

VLCT NEWS

A PUBLICATION OF THE VERMONT LEAGUE OF CITIES & TOWNS

SERVING AND STRENGTHENING VERMONT LOCAL GOVERNMENTS

October 2002

GUBERNATORIAL CANDIDATES WEIGH IN

FOUR ADDRESS MUNICIPAL ISSUES AT TOWN FAIR FORUM

The four leading contenders for the state's highest office faced off before a room packed with local officials eager to learn of their positions on local government priority issues at Town Fair on Thursday, September 26th. Sharing their thoughts on Act 60, alternatives to the property tax and local autonomy were candidates Michael Badamo, Progressive; James Douglas, Republican; Cornelius Hogan, Independent; and Douglas Racine, Democrat.



Windsor Town Administrator John Schempf (L.) and Con Hogan, Independent candidate for Governor, chat at Town Fair.

Christopher Graff, Vermont Bureau Chief of the Associated Press, moderated the session. Graff noted that VLCT's gubernatorial candidate forum was one of approximately 35 in which the candidates were participating leading up to the November election.

The forum consisted of Mr. Graff asking four questions developed by VLCT members, board members and staff. (See Page Eight for the exact question wording.) Each candidate was

given two minutes to respond. On most questions, they were also given an additional minute to respond to the answers given by the others.

The table on Page Nine lists the responses of each candidate to the questions. VLCT staff taped the session in both audio and video media. The responses included are drawn from these transcripts, but are shortened to include only the statements made on point to the question asked.

(See Pages Fourteen and Fifteen for more Town Fair coverage.)

SALARY AND BENEFITS REPORT COMING SOON

The 2002-2003 VLCT Salary and Benefits Report will be published in early November. The Report provides information on 27 of the most common positions in municipal government and is designed to assist with the evaluation and comparison of wages, salaries, and fringe benefits of municipal employees in Vermont. The Report was compiled from a survey of VLCT member municipalities that was conducted in July 2002.

The Report distinguishes between large and small municipalities. Large municipalities are those that collected over \$900,000 in property taxes in 2001 and/or have at least one bargaining unit. Small municipalities are those that collected \$900,000 or less in property taxes and have no bargaining units.

Those municipalities that filled out a survey will automatically receive one copy of the Report for free. Additional copies are available for \$20. Non-members, and members who did not fill out the survey, will be charged \$50 per Report. Look for your copy to arrive in the mail early next month.

CONGRATULATIONS, EAST HAVEN

ALL PROPERTY TAXES PAID UP

The small town of East Haven achieved a milestone in early September when its last delinquent property tax was paid, clearing the books of any taxes due.

While this wonderful state won't last past October 19, the date when the Town's 2002, \$254,561.50 tax levy is due, it is something to be proud of.

"We thought it was pretty good," Town Clerk, Treasurer and Delinquent Tax Collector Frank Higgins said. When asked if

there is any secret to achieving a clean tax slate, Mr. Higgins, who has been town clerk and treasurer in East Haven for 25 years, joked, "hard work, and I am a mean old man." Actually, he said, it takes a lot of patience and communication with the taxpayer.

"As soon as they go delinquent, I contact them and set up a payment plan with them," Higgins said. He tries to have all the plans bring in the last of the taxes due by June 1. If

(Continued on Page Eighteen)

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89 Main Street, Suite 4
 Montpelier, VT 05602-2948
 Tel.: (802) 229-9111 • Fax: (802) 229-2211
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 Web: www.vlct.org

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B. Michael Gilbar
Director, Administrative Services
 *Partial List

Katherine B. Roe, Editor, VLCT News

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FROM THE EXECUTIVE DIRECTOR -

WHEN CHICKEN LITTLE BECOMES CARNAC THE MAGNIFICENT

Usually, when we write negative or doubting words about our state government, we almost always look forward to being proven wrong. Such was the case in 1997 when we wrote "Top Five Reasons Why Not a State Property Tax" in the opening *Weekly Legislative Report*. In the article, we listed Reason Number 5:

There is No Way to Prevent the Legislature From Using State Property Taxes Collected for Expenditures Other Than Education Financing.

This concern was raised a month before the *Brigham* decision was issued and six long months before Act 60 was signed into law.

Fast forward to the fall of 2002. With the recent \$9.3 million rescission of state funds for education and the administration's proposed cut in the predictable yield, all we need to do is to add the Governor to the above prognostication and suddenly we are Carnac the Magnificent.

It is doubtful that the administration and Legislature would ever be so bold as to actually transfer property tax dollars to fund state General Fund expenditures. This is because 16 V.S.A. § 4025(d) reads "upon withdrawal of funds from the education fund for any purpose other than those authorized by this section, chapter 135 of Title 32 (education property tax) is repealed." However, the stage is set for the same outcome to be achieved, but through more roundabout means. Here's how it goes.

The State now estimates what it thinks is the growth in the grand list each year. Every

year, new construction adds a small amount of new real property to be taxed. However, the value of existing real estate property changes from year to year as well. Unless a property actually is sold in an "arms-length" sale, there is no way to know exactly how much a property is actually worth. In order to make an educated guess as to a property's value, towns must occasionally do a revaluation where an assessor visits each property and studies replacement costs, potential income that a property could fetch if rented, and, most importantly, sales of comparable properties. As towns only reappraise every four or five years, the State annually makes its own estimate as to the change in value of each town's grand list, based on its own sales studies.

Through this process, the Division of Property Valuation and Review determined that the grand list of the State grew 6.6% last year and is projected to grow between 7.1% and 8% this year. The State does not break down how much of this growth is due to "new sticks and bricks" (new construction) and how much is appreciation of existing properties. An estimate is that perhaps as much as 3% is new construction and the balance is in appreciation. That means that for the average house that was listed on a town grand list at \$100,000 and that was its fair market value in 2000, for tax purposes in 2001 it should be taxed at a value of \$103,600. As towns don't reappraise every year and as the State can't reappraise properties, the State adjusts each town's "common level of appraisal" (CLA) every year and adjusts its education property taxes (statewide and local share) accordingly. For example, last year the State adjusted the total education tax rates an average of six cents (from \$1.70 to \$1.76) to account for its assumptions for the increased value of existing property.

Not only does this automatically increase the tax bill of property taxpayers, it also is swelling the coffers of the state Education Fund. A 6.6% increase in the state grand list will increase the funds from the statewide property tax by a comparable amount. Those funds go primarily to fund the per-pupil block grant (\$5,566 this year). However, the number of students statewide is declining and the state increases the block grant amount per pupil only by the rate of inflation (projected at only 2.1% for next year).

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LEGAL CORNER

Summarizing recent court decisions of municipal interest

MERGER OF NONCONFORMING LOTS

COURT BACKS STATE LAW ON NONCONFORMING LOTS More Lenient Municipal Zoning Provision is Struck Down

The Vermont Supreme Court has reiterated the rule that a municipal zoning bylaw must comply with state zoning enabling legislation in order to be valid.

In *In re Appeal of Stuart Richards*, the Court ruled that Norwich's zoning ordinance was impermissibly less stringent than the State's law authorizing municipalities to adopt zoning. The Town failed to include a required portion of the

date of any zoning regulation, including an interim zoning regulation, may be developed for the purposes permitted in the district in which it is located, even though not conforming to minimum lot size requirements, if such lot is not less than one-eighth acre in area with a minimum width or depth dimension of forty feet. 24 V.S.A. § 4406 (1992).

The Town's ordinance in effect at the time of this dispute stated: "Any lot, structure, or use which conformed to the zoning ordinance when it was established may be utilized lawfully under

zoning comes from 24 V.S.A. Ch. 117. There have been a number of cases interpreting the power of municipalities to zone vis-à-vis the zoning enabling law. Following an earlier case, the Court in *Richards* stated "a municipality has zoning authority only in accordance with, and subject to, the terms and conditions imposed by the state in making the power grant." *In re Richards* at 8, citing *Flanders Lumber & Building Supply Co. v. Town of Milton*, 128 Vt. 38, at 45 (1969).

