

# VLCT NEWS

A PUBLICATION OF THE VERMONT LEAGