their notebooks, as well as project them onto a large screen for the viewing public.
- ♦ Redmond, Washington has an online ride-sharing program.
- ♦ San Carlos, California has full 24-hour citizen services on-line.
- ♦ Villa Park, Illinois has established a business directory, charging an annual fee for each listing.
- ♦ Twenty-one cities in King County, Washington have formed the Electronic Government Alliance to work on a cost-effective permitting system.
- ♦ Arizona's democratic primary in March 2000 was the first binding election with on-line voting.
- ♦ Also check out the various Vermont town and city websites through links on the VLCT website at www.vlct.org (click on VLCT Services, then Members, then E-mail Directory) or through the Secretary of State's website at www.sec.state.vt.us.



E-GOVERNMENT -

(Continued from previous page)

because EVERYONE will find them. Trust me, they stick out like a sore thumb. Have a couple of different people proof the website.

The NLC/IBM (National League of Cities/IBM) and the LMC (League of Minnesota Cities) are two e-government initiatives established for state leagues to help municipalities create and manage their own websites. They are public/private partnerships designed to provide municipalities with complete e-government capability from simple informational websites to a full range of governmental services through ASPs (Application Service Providers).

VLCT has chosen to participate in the LMC pilot after reviewing both projects. The NLC/IBM project has 12 state leagues participating and will roll out their final product in June. So far there is pricing for only a basic package: a text page development tool, a counter and some simple image import and formatting.

The LMC project is a partnership between the League and Avenet. They have invited other leagues to participate and offer

a more sophisticated development tool than the NLC/IBM application. It provides more flexibility as well as some document management all within the basic pricing scheme. For both projects, added applications (the ASPs) will be priced separately and are still being developed with the input of the pilot municipalities and leagues. VLCT will participate in the LMC project with Montpelier, Greensboro, Middlebury and Dover. As we work with these four municipalities to evaluate the LMC pilot, we will also continue examining other initiatives so that we can find the best e-government products for our membership.

VLCT is also working with Craig Donnan of the UVM Center for Rural Studies and the UVM Continuing Education office to establish a Technology Group. Group members will work over the next few months to better understand how to educate and help Vermont municipalities to establish e-government. An e-government conference, originally scheduled for June 5th, is planned for sometime late in the fall after the VLCT Town Fair. We will keep you posted on the progress of the Technology Group deliberations as well as the conference.

The possibilities of e-government are many, but so are the pitfalls. Websites can

provide service requests, property information, wireless police reporting, vital records on-line, board and council meeting minutes, events calendars, meeting agendas, and much more information, as well as numerous services (see sidebar for some interesting applications). Costs and potential problems and issues discussed in these two articles should be considered as you make that move into the world of e-government. Proper planning and lots of discussion should occur before any design and development. Always remember that your website not only represents your local government, but also your town or city. First impressions can be lasting ones.

- Michael Gilbar, VLCT Director of Administrative Services

TOWN FAIR 2001 -

(Continued from Page One)

- ♦ put together teams for the Snowplow Competition; and,
- ♦ attend on September 27 to learn and enjoy!

Later this month, selectboard members, mayors and managers will be receiving information in the mail about serving on one of the four committees that draft the four sections of the *2002 Municipal Policy*. The committees are **Finance, Administration and Intergovernmental Affairs; Public Safety; Quality of Life and the Environment; and Transportation**. Officials with an interest in these areas and in the legislative process are encouraged to submit their names for committee membership. The committees generally meet once a year, in July, to finalize and approve a draft of their particular section of the *Policy*.

Another important part of Town Fair are the annual awards: Municipal Person of the Year; Town Government Award; Legislative Service Award; Town Citizenship Award; and Lifetime Achievement Award. Included in the middle of this newsletter are tear-out forms to nominate municipal officials for these awards. A tear-out sheet is also provided for those interested in serving on the VLCT Board. Please look these forms over and consider getting involved in the legislative process or the governance of your municipal association. We look forward to working with you!