Merger of Small Lots

The other important issue addressed by the Court in *Richards* is the practical application of 24 V.S.A. § 4406 (1) - the law regulating mergers of small lots. The purpose of this law is to prevent non-conforming uses from continuing once local zoning is enacted, while allowing those uses that pre-date zoning to continue. In the case at hand, Nowicki had two lots, one that conformed with the minimum lot size (B), and one that didn't (A). If Nowicki won his argument, he would have been able to retain lot A as a non-conforming lot, and used lot B to develop a new residence. Based on the state law requirement that lots must be "in individual and separate and non-affiliated ownership from surrounding properties in existence on the

(Continued on next page)

Based on the Richards holding, VLCT believes it is clear that where state law establishes a standard, a municipal ordinance cannot make its standard less restrictive than the state law.

law, and instead substituted its own standard for merger of existing small lots. *In re Appeal of Stuart Richards* No. 2001-086 (Vt. September 20, 2002).

This case involves a landowner, Nowicki, who owned two adjacent parcels, A and B. Nowicki purchased both parcels in 1996, 15 years after Norwich's zoning ordinance was amended to increase the minimum lot size. After the amendment, lot A became a pre-existing, non-conforming use, while lot B remained conforming, yet undeveloped. In 1997, Nowicki applied for, and was granted, a permit to renovate his home on lot A, within the existing footprint. Soon thereafter, he sought a permit to develop a residence on lot B, and that permit is the subject of this litigation.

Ordinance Inconsistent With State Law

In this case, Norwich's zoning ordinance failed to include a required provision on existing small lots. The State statute, at the time the permit in this case was sought, stated:

No municipality may adopt zoning regulations which do not provide for the following: (1) Existing small lots. Any lot in individual and separate and non-affiliated ownership from surrounding properties in existence on the effective

this ordinance with the following restrictions: (1) A lot may not be developed if it is less than one-eighth acre with a width or depth of less than 40 ft." Town of Norwich Zoning Regulations § 8 (1992).

This standard is far more permissive than the state zoning statute, which *requires a nonconforming lot to be owned independently from surrounding properties to qualify for exemption from new ordinances* ("grandfathering"). This variation in wording between the statute and the ordinance creates a gap between the two: "Although the question of whether this omission in the municipal ordinance violates state law is not squarely before us, the discrepancy in the language is highly probative of the conflict between the ordinance and the statute." *In re Richards* at 10. Here, the Court pointed out a relationship that Vermont municipalities are very familiar with - where a municipal ordinance is in direct conflict with a state law, the state law trumps the ordinance.

This case is an important reminder that Vermont municipalities are only allowed to do that which the legislature has explicitly authorized them to do by law (or charter revision). In other states, municipalities may enact legislation through ordinances that are not specifically enabled by the state ("home rule"). In Vermont, the authority to enact

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LEGAL CORNER -

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effective date of any zoning regulation” to qualify for grandfathering, the Court saw otherwise, requiring lot B to be considered merged with lot A. It stated: “. . . although parcel two on its own is a conforming lot, its development would create a nonconforming lot in parcel [A]. This is precisely the ‘re-creation’ of nonconforming uses we forbade in *Drumbeller*.” In *re Richards* at 6.

What this means is that 24 V.S.A. § 4406 (1) is “good law.” The law requires contiguous lots in affiliated ownership to be considered merged, even if the lots are treated as separate by deed or for tax purposes. Additionally, municipalities should be careful when amending (or in a few cases, creating) their bylaws; many of the statutes in 24 V.S.A. Chapter 117 are required provisions in local zoning ordinances.

Conclusion

Based on the *Richards* holding, VLCT believes it is clear that where state law

establishes a standard, a municipal ordinance cannot make its standard *less restrictive* than the state law. “. . . the local ordinance’s expansive approach to the use of nonconforming lots undermines the legislative purpose of eliminating nonconforming uses.” *Id* at 11.

With specific regard to 24 V.S.A. § 4406, VLCT believes that a town must follow the letter of the law in regulating existing small lots, as the statute provides explicit size regulations, which should be specifically referenced in a municipal zoning ordinance. VLCT recommends that municipalities pay close attention to the state law in enacting and amending their ordinances, and, additionally, pay attention to cases like *Richards* that specifically impact municipal legislation. The message is that municipal ordinances must “line up” with state law.

- Brian Monaghan, VLCT Law Center Staff

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CHAPTER 117 STUDY COMMITTEE UPDATE

Vermont’s municipal planning and zoning statutes (V.S.A. 24, Chapter 117) were the subject of study last year at the Legislature’s request. Specifically, the Legislature wanted recommendations for revisions to the Chapter that would address local regulatory issues that might be stumbling blocks to housing projects. A report was issued, however, the Legislature did not act on it during its 2002 session. (For a copy of the report, visit www.dhca.state.vt.us/planning/CHAP117.htm.)

Not considering its work to be done, members of the Chapter 117 Study Committee, under the guidance of the Department of Housing and Community Affairs (DHCA), agreed to continue to meet after turning in their report. The Committee has been working through the summer and has some ideas it would like to share. It would also like input from zoning administrators, zoning boards of adjustment, planning commission members and selectboards regarding changes that they think might be necessary to make Chapter 117 easier to administer and understand. As well, the Committee needs to hear what you would like changed or retained or thrown out.

The next Committee meeting/forum will take place on Tuesday, November 12, 2002, 1:00 - 3:00 p.m. in the 6th floor conference room C of the National Life Building in Montpelier. Please contact Peg Elmer at DHCA if you will be attending the forum. Peg may be reached at 828-3211 or peg.elmer@state.vt.us.



ASK THE LEAGUE

TOWN TRUST FUNDS; ANONYMOUS COMPLAINTS

I am an elected trustee for a town trust that was given to our town many years ago. Currently, the trust is invested in only a few Vermont banks and corporations. I am concerned about this lack of diversification, but I am not sure what I am allowed to do with these funds under state law. How can we invest town trust monies properly?

The first place to look for guidance is in the actual trust document. Frequently, one who places money in a trust (a "settlor") places conditions on how and where such trust monies can be invested.

In the absence of express guidelines, there are a few other rules that trustees should be aware of. A trustee of public funds must act as a "prudent investor." 9 V.S.A. § 4652. This means a trustee is in charge of public monies and must invest such monies in the best interests of the public, in securities that a reasonable person would invest in, and as a fiduciary.

A fiduciary is "one who owes to another the duties of good faith, trust, confidence, and candor." *Black's Law Dictionary* (7th ed. 1999). The rule of thumb is that a trustee must invest trust monies carefully because *it is not his or her money to invest*. It belongs to someone else (here, the public).

That said, the field of potential investments is relatively wide open. (There are some corporations that have been in the news recently with which you may want to refrain from investing.) There is a section in the Vermont Statutes that deals directly with this issue, and it allows a trustee a fair amount of discretion in investing public monies: "The trustees shall apply the income of such estate to the purpose for which it is held, and deeds or contracts made by them shall be in the name of the town." 24 V.S.A. § 2432. The law goes on to name specifically those investment vehicles it deems appropriate for investment of town funds, including "United States savings bonds, municipal bonds, savings institutions and trust

companies in this state . . . or in the shares of an investment company, or investment trust, which is registered under the federal investment company act of 1940 . . . if such mutual investment fund has been in operation for at least ten years and has net assets of at least \$10,000,000 . . ." *Id.*

It is important for a trustee of town funds to read the statute carefully; while it is relatively expansive in the discretion it gives to trustees, it also sets a few guidelines that trustees should be aware of.

- Brian Monaghan, VLCT Municipal Law Center Staff

If a person complains that a person's dog has violated an ordinance, shall the identity of the complainant be given to the dog owner?

Certainly in criminal matters a person accused (the dog owner) has a constitutional right to "demand the cause and nature of the accusation [and] to be confronted with the witnesses." Vt. Constitution Ch. I, art. 10.

While ordinances are civil and not criminal, we would not want to try to prove to a bunch of Vermonters that they did not have a right to confront their (or their dog's) accuser.

Instead, we recommend that a selectboard or constable investigate a complaint to see if there is a serious problem and, if the investigation shows such a problem and independent evidence of a threat to public safety, the town could proceed on the basis of that. But to come to conclusions or impose any sanctions based only on an anonymous complaint would be very

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ASK THE LEAGUE -

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difficult, if not impossible, to defend.

Under the Vermont Constitution Ch. I Art. 9, citizens have "a right to be protected in the enjoyment of life, liberty and property" which, to most, probably includes owning a dog.

So, the short answer is that the selectboard can take note of the complaint and take preliminary steps or emergency steps if needed. But, when a hearing or sanction is going to happen, the complainant should be identified.

It should also be noted that keeping the identity of the complainant secret may also violate the Vermont public records law. 1 V.S.A. § 317.

- Libby Turner, Attorney, VLCT Municipal Law Center

VERMONT CRIMINAL RECORD FEE WAIVED FOR ONE YEAR

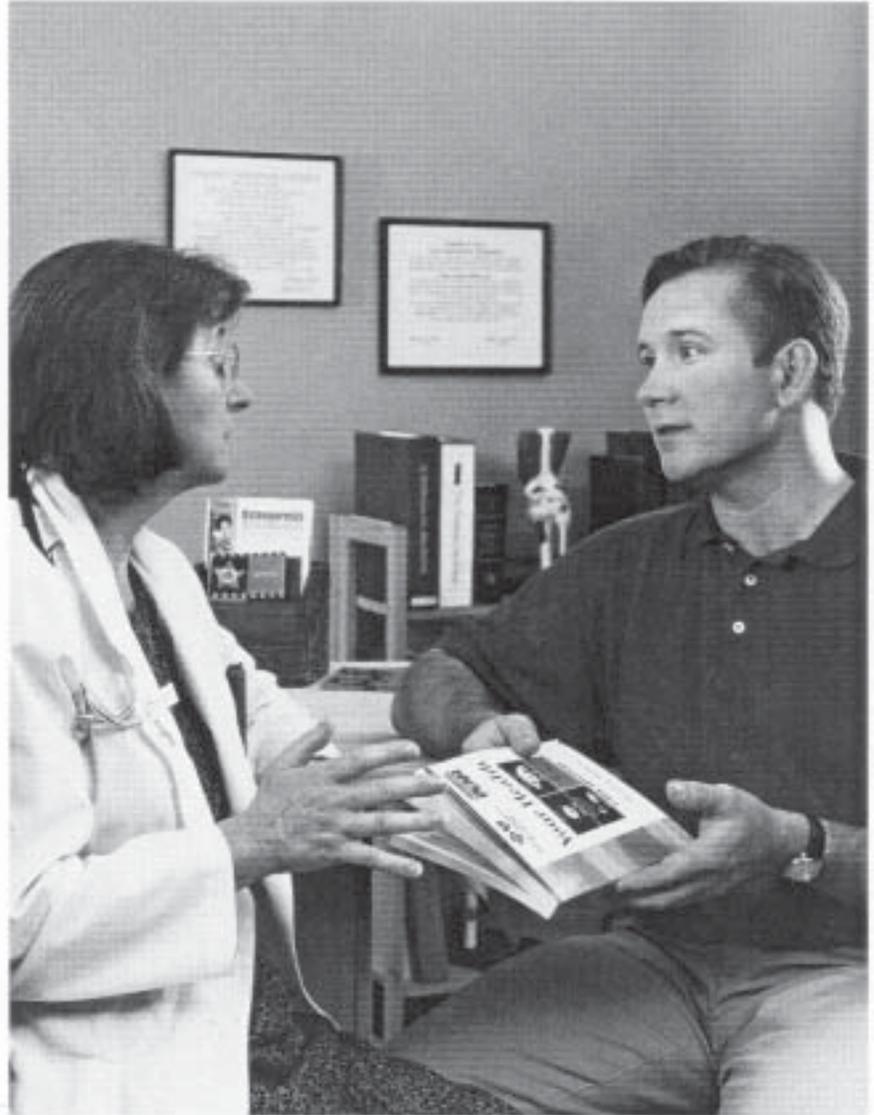
The Department of Public Safety (DPS) recently received a grant from the U.S. Department of Justice to underwrite the costs of criminal record checks for Vermont employees or volunteers who work with vulnerable populations. The grant will enable the DPS to waive the \$10 fee for the checks from now through September 1, 2003.

"In July 2000," DPS Commissioner A. James Walton, Jr. said, "the Legislature authorized any organization whose paid or volunteer staff provide services for children, elderly Vermonters, and persons with disabilities to receive Vermont and out-of-state criminal record checks." Because of the \$10 fee, the program has not been very well utilized, and the DPS sought to remedy the situation by applying for the grant.

"Our goal with this grant is to waive the record check fee for one year so that organizations can take advantage of the program now while building the cost of the fee into next year's budget," Walton said. He urges mentoring programs, scouts, sports and recreation programs, camps, senior services programs, fire and rescue departments, after school programs, in-home care services, and religious programs to take advantage of the program.

For more information, visit the DPS web site at www.dps.state.vt.us and look for the link entitled Vermont Criminal Record Checks.

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GUBERNATORIAL FORUM QUESTIONS

1. *Recently, a Superior Court decision found that the methodology used by the state to determine each town's education property tax results "in disproportionate and inequitable taxation among Vermont's municipalities in violation of the constitutional requirement of proportional contribution" and is "arbitrary and capricious." Though the decision applied only to the Town of Killington, "[t]he court notes that this result*

does not preclude the Commissioner of Taxes from performing such a statewide re-determination or the Legislature from requiring such a re-determination." As Governor, what will you instruct your tax commissioner to do about rectifying this situation and what will you propose that the 2003 Legislature do about this problem?

2. *In fiscal year 1999, immediately following the passage of Act 60, figures from the Joint Fiscal Office (JFO) showed that local education costs were paid with \$429.3 million in net school property taxes and \$347.1 million in General Fund transfers, the lottery and Act 60 non-property taxes. After the recent state rescission of \$9.3 million of state funds destined for the Education Fund, the JFO figures show that for the current school year, net education property taxes have risen to \$608.1 million, while state non-property tax revenue for education has actually dropped to \$341 million. In the first four years of Act 60, education property taxes have increased 41.6%, while state assistance has dropped 1.8% during the first four years of Act 60. As Governor, what will you do to curtail this spiraling reliance on the property tax to fund education? As a follow-up, what other ways will you propose to the Legislature that Act 60 be modified?*

3. *According to the National Conference of State Legislatures, 24 states allow cities to levy local sales taxes and 32 states allow their counties (which function as local governments in most states outside of New England) to do so. Thirty-seven states allow local lodging taxes and 21 allow local restaurant taxes, while additional states allow their counties to levy such taxes. Other states allow local option income, gasoline, cigarette and other business taxes. Vermont law now only allows a small number of municipalities to levy sales and rooms and meals taxes for a limited period of time, and requires those towns to share 30% of the revenues with other towns through "payments in lieu of taxes" for state property. As Governor, would you support the expansion of this authority to all towns for an unlimited period of time, as the Vermont Senate voted to do this June on an 18-10 vote?*

4. *Nationwide, the State of Vermont is tied for last place in terms of autonomy granted to municipalities. The adoption and amendment process for exercising an option to vote a municipal charter is subject to legislative inaction and whipsawing. Our town meeting form of government has no constitutional protection, merely revocable statutory authorization. Would you, as Governor, endorse constitutional changes to create a protected sphere of activity wherein municipalities could act independently of legislative control on matters that are purely local and municipal in character?*

VLCT STAFF NEWS AND NOTES

As noted in an alert mailed to all VLCT members in August, and in an article in the September *VLCT News*, the VLCT Municipal Law Center lost its two attorneys to other positions earlier this month. **Jon Groveman**, Law Center Director, and **Sue Ritter**, Law Center Staff Attorney, left VLCT after two and one years respectively. Their knowledge of municipal law, tremendous energy and great senses of humor will be missed, but we wish them well in their new endeavors.