- Katherine Roe, VLCT Communications Coordinator

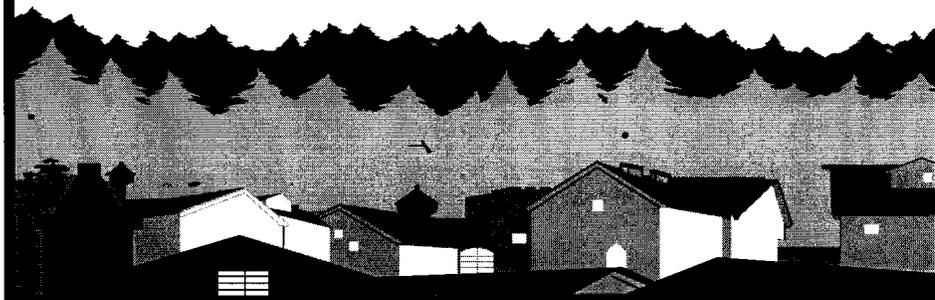
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TOWN CITIZEN, ASSESSOR SAVE TOWN \$1 MILLION

Working together, a Colchester town resident and the Colchester assessor recently saved their town almost \$1 million. In doing so, they gave a good example of the importance of property tax assessment figures under Act 60 and why it pays to check on the numbers the state uses for computing education tax liabilities.

Under Act 60, what town taxpayers have to pay for education taxes is based both on the approved school budget and the value of what the state says the town's grand list is worth. Town listers and, in Colchester's case,

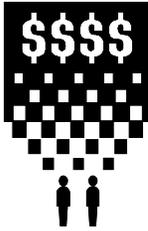
its Town Assessor Mark Paulsen, maintain the town grand list, but the state Division of Property Valuation and Review annually conducts an equalization study to determine how close to full fair market value each town's grand list is. It is the state's adjustment to the local grand list that determines how much in statewide education property tax and local share taxes towns have to collect. If the state says that your listed values are at only 90% of what it feels is full fair market value, the statewide tax rate that you have to assess your individual property owners will be \$1.22 instead of the \$1.10 everyone assumes is the statewide rate.

Knowing that this calculation affects the local school rate and that the towns are not notified of what the ratio is until the first part of January, well into the school budget development process, the Colchester School Board enlisted an interested citizen to help them estimate the figure early. At their

disposal, they had Paulsen and Maurice Germain, a retired IBM employee with a strong applied science and mathematics background. Using local sales data and computer spreadsheets, they provided the School Board with a projection of what the common level of appraisal (CLA) would be so that the School Board would not be surprised most of the way through its budgeting process with an unexpected tax rate increase.

When the state figure came out in January, it showed that Colchester was only at 93.5% of fair market value, much lower than Germain and Paulsen had anticipated. This meant that the owner of a \$100,000 home in Colchester would be taxed an additional \$100 due to the increase in the town's grand list as calculated by the state. Germain and Paulsen sifted through all the property transfers on which the state study was based to determine what was different from their initial analysis. After reviewing close to 700 sales, they found the problem. It was the \$3 million sale of Marble Island Resort and its being recorded as the sale of a seasonal resort, not the expensive, year-round condominium community it had become.

(Continued on next page)



The Green Mountain Water Environment Association (GMWEA), an association of municipal and private water and wastewater facility operators, held its annual Drinking Water Contest earlier this month in conjunction with National Drinking Water Week. Taste testers put the Town of Richmond Water Resources on top in the ground water category; the Grand Isle Consolidated Water District won in the surface water category. Congratulations! At right, GMWEA Directors Erik Bailey (l.) and Dave Harris (r.) celebrate Drinking Water Week with a cold glass of – you guessed it!

CELEBRATING DRINKING WATER WEEK

MAY 11, 2001, STATE HOUSE LAWN, MONTPELIER





COLCHESTER SAVINGS -

(Continued from previous page)

Additionally, the sale involved only a portion of the overall property. For both of these reasons, the sale could not be used in the equalization study.

The Colchester Selectboard authorized Paulsen to appeal the state's initial CLA reported from the equalization study and was successful in raising the state's figure from 93.5% of fair market value to 96%. This dropped the school tax rate by six cents, saving the \$100,000 homeowner \$60 a year and the town as a whole about \$300,000 a year over the next three years.