While the VLCT Board takes this opportunity to assess the services and staffing needs of the Law Center, former Staff Attorney **Libby Turner** has graciously agreed, on a temporary basis, to step out of retirement for a few days a week to help serve VLCT members. She is joined by **Brian Monaghan**, new Interim Staff Attorney. Brian is also returning to the Law Center, as he was our legal intern in the summer and fall of 2001. He is a 2002 graduate of Vermont Law School and a 1998 graduate of Castleton State College, with a bachelor of science in journalism. He interned with the Burlington Free Press in 1998, and is a confirmed snowboard fanatic in his free time. Welcome back Libby and Brian!

VLCT is also pleased to announce the addition of two new staff members in our administrative services department. **Dennis Roberts** joined the staff last month to fill our new Information Technology Technician position. Dennis was most recently Systems Administrator for Softricity, Inc., a Boston Internet firm. He will assist **Jill George**, who was recently promoted to VLCT's new Information Systems Administrator position. Dennis graduated in 1999 from the Wentworth Institute of Technology with an associate's degree in computer science. Dennis and his wife live in Swanton. Also in August, **Sonia Rivera** joined the VLCT staff as our new Production Clerk. Sonia previously worked at En Vogue Salon, Green Mountain Coffee Roasters and at Leahy Press, where she was an office manager in their customer service department. Sonia's knowledge of the printing and production fields will help VLCT's administrative services department get materials out to members in a timely and efficient way. Sonia lives in Barre with her husband and daughter.

Welcome all!



From left to right, new Production Clerk Sonia Rivera, Staff Attorney Brian Monaghan and Information Technology Technician Dennis Roberts



QUESTION

1. State Property Equalization

2. Curtailing Property Tax

3. Alternatives to Property Tax

4. Local Charter Autonomy

CANDIDATE - BADAMO

Believes that the judge's finding is pretty serious and doesn't believe it can be fixed with a little tinkering here and there. Would instruct tax commissioner to pay very serious attention to this ruling, however it winds up.

Believes that the residential property tax isn't about ability to pay and is antiquated. Believes that rich people should pay based on their income. Would cut down on education administrative costs and would revive former Speaker of the House Wright's idea of a statewide teachers' labor contract.

Has absolutely no problem whatever in allowing any municipality to vote for whatever tax it likes. If a town passes a bad tax, it will only hurt that town and the voters will figure it out and change it.

Felt the question ambiguous as he is unsure what issues are purely municipal and local in nature. Opposes any local ordinances that would violate state law by prohibiting guns in a particular municipality.

CANDIDATE - DOUGLAS

Believes it is a profound decision. Doesn't care whether it is appealed as the judge outlined tremendous problems. It has to be addressed immediately. Would direct tax commissioner to do exactly that.

Would work to pass a bill similar to H. 741 that passed the House in 2002 to reduce substantially reliance on the sharing pool. Also believes that the spending side must be addressed.

Not enthusiastic about raising any taxes. Not excited about expanding opportunities to extract more out of the citizens of our state. Certainly willing to look at the possibility of extending them and is not absolutely averse to it but would tread very carefully when proposing any additional tax burden. Would be careful that local option taxes didn't adversely impact our efforts at economic development.

Does not think that the Vermont Constitution should be amended willy-nilly without adequate thought and consideration. Is not excited about a constitutional amendment to redefine the relative role of municipalities and the state. In most cases the state has been respectful of proposed municipal charter changes. Thinks we should remain reserved and reluctant to pursue constitutional amendments.

CANDIDATE - HOGAN

Would ask tax commissioner to do a sampling across Vermont communities to measure how closely those practices are coming to the requirement of the court ruling.

Believes that taxes are a function of how much you spend and that we are spending out of control on every front. Would reduce the numbers of school superintendent districts from 63 to 14. Would take a long hard look at special education and bring it back under control. Would have the state take on more of the financial responsibility for special education and would consider supervisory union-wide teacher contracts.

Worried about the overall capacity of taxes, but agrees that more of these decisions ought to be local. We are pretty close to where we should be but we need to be a little more flexible. Could support a local option tax if it were for a specific purpose, like the Chittenden Vocational Center, or a regional gasoline tax where there is some elasticity in that process.

Thinks it is a great idea. Our constitution is strangely silent on the role of towns and cities in the whole mix. Would convene a governance convention of townspeople and state people to sort out the roles of towns and our state government.

CANDIDATE - RACINE

Believes the case has statewide implications. Would instruct tax commissioner to put together a better system and would propose legislation to accomplish that. Hopes that we don't get to a state-administered appraisal system.

Supporter of Act 60. Would again look at the Act 60 revision passed this year by the Senate that eliminated the sharing pool. The plan established a statewide property tax and a block grant that was adjusted to each district's level of spending. Would maintain income sensitivity, but would fix the prebate system so that taxpayers get a bill that reflects what their true tax liability is. The state can play a role in getting costs of healthcare, special education and administration under control.

Supports local option taxes. Supported it as part of Act 60 and supports the Senate-passed bill this year. Believes it has potential for our communities and likes the advantage given the state to be able to fund its PILOT for state-owned buildings. Major concern is wide variation among towns could create a hodge-podge of taxes. State and towns need to work together in defining what local option taxes are allowed and their amounts. Concerned about a local option corporate income tax.

Would support such a constitutional amendment. Feels that the legislative approval is an unnecessary step. We need to redefine the relationship between state and local government, and this change allowing local charter approval without legislative approval would be an important first step in that direction.



Directory

WHO TO CALL IF YOU NEED HELP - CLAIMS

- Patricia Boyle** Administrative Asst., Claims, administrative and clerical support for claims representatives
- Darlene Bresett** Claims Supervisor, in-house PACIF liability, property and workers' compensation claim adjusting
- Kathi Chaloux** Senior Claims Representative, adjusts PACIF workers' compensation claims
- Kelly Kindestin** Senior Claims Representative, adjusts PACIF liability and property claims
- Jennifer Patterson** Claims Representative, adjusts PACIF liability and property claims

Telephone, 800/649-7915; fax, 802/229-2211, mail, 89 Main Street, Ste. 4, Montpelier, VT 05602; e-mail, fristinitiallastname@vlct.org.

EMPLOYEE ASSISTANCE PROGRAM (EAP)

Got a problem, work-related or personal, that you need help resolving? Contact EAP at 800/287-2173 for assistance. This program is co-sponsored by the VLCT Health and PACIF Trusts for their member municipalities, so there is no fee. Employees *and their household members* are eligible to use the EAP.



ATTENTION PACIF MEMBERS

By now you should have received your VLCT PACIF renewal packet for 2003. Your cooperation in completing and returning this information to our offices **by November 8, 2002**, will help us to secure the lowest possible rates for 2003.

Please make sure all property listed on your Property Listings has an E-911 address (i.e. - 23 Maple Street).

If you have not received your packet or have any questions, please call us immediately at 800/649-7915.

Your assistance in having this reviewed and completed by November 8th is greatly appreciated. Thank you!

WELCOME

The following new members recently joined VLCT PACIF, putting membership at an all-time high of 301:

- Town of Albany
- Town of Benson
- Town of South Hero
- Town of Wheelock

WELCOME

Katherine Picard has joined the Board of Directors of the VLCT Unemployment Insurance Trust, Inc., filling one of the positions left vacant by the retirement of long-time Board members **Vergilio Bonacorsi** and **Charles Nichols**.

Ms. Picard is a City of Winooski Councilor and has also served on the City's Charter Review Board and Parks and Recreation Advisory Board. She has experience in the insurance field as an accountant and is a graduate of Champlain College. She currently is self-employed as a registered home daycare provider. We welcome Ms. Picard to the Unemployment Insurance Trust Board!

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STAY FIT TO STAY ALIVE

Being sedentary and out of shape may have a more detrimental effect on one's health than other well-known risk factors such as smoking, hypertension and heart disease, according to the results of a recent study.

Researchers from the Stanford University Medical Center and the Veterans Affairs Palo Alto Health Care System studied more than 6,000 men for an average of six years. The average age of participants was 59. More than

half had experienced an abnormal exercise-test result and/or had a history of cardiovascular disease; nearly one-third had suffered a heart attack, and many had risk factors such as diabetes, high blood pressure, elevated cholesterol and a history of smoking. The remaining men were apparently healthy without a history of cardiovascular disease.

During the study period, more than 1,200 patients died, most of whom were older. After adjusting for age, however, researchers concluded that exercise capacity was a more powerful predictor of mortality than any other risk factor. They also found that as exercise capacity improved, patients experienced corresponding improvements in survival rates.

In a corresponding editorial, Dr. Gary J. Balady, of Boston Medical Center, compares these new findings with Darwin's theory of survival of the fittest. Balady urges physicians to go beyond identifying risk factors and to encourage and prescribe increased physical activity as an essential step in reducing one's risk of death.

(Reprinted from ACE Fitnessmatters, May/June, 2002)

Upcoming Dates

VLCT HEALTH TRUST ANNUAL MEETING

The VLCT Health Trust will conduct its annual meeting for the membership on Friday, November 15, 2002, at Lake Morey Resort in Fairlee, Vermont. All Health Trust members are encouraged to attend, as there are numerous plan changes coming our way for 2003.

Other agenda items include 2003 rates; a presentation of the results of Mercer Human Resources Consulting's audit of Blue Cross Blue Shield; and an update on our Wellness Programs.

By now you should have received your Annual Meeting packet. If you have not registered for the meeting yet and would like to attend, please call Niki White in Member Relations at 800/649-7915. You may also register for the meeting on-line at the VLCT web site calendar, www.vlct.org.

See you on November 15th in Fairlee!



VLCT Property and Casualty Intermunicipal Fund, Inc. (VLCT-PACIF)

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EXECUTIVE DIRECTOR -

(Continued from Page Two)

If, by now, you are thinking, "uh oh" (and you are still with me), you are on the right track. The statewide property tax payments are growing much faster than the expenses they are supposed to support. Based on this disparity of money going in and that available to be spent, by the end of FY06, the projections are that the Education Fund will have a surplus of \$137.6 million – \$113.4 million more than it needs for a 5% "stabilization reserve." The annual operating surpluses of the Education Fund are growing substantially, projecting a slight deficit this year (FY03, due entirely to the state's rescission of \$9.3 million in appropriations made to the Fund) to an annual extraction of \$80.9 million in extra property taxes more than what will be spent by local schools in FY06.

If the state were to use this surplus to reduce

opportunity before Act 60. As the *Brigham* case proved, there was never enough to do the job. The funding level depended on the economic situation and the Legislature and administration's commitment to education as a priority. In the early days of Act 60, its proponents were committed to education and wanted Act 60 to work, so additional revenues were transferred. This not only assisted in the transition to Act 60 funding, but also provided property taxpayers the same opportunity for temporary tax relief as was afforded to income and sales tax payers when the Legislature reduced those tax rates in the economic boom time.

Now that times aren't so rosy, there is no talk of raising state General Fund taxes, but property taxes will be raised either now or later from what they could be by reducing General Fund support of education. The members of the Vermont League of Cities and Towns passed

year to the next, either the education block grant should be increased, or the state property tax should be reduced, in direct proportion to the dollars generated by that growth.

Town officials can help to prove Carnac wrong by letting their legislative and gubernatorial candidates know that reducing General Fund support for education is the same as raising property taxes to pay for General Fund expenses, and that this is not acceptable.

- Steve Jeffrey, VLCT Executive Director
(Steve notes that "Carnac the Magnificent" is most likely trademarked by Johnny Carson and/or the Tonight Show.)

It is this inequity of revenues and expenses of the Education Fund, plus the downturn in General Fund tax revenues, that brings us to the verge of our dire warning – that the extra property taxes being collected would be used to reduce the state's General Fund support of education – becoming reality.

the statewide property tax rate to achieve a balanced Education Fund, the statewide rates could look like this:

Year	FY2003	FY2004	FY2005	FY2006
Statewide Property Tax Rate Necessary	\$1.10	\$1.0553	\$1.0071	\$0.9646

The owner of a \$100,000 property could see his or her statewide property tax bill reduced from \$1,100 to \$964.60, assuming no appreciation in value.

It is this inequity of revenues and expenses of the Education Fund, plus the downturn in General Fund tax revenues, that brings us to the verge of our dire warning – that the extra property taxes being collected would be used to reduce the state's General Fund support of education – becoming reality. This August, when faced with a large state General Fund deficit, the Joint Fiscal Committee reduced the amount of General Fund contributions to the Education Fund by \$9.3 million. Last month, the Commissioner of Education notified school districts that "in light of the current state revenue picture" the administration is recommending that the mechanism to fund school spending above the block grant be adjusted to cost additional property tax payers higher rates.

The State General Fund had always been the sole source of the State's obligation to fund education and to try and equalize educational

the following sections of their 2003 *Municipal Policy* that encourage the Legislature and administration to restore the rescinded funds and keep General Fund support in line with other indices:

- The August, 2002 rescission of \$9.3 million of General Fund transfers destined for the Education Fund should be restored as soon as the General Fund revenues recover.
- Revenues arising from growth in the state grand list should not be used to fill gaps in the General Fund under any circumstances. Should the state grand list grow from one

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OCTOBER'S TRIVIAL PURSUIT

Congratulations to **Diane Mattoon, Town Clerk, Chelsea**, for being the first to correctly guess that Victory, Granby and Jamaica were the last Vermont towns to receive electricity and that the year was 1964. Here's this month's trival pursuit:

Who was the first Democrat to occupy the Vermont Governor's office, and how many Democrats have occupied it since?

Contact us with your answer: VLCT, 89 Main Street, Ste. 4, Montpelier, VT 05602; 800/649-7915; fax, 802/229-2211, e-mail, kroe@vlct.org.



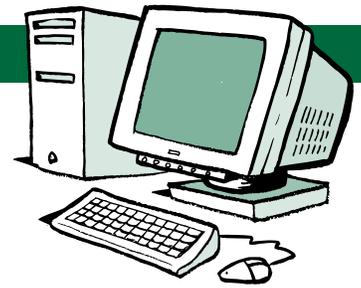
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Tech Check



WORKING TOWARDS A "VIRTUAL" TOWN OF COLCHESTER

Believing in and advocating for *local control*, the Town of Colchester is seeking a Vermont solution for municipal e-government. One of our biggest challenges is how to effectively address current and future citizen expectations and needs for local e-government.

With the change from an agricultural community and economy to a manufacturing, commercial, retail and knowledge-based economy, the nature of Town Meeting (a by-gone State holiday for local decision-making) has significantly changed. In light of these changes, how Colchester evolves to keeps its citizens both aware and in charge of municipal

operations poses significant issues and opportunities. For Colchester, the use of technology can restore "old world" access to many functions of municipal government.

Historically, one of government's roles has been to "keep" paper records that document public transactions. An increasing population, along with a growing complexity of law and its administration, means paperwork is consuming massive amounts of office space for storage. Storage itself poses problems for easy access to government information – the cornerstone of democratic governance. On-site storage of paper is extremely expensive and an inefficient use of expensive office space. E-government addresses these two issues efficiently and, hopefully, cost-effectively.

Because of its information storage and space needs, Colchester is taking the initiative to examine electronic document storage and retrieval in association with the concept of *municipal e-governance*. Colchester would like to have all its documents on line and accessible to the public. It would also like its employees

to be able to access the latest information and manipulate it so that they have the best knowledge and practices to serve its citizens. The outcome is to provide its services electronically as well as in person. The Town seeks to foster people's ability to purchase dog licenses, file permit applications, pay taxes, etc. via the Internet. The Town would also like to eventually put all its documents on line so such tasks as title searches can be completed via the Internet versus visiting the Town Office to manually search Town records.