There are three lessons that Germain and Colchester teach us. The first is to take advantage of the wonderfully talented and dedicated citizens that comprise our communities. You may not get them to serve on boards and commissions year in and year out, but think creativity of utilizing the tremendous qualities available from among your

residents and how they can benefit your community as a whole.

The second lesson is the importance of towns reviewing the equalization study results on your taxpayers. Granted, the Colchester Marble Island problem is probably on the high end of the pay off such scrutiny may provide, but when over \$600 million in education property taxes are at stake, it pays to make sure that everything in the report is right and that town officials feel comfortable with the results.

Last, the Colchester experience shows us the value of investing in the work of our listers and assessors. The property tax is by far the largest state or local tax collected in the state. With Act 60, the appraisal work in each individual town now has statewide ramifications. Making sure that town listers are equipped with the personnel and resources they need to accurately appraise the property in town is an investment that can result in a return worth many times the original amount.

- Steven Jeffrey, VLCT Executive Director

RESOURCES ROUNDUP -

STATE INFRASTRUCTURE BANK

The Vermont State Infrastructure Bank reminds municipalities that applications for its next round of funding are due July 6, 2001. Eligible projects must improve transportation facilities (construction, reconstruction, resurfacing, rehabilitation of highways, roads and bridges as well as highway safety improvement projects) and provide economic benefits. At present, \$640,000 is available. For more information, contact Steven Greenfield at 802/828-5459, e-mail, sgreenfield@veda.state.vt.us.

ICMA ENERGY EFFICIENCY EDUCATION AND OUTREACH PROGRAM

The International City/County Management Association (ICMA) recently launched an Energy Efficiency Program to help local governments increase the energy efficiency of their operations. Information is available about financing and implementing energy improvement activities so that municipalities can reduce energy use, save money and reduce greenhouse gas emissions. To explore the resources available, visit the Local Government Environmental Assistance Network at <http://lgean.org/html/hottopics.cfm> and click on Energy Efficiency.

EAP ORIENTATIONS ONGOING

SIGN UP TODAY!

Eighteen municipalities and municipal districts have participated in the required orientation to the new employee assistance program (EAP) offered by VLCT PACIF and the VLCT Health Trust. These orientations familiarize municipal employees and their families with Invest EAP's services and take only 15 minutes to a half hour. All employees are encouraged to attend the orientation; spouses are welcome as well.

Human resource personnel should contact Heidi Joyce, VLCT Health and Safety Coordinator, to schedule an orientation for your municipality. Given enough notice, we can coordinate orientations with surrounding towns. Call Heidi at 800/649-7915 or e-mail her at hjoyce@vlct.org.



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Classifieds

HELP WANTED

Zoning Administrator. The Town of Hinesburg is seeking qualified applicants for the position of zoning administrator. This is a part-time position, consisting of approximately 32 hours/week, including some evening hours. Qualified applicants should possess strong interpersonal and communication skills, the ability to work with the public and as part of a team, and effective computer skills. Annual salary range between \$20,000 and \$25,000. This position offers a casual work environment in a friendly, dynamic rural town. To request a job description, contact Hinesburg Town Administrator Jeanne Wilson at 802/482-2096. Resume and cover letter should be mailed by May 31, 2001 to Town of Hinesburg, Attn: Jeanne Wilson, P.O. Box 133, Hinesburg, VT 05461.

Town Planner. Colchester, Vermont (pop. 17,000) is located in northwestern Vermont on the shores of Lake Champlain with commercial, industrial, residential, agricultural and recreational land uses. As the fourth largest and among the fastest growing towns in Vermont, and with 30 miles of lakefront and much open space, the Town presents its planner with significant challenges and rewards. The planner supports the planning commission. Candidates must demonstrate skill in current and long-range planning; development review; bylaw development and implementation and GIS. A four-year degree in community planning or similar field and four-plus years related experience required. Very competitive compensation and benefit package. Position open until filled. Send resume and cover letter to Human Resources, P.O. Box 55, Colchester, VT 05446. EOE. See www.colchestervt.org.

Parks and Recreation Director. The Town of Manchester, Vermont is seeking applications for the position of Parks and Recreation Director. Manchester is a four-season resort community of 4,200 situated in southwestern Vermont. General information about the Town can be found at www.town.Manchester.vt.us. The successful candidate must be a self-

motivated individual who has the capacity to administer and supervise the Town's recreational facilities and staff, as well as plan and coordinate programs and activities. B.A. in Recreation and two years related experience is preferred. Applicants must be certified or certifiable as a "Professional" under the Vermont Recreation and Parks Association. Salary: \$33,000 to \$37,500, depending upon experience. Excellent fringe benefits are offered. Send cover letter and resume to Town Manager's Office, P.O. Box 909, Manchester Center, VT 05255. Application Deadline: June 1, 2001. EOE.

Town Clerk/Treasurer. The Town of Essex, Vermont is seeking qualified applicants to oversee the daily operations of the Town Clerk's Office. The individual must be or become upon appointment an Essex resident and have experience in records management and preservation, supervising others and providing high levels of customer service. Significant responsibilities include: elections, knowledge of state statutes and town charter provisions relating to the duties and responsibilities of town clerks, operations of local government and working knowledge of office procedures. Salary depending on experience. Excellent benefits. Apply with cover letter and resume to Patrick Scheidel, Town Manager, 81 Main St., Essex Jct., VT 05452 by June 8, 2001. EOE.

Loss Prevention Supervisor and Loss Prevention Representative. The Vermont League of Cities & Towns seeks a Loss Prevention Supervisor and a Loss Prevention Representative to provide loss prevention/control services to member municipalities for its statewide property, casualty and workers' compensation insurance fund. Responsibilities for both positions include identifying sources of loss/potential loss; working with members to develop action plans; providing off-site training in safety, sexual harassment awareness and other topics. Extensive travel throughout Vermont is required. The Loss Prevention Supervisor has further responsibility for analyzing claim trends and implementing programs to address them. The position

also supervises, guides, evaluates and trains two Loss Prevention Representatives, and supervisory experience is thus helpful. Candidates for both positions should have the ability to establish priorities and work independently, familiarity with local government and excellent communications skills. A background in risk management and loss prevention techniques is helpful. We require a bachelor's degree in business administration, public administration, risk management or related field or equivalent experience. Training experience is desirable. VLCT offers competitive salaries and truly exceptional benefits; employer owned vehicle also provided. Interested candidates for either position should send cover letter (with reference to position title), résumé and names/telephone numbers of three references to: Human Resources, Vermont League of Cities & Towns, 89 Main Street, Suite 4, Montpelier, VT 05602. EOE.

Law Clerk. The Vermont League of Cities and Towns, a membership organization for Vermont municipalities, is seeking a Law Clerk. The ideal candidate will have graduated from law school and is seeking to fulfill the clerkship requirement for admission to the Vermont Bar. Stipend available. VLCT's Municipal Law Center provides legal counseling to municipal officials, including selectboard members, town clerks, town managers and zoning administrators. The clerk will assist two lawyers and one associate in researching and answering legal questions from municipal officials; drafting legal articles for a monthly newsletter; assisting at one-day educational workshops; assisting in updating legal publications for local officials; and conducting online research. Candidates should submit a resume and writing sample to Jon Groveman, Esq., Director, Municipal Law Center, VLCT, 89 Main Street, Suite 4, Montpelier, Vermont 05602-2948 by May 31, 2001. EOE.

Underwriter. The Vermont League of Cities & Towns seeks candidates for the newly

(Continued on next page)



Classifieds

created position of Underwriter to manage the underwriting process for its statewide municipal property, casualty and workers' compensation insurance fund. Responsibilities include overseeing all underwriting and reinsurance activities; performing payroll audits for workers' compensation; assisting with development/revisions of programs, coverages and new lines of business; and promotion of programs to municipalities and legislative bodies. Candidates should have knowledge of insurance and risk management, underwriting and local government operations, and possess excellent oral and written communications skills. A bachelor's degree in business administration, insurance, public administration, or related field, or equivalent experience, and a willingness to travel extensively throughout Vermont are required. VLCT offers a competitive salary and exceptional

benefits package. Interested candidates should send cover letter, résumé and salary history by May 29, 2001 to: Human Resources, Vermont League of Cities & Towns, 89 Main Street, Suite 4, Montpelier, VT 05602. EOE.