In the computer and business worlds, this is referred to as "enterprise content management," and it deals with anything that can be written to a file: word processing document, spreadsheet, e-mail, scanned images, sound bits, video clips, or artwork. Colchester envisions managing all its information, or "content," electronically, in a way that makes the right information available to the right person (citizen or employee) at the right time.

Developing the resources to reach this goal is a daunting task. Without a partner, it
(Continued on next page)

MUNICIPAL WEB SITES UNDERWAY

VLCT is pleased to announce that 11 municipalities have signed on with GovOffice and have completed or are in the process of completing web sites using their web development tool. They are:

- | | |
|------------|---------------|
| Dover | Rutland City |
| Essex Town | St. Johnsbury |
| Georgia | Westminster |
| Greensboro | Weybridge |
| Hartland | Wilmington |
| Middlebury | |

If you're interested in signing on or getting more information on GovOffice, call 877/564-4979, e-mail info@govoffice.com or go to its website at www.govoffice.com.



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TECH CHECK -

(Continued from previous page)

certainly is beyond the Town's current resources. Luckily, Colchester has many entrepreneurs who are experts in telecommunications technology. Learning of our needs, a new company, Daybreak Intellectual Capital Solutions, Inc. (Daybreak) approached the Town. Daybreak described the technology that could bring Colchester to address its goal of being a virtual e-government. Daybreak needed a "beta site" to develop such services for a municipal software program. A partnership was born to make Colchester a trial site for Daybreak's new City Services Program.

Through this collaborative effort, Colchester and Daybreak are developing a content management solution that will serve Colchester, and which will hopefully provide benefits to other municipalities. The product developed from this partnership will address intra-governmental needs to share and use information developed and maintained by different municipal departments; provide citizens with access to municipal services such as paying tax bills, doing title searches; enrolling in recreational sports programs or applying for a building permit. By addressing the entire organization rather than individual departments, enterprise content management potentially represents the silver bullet for e-government solutions and will bring improved efficiencies to every department from the Town Clerk's Office to the Zoning and Planning Office to Emergency Management Operations, should that ever be called upon.

Daybreak's powerful software programs should move Colchester and other Vermont municipalities to the forefront of e-government. The program that is being modified to serve municipalities was developed for some of the world's largest corporations. Although Colchester is the State's third largest municipality, by national standards, Colchester is a small municipality. One goal for this beta site is to assure that Daybreak's City Services Program is capable of serving every municipality, regardless of size. A Vermont company, Daybreak also seeks to ensure this program is put into the hands of Vermont municipalities before it is made available to other parts of the United States. Once proven, the capabilities of Daybreak's program can push Vermont's cities and towns to the forefront in municipal e-government.

For further information call Al Voegele, Colchester Town Manager, 802/654-0709, or Kara Cleaver, Daybreak ICS, 802/264-4000.

- Al Voegele, Colchester Town Manager

MEMBERS MAKE QUICK WORK OF ANNUAL MEETING AGENDA

On Thursday, September 26, the 2002 Annual Business Meeting of the Vermont League of Cities and Towns was gaveled to a close just over an hour after being called to order. The meeting is the highlight of Town Fair, a day of workshops, exhibits and awards that was held this year at the Killington Grand Hotel.

The 100 or so municipal officials from over 60 member cities and towns who attended the business meeting first reviewed the 2003 VLCT Municipal Policy, the document that the staff and Board use to guide their efforts in the Legislature. The four committees that prepared the policy sections (Finance, Administration and Intergovernmental Relations Committee, Transportation, Public Safety and Quality of Life and the Environment) had worked hard this summer preparing significant revisions in the recommendations for legislative assistance for local government. The membership seemed impressed with the product as they approved the recommendations with just minor debate and a small number of minor amendments. The overall focus of VLCT's lobbying effort remains on property tax reduction and education finance reform; assuring that substantial state revenues are available to assist municipal governments in providing transportation and public safety services; and enable Vermont local governments to partner with the state in ensuring a clean

environment and healthy quality of life.

After adopting the Policy, the members turned their attention to electing their leaders for the coming year. Re-elected as President and Vice President respectively were William Shepeluk, Municipal Manager of Waterbury, and Gail Fallar, Town Clerk and Treasurer of Tinmouth. Re-elected as board members for additional two-year terms were:

- **Mary Peterson**, Selectperson, Williston (Pop. 7,650)
- **Susan Spaulding**, Town Manager, Chester (Pop. 3,044)
- **Stephen Willbanks**, Selectperson, Strafford (Pop. 1,045)

Elected to replace outgoing board members William Finger, Middlebury Town Manager and John Kristensen, Guilford selectboard member were:

- **Nicholas Ecker-Racz**, Selectperson, Glover (Pop. 966)
- **William Perkins**, Selectperson, Middlebury (Pop. 8,183)

- Steve Jeffrey, VLCT Executive Director

TOWN FAIR GOLF FIELDS 90 PLAYERS

Mother Nature once again blessed the Fifth Annual Town Fair Golf outing with a gorgeous day, and a lot of fun was had by all who participated. Ninety golfers representing 21 municipalities pitted their golfing skills against the very challenging and beautifully groomed Green Mountain National Golf Course. This was the best turn-out ever for the golf event and everyone who participated went home with a prize. Thanks to our many sponsors for helping us make this a very successful outing again this year. A special thanks to the staff at Green Mountain National Golf Course for opening their doors and putting on a first-rate event. Stay tuned for information on next year's outing.

Sponsors who donated generously to our tournament are McNeil, Leddy & Sheahan; McKee, Giuliani & Cleveland; English, Carroll & Ritter; Dinse, Knapp & McAndrew (law firms); VLCT PACIF; Green Mountain Credit Union; City of Burlington; Dufresne Henry; Red Hed Supply; Blue Cross Blue Shield; Cargill Deicing Technology; and Delta Dental.



Dominic Cloud, VLCT Senior Associate for Legislative and Information Services, assists a voting delegate to sign in at VLCT's 2002 Annual Meeting.



TOWN FAIR 2002

WEAVING THE WEB OF LOCAL GOVERNMENT

Killington's Green Mountains proved again to be a beautiful backdrop for VLCT's annual Town Fair. Town Fair 2002 was a wonderful event with over 800 attendees comprised of local and state officials, vendors and speakers from every point on the spectrum. Among the 581 local official attendees were many new and familiar faces who represented 131 towns from Addison to Worcester.

Municipal attendees had 13 different workshops to choose from, with an especially

strong line-up in the morning. A common complaint was, "I don't know which workshop to attend; they are all so good!"

Vendors both inside and out presented all kinds of products, from road repair materials to banking and engineering. With over 83 vendors to visit, local officials gained all kinds of information on products to assist in their daily operations. First prize for the first annual "Best Booth" competition went to the BankNorth Group. They demonstrated Town Fair's

"Weaving the Web of Local Government" theme by decorating a group of beautiful fall pumpkins as a team of different local officials. Several other vendors competed in this contest as well. Thanks to all of you for your hard work. We look forward to more great booths next year!

At the traditional Town Fair luncheon, always a delicious turkey dinner with all the fixings, VLCT presented the recipients of its annual awards (see below).

Stay tuned for more information regarding plans for next year's event!

- Jessica Hill, VLCT Conference Coordinator

MUNICIPAL PERSON OF THE YEAR

John Cushing

Clerk/Treasurer, Town of Milton

LEGISLATORS OF THE YEAR

Senator Susan Bartlett

Lamoille County

Representative Richard Westman

Town of Cambridge

TOWN CITIZENSHIP AWARD

Clara and Andrew Fisher

Town of St. Johnsbury

Peter Mallett

Town of Georgia

LIFETIME ACHIEVEMENT AWARD

Elsie Beard

Town of Orange

GRAND RAFFLE WINNERS

Warren Davis State of Vermont, Agency of Transportation

Ken Moulton Town of Fair Haven

David Jenne Town of Bridgewater

Pauline Schmoll City of Winooski

Larry Melen Town of Weathersfield

Carol Hammond Town of Vernon

Linda Corey Town of Burke

Bob Forguites Town of Springfield

Gary Carruthers Town of Dover

Lois Burnham Town of Marshfield

Thanks again to our generous raffle sponsors: Blue Cross Blue Shield of Vermont, Northeast Delta Dental, William M. Mercer, Inc. and Jon-Jay Associates.