ARTICLES FOR SALE

Fuji Microfilm Reader Printer. The Town of Essex, Vermont has for sale a universal microfilm reader printer for maximum 11"x17" size use. Can be utilized for many microforms such as microfiche, roll film and aperture cards. Purchased in 1984. Best offer. Contact Dawn Francis at 802/878-1341.

VLCT NEWS CLASSIFIED ADVERTISING POLICY

The *VLCT News* welcomes classified advertisements from municipal entities, public agencies, businesses and individuals. This service is free for VLCT members

(regular, contributing and associate); the non-member rate is \$37.00 per ad. Ads are generally limited to 150 words and are accepted in the following categories: Articles for Sale, Help Wanted, Situations Wanted and Services.

The *VLCT News* is published every month and usually reaches readers by the third week of the month. Ads are also placed on the VLCT web site as soon as they are received.

The copy deadline for advertisements is the first Friday of the month for that month's issue. However, space is occasionally available for late additions. Please feel free to check with the editor for availability.

For more information on classified and display advertising in the *VLCT News*, please contact Katherine Roe, Editor, *VLCT News*, 89 Main Street, Suite 4, Montpelier, VT 05602, tel. 800/649-7915, fax 802/229-2211, e-mail kroe@vlct.org.

Calendar

Community Tree Inventory Training

Saturday, June 2, 2001, UVM Continuing Education, Montpelier. Sponsored by the Vermont Urban and Community Forestry Program, this workshop will provide participants with the skills necessary to conduct a community tree inventory. Tree identification; measurement; assessment of condition and maintenance needs; and mapping techniques will be covered in the classroom and in the field. Participants will also receive a technical manual and computer program to assist with their inventories. For more information, contact Jill Mahon at 223-2389.

Planning and Zoning Workshop. Wednesday, June 6, 2001, 4-8 p.m., 13 Vermont Interactive Television sites around Vermont. The VLCT Municipal Law Center, in cooperation with the regional planning commissions of Vermont, offers this workshop for zoning administrators, staff planners, and members of planning commissions,

zoning boards of adjustment and development review boards. Sessions will cover legal requirements and planning principles; home occupations and limitations on zoning. For more information, call Jessica Hill at VLCT, 800/649-7915.

Maintenance and Rehabilitation of Town Bridges. Wednesday, June 13, 2001, Bennington Fire House, Bennington; Thursday, June 14, 2001, Milton Town Office Building, Milton. This one-day workshop is presented by the Vermont Local Roads Program for Vermont municipal officials who are involved, directly or indirectly, with constructing, maintaining and rehabilitating Vermont's local bridges. In addition to the technical instruction, there will be a Town Bridge Program update. Engineers from the Vermont Agency of Transportation will also be on hand to answer questions. For more information, contact the Local Roads Program at 800/462-6555.

Municipal Attorney's Forum. Thursday,

June 14, 2001, Hampton Inn, Colchester. The VLCT Municipal Law Center offers its annual workshop for Vermont attorneys who include municipalities among their clients. Sessions on municipal authority; legal aspects of managing town highways and ethics will be offered. If your municipal attorney would like more information about this workshop, have him or her contact VLCT at 800/649-7915.

Telecommunications Tower Workshop.

Thursday, June 21, 2001, Suzanna's Restaurant, Berlin. This VLCT Municipal Law Center workshop will review the regulatory tools available to municipalities seeking to regulate telecommunications towers, provide guidance on dealing with the technical aspects of tower review, and provide a forum for officials to share their experiences with telecommunications tower regulation. Look for a workshop notice to arrive in the mail, or call Jessica Hill at VLCT, 800/649-7915, for more information.



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