VLCT/VMHA SNOW PLOW RALLY WINNERS

1st Place Town of Dover

Gary Carruthers and Richard Fletcher

2nd Place Town of Fayston

Mike Quenville and Stuart Hallstrom

3rd Place Town of Northfield

Chris Alger and Peter Demasi

VLCT PACIF donated cash prizes of \$100 to each of the first place Snow Plow Rally winners, \$75 to each second place winner and \$50 to each third place winner.

HIGHWAY PERSON OF THE YEAR

Bruce Rounds

Town of Brandon Public Works Department



Town Fair is always about people - local officials and the businesses and organizations that work with them. Top left, Lee Krohn, Planning Director, Town of Manchester, speaks at a workshop on affordable housing. Top right, a packed afternoon workshop is the sign of a hot topic - here State officials explain the State's new on-site septic regulations. Right, the exhibit halls were full after lunch, as the traditional turkey dinner continued there with apple pie. (All Town Fair photos by Katherine Roe)



THE VERMONT HOUSING AWARENESS CAMPAIGN

VLCT IS ONE OF 28 MEMBER ORGANIZATIONS

Vermont is in the midst of a serious housing shortage, which is driving rents and home prices up at such a rapid clip that Vermonters' incomes are not able to keep pace. This is a statewide problem that not only hurts thousands of people, but also acts as an additional drag on an already ailing state economy.

How bad is the housing situation in Vermont? In the past five years, the median purchase price of a Vermont home has jumped 30 percent. The rent for a modest two-bedroom apartment has gone up 20 percent. Very few people in Vermont have seen their paychecks grow like that. Since housing development – particularly affordable housing – has been relatively flat for the last decade, we simply have not built enough housing to meet our needs. That is pushing vacancy rates down and prices up, and the situation doesn't appear likely to improve in the near future.

Housing is a complicated issue for Vermont's communities. Housing development raises concerns about the need for additional services, about impact on traffic, schools, and a community's local character. Almost without exception, housing proposals spark opposition from neighbors or others who suffer from the not-in-my-backyard syndrome.

But housing also offers many benefits, including job creation, economic activity and a general community vitality.

It is important for our communities, as well as our state, to recognize the benefits of housing development and work to address the concerns without merely throwing up our hands and saying "not here." And the leadership on this issue must come from our cities and towns. Local officials, businesspeople and other community leaders in many Vermont communities have formed housing task forces to find

ways to build housing so as to preserve local character and avoid sprawl and other effects of poor planning.

The Vermont Housing Awareness Campaign was created to help build public support for housing, to assist communities wherever possible with information, and to create networks among business, local government, environmentalists and housing advocates to help solve our housing problems. We are working right now with local housing task forces in Addison County, Windsor County and the Mad River Valley.

The Campaign is a coalition of 28 public and private-sector organizations – including VLCT – who work together to provide more housing opportunities for all Vermonters. We are funded by member contributions and by a generous grant from the Vermont Community Foundation. We are ready, willing and able to be of assistance. You can reach us at our website, www.housingawareness.org, or by phone at 802/652-3449.

*- John Fairbanks, Public Affairs Manager,
Vermont Housing Finance Agency*

STEPS YOU CAN TAKE IN YOUR MUNICIPALITY TO ENCOURAGE AFFORDABLE HOUSING

Getting housing built requires leadership. Here are some suggestions, based on what some Vermont cities and towns are doing:

- Have your selectboard or city council form a housing committee or task force with local business and community leaders to promote housing development. Don't let this be just a study committee; make it clear you want results.
- Review your zoning bylaws. Look for ways to encourage housing, such as increasing density or offering density bonuses for affordable housing development.
- Look at your town plan. Is there a commitment to housing, or do you need to revise the plan?
- Look at your town's resources. Do you have a vacant lot or old school building the town can contribute for affordable housing development?
- Create a local revolving loan fund for housing, or designate part of your existing fund for housing.
- Work with other communities, your regional planning commission, your county economic development corporation, and any of the state and local housing agencies and organizations that have a wealth of information and experience to offer.



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We need emergency workers. They need affordable homes.

There's a severe shortage of affordable housing in nearly every part of Vermont. And it affects everyone.

Our communities need emergency medical technicians, child care workers, and police officers. Yet none of these professions earns an average wage high enough to afford a modest two-bedroom apartment, at statewide average rents.

We need to build more housing and we need to do so in a way that respects our state's character and environment.

When hard-working Vermonters can't afford decent housing, we all risk losing essential services, community vitality, and economic energy.

Vermont Housing Awareness Campaign

802 652-3449 www.housingawareness.org



HOUSING—THE FOUNDATION OF VERMONT COMMUNITIES



TWO POPULAR ANR ANNUAL GRANT PROGRAMS UNDERWAY

RECREATION GRANTS

The Vermont Department of Forests, Parks & Recreation is soliciting proposals from municipalities for grants under the **Land & Water Conservation Fund (L&WCF) Program**. The L&WCF program helps to create and maintain high quality recreation areas and facilities and contributes to the protection of outdoor recreation resources. Approximately **\$545,000** in federal matching funds were available for competitive grants last year and we anticipate at least as much for the current year. A minimum 50 percent local match will be required. Eligible activities include acquisition and development of public outdoor recreation areas and facilities.

Applications must be received no later than **4:30 PM on Friday, February 28, 2003** in order to be considered under this round of funding. Upon approval, funding will be made available to the highest ranked projects in the summer of 2003.

For a grant application and grant guidelines, please visit <http://www.state.vt.us/anr/fpr/recreation> and click on the Land & Water Conservation Fund Program.

TRAILS GRANTS

The Vermont Recreation Trails Grant Program is soliciting proposals from municipalities and non-profit organizations for recreation trail grants under the **2003-2004** round of funding. Approximately **\$380,000** in matching funds were available last year and the

Department of Forests, Parks, & Recreation anticipates at least as much for the current year. Funds require a minimum 20 percent sponsor match for all projects, except for mini-grants, which require no local match.

Up to **\$3,000** of available funds will be set aside for the mini-grant option. Mini-grants of up to **\$500** are available at 100 percent of project costs to local governments, community volunteer groups, educational institutions, civic groups, or approved non-profit organizations with recreation trails in their goals. Mini-grants may provide seed money to perform certain recreation trail activities or to provide training, to develop a trail, or to purchase educational tools or materials. Mini-grants must clearly pose no negative historical or environmental impacts and will ideally include a community service element.

The Recreation Trails Grant Program provides communities and non-profit organizations with matching grants for:

- (1) maintenance on existing trails;
- (2) restoration of areas damaged by use of trails;
- (3) development of trail-side and trail-head facilities;
- (4) provision of features which facilitate access to and use of trails by persons with physical challenges;
- (5) construction of new trails on state, municipal or private lands where a recreational need for such construction is shown;
- (6) preparation and printing of trail-related

- maps, studies, and other educational information and materials related to trails;
- (7) trail protection including fee simple title to property or easement acquisition for recreation trails or recreation trail corridors; and
- (8) purchase of hand tools for trail work.

The Recreation Trails program is administered by the Vermont Department of Forests, Parks & Recreation of the Agency of Natural Resources. Applications must be received by **4:30 PM on Friday, January 31, 2003**, in order to be considered under this round of funding. Upon approval, funding will be made available to the highest ranked projects in the spring of 2003.

For more information on either of these programs, contact Sherry Smecker, Vermont Department of Forests, Parks & Recreation, 103 South Main Street, Bldg. 10 South, Waterbury, VT 05671-0604; tel., 241-3690; e-mail, ssmecker@fpr.anr.state.vt.us.

EAST HAVEN -

(Continued from Page One)

that date is missed, he says he starts talking tax sale.

Having all taxes collected helps East Haven with its cash flow. "It is very unusual for us to have to borrow," Higgins noted. The Town is just now finishing up a new \$210,000 town garage, dog pound and volunteer firefighter station, for which it borrowed just \$80,000. Pretty impressive for a town with a population of 301 and just a quarter million dollars to work with each year. Good work, East Haven!

PLEASE SHARE YOUR ISSUE OF THE VLCT NEWS

The *VLCT News* is a membership benefit that each VLCT member municipality receives free from the League. One copy is automatically mailed each month to the following local officials: **mayors, managers, clerks, treasurers, selectboards, administrative assistants, and zoning administrators**. Associate and contributing members of the League also receive one copy each of the *VLCT News*, as do members of the VLCT Board of Directors.

We encourage selectboard members to circulate the *VLCT News* amongst themselves and to their department heads, especially to highway, police, and fire departments, and to planning commissioners.

If circulating the newsletter is not an option in your municipality, there are two solutions. One is to read the newsletter on the VLCT web site (www.vlct.org). The second is to order an extra subscription for a particular official or department. An extra subscription costs \$25, plus sales tax if a municipal tax identification number is not available. Please contact the League (800/649-7915 or e-mail info@vlct.org) if you would like to order an additional subscription for your municipality.

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KEEP DOWNTOWN BUILDINGS VIABLE

UPGRADING WATER LINES HELPS

Is your town missing an opportunity to make it easier for people to use and develop downtown buildings? Towns that include water entrance upgrades to downtown buildings as part of municipal infrastructure projects give those buildings a major boost toward continued or renewed use by enabling easy (and inexpensive) sprinkler system connections.

Generally, sprinkler systems need a four-inch water line coming in to a building to provide sufficient water supply in the event that the system activates. Most existing connections are one to two inches. The incremental cost of upgrading a typical entrance is only a few hundred dollars per building, *if* the line is upgraded as part of a downtown infrastructure project, while the water main is exposed. On the other hand, if an individual owner upgrades his or her water entrance independently, it can easily cost thousands of dollars and more. If the job entails installing piping to a main across the street, it may not be feasible at all.

In some communities, high fees for sprinkler system hook-ups are also a disincentive to install them. Some towns charge thousands of dollars, based on a calculation that assumes that the four-inch pipe is constantly feeding water to the building, while in reality the sprinkler system will probably never need to draw water. More and more towns, including Montpelier, have eliminated this local financial disincentive.

Downtown advocates have recognized the multiple benefits of sprinkler system installation. Besides the obvious enhancement to life safety and property protection, having a sprinkler system makes it easier and cheaper to rehabilitate downtown buildings. The presence of a sprinkler system eliminates the need for many costly code requirements, requirements which can entail loss of historic building features. With modern, smaller dimension sprinkler pipes and sidewall sprinkler heads, installed systems can be almost invisible. Sprinkler systems also typically lower insurance rates. The Vermont Downtown Program now offers several large tax credits for sprinkler system installation in designated downtowns. Information is available at www.historicvermont.org.

- Nancy Boone, Vermont Department of Housing and Community Affairs, and Robert Howe, Vermont Department of Labor and Industry

Classifieds

FOR SALE

Fire Truck. The Town of Richmond Fire Department offers a 1984 Maxim Pumper on a 1985 International Chassis - DT466. Hale Single Stage 1250 gpm pump. Chassis, pump and tires in excellent condition. Suction hose and ladders go with truck. Tank holds 1,000 gallons of water - tank needs work. May be seen at Richmond Fire Station, 357 East Main Street, US Route 2, Richmond, VT 05477 (Interstate 89, Exit 11). Can e-mail pictures if interested. Contact: Chief Thomas Levesque, tel. 802/434-2002; e-mail tlevesque@chittendeneast.k12.vt.us.

Truck. The Town of Proctor offers a 1988 International Truck Series 1900, cab and chassis with plow frame. Vehicle has been well maintained. Vehicle can be seen at Lafond's Autos, South Street, Proctor, Vermont. Selectboard reserves the right to accept or reject offers. For more information, please call the Town Office: 802/459-3333, or fax 802/459-2356.

HELP WANTED

Superintendent of Public Works.

Administrative position to provide for the overall management, direction and control of all the public works functions of the Town of Brandon to include highway, wastewater, solid waste, cemetery, building and grounds and to perform related work as required.

Applicants for this position must have a bachelor's degree in civil engineering or a related field and not less than five years experience in one or more areas of public works and/or within civil engineering, preferable municipal experience. Must be able to get or possess a valid Vermont driver's license and have no offenses that would prohibit or restrict insurability. Excellent salary (mid to high 50's), benefits. Please submit letter of interest with resume to Michael Balch, Town Manager, 49 Center Street, Brandon, VT 05733. EOE.

Administrative Assistant. Town of Rochester seeks an articulate, energetic person to provide administrative support to the Selectboard. Position requires an individual who can work independently, meet deadlines, and work as a member of a town office team in the administration of town projects. Excellent communication, interpersonal skills and demonstrated interest in research and grant writing required. Word and Excel necessary. Experience in Vermont town government helpful. Initially 15-20 hours weekly, including some evening meetings. Salary commensurate with experience. Position available after February 1, 2003. Send a resume, cover letter, and references to: Selectboard, Town of Rochester, PO Box 238, Rochester, VT 05767. Equal Opportunity Employer.

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.



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Calendar

On-site Sewage Workshop. Monday, October 28, 2002, 13 Vermont Interactive Television Sites. Sponsored by VLCT and the Vermont Agency of Natural Resources. Anne Whitely, Associate General Counsel for the Department of Environmental Conservation, and Roger Thompson, Program Manager for the On-Site Sewage Program, will give an introduction to the new on-site sewage law and its rules that went into effect on August 16, 2002. They will also give short summaries of the legal and technical aspects of the rules that most affect towns and planning commissions. Time will be set aside for questions and answers. For more information on this free, evening workshop, contact Jessica Hill, VLCT Conference Coordinator at 800/649-7915, e-mail, jhill@vlct.org. You may also register for this conference on-line at the VLCT web site Calendar, www.vlct.org.

GASB 34. Monday, November 18, 2002, Suzanna's Restaurant, Berlin. Sponsored by the Vermont Government Finance Officers Association and VLCT, this workshop will feature an overview of the new Governmental Accounting Standards Board (GASB) financial reporting model for state and local governments, presented by Ken Schermann, Senior Project Manager at GASB. A roundtable discussion will also be held with Fred Duplessis, CPA, Sullivan, Powers and Co., William Hall, Finance Director, Town of Hartford, and Michael Gilbar, VLCT Director of Administrative Services. For more information on the workshop, contact Jessica Hill, VLCT Conference Coordinator at 800/649-7915, e-mail, jhill@vlct.org. You may also register on-line at the VLCT web site Calendar, www.vlct.org.

Highway Workshop. Thursday, November 21, 2002, Capitol Plaza Hotel, Montpelier.

Sponsored by the VLCT Municipal Law Center, this workshop focuses on four significant areas of highway law: creating and managing a town highway system; highway use permits; road maintenance policies and procedures; and stormwater management and drainage. For more information on the workshop, contact Jessica Hill, VLCT Conference Coordinator at 800/649-7915, e-mail, jhill@vlct.org. You may also register on-line at the VLCT web site calendar, www.vlct.org.

2002 Vermont Statewide Housing Conference. Thursday, November 21, 2002, Radisson Hotel, Burlington. Co-hosted by the Vermont Housing Finance Agency and the Vermont Housing Awareness Campaign. Contact VHFA at 864-5743, e-mail, home@vhfa.org. You may also register via the VHFA web site at www.vhfa.org/news-events/2002conference/index.htm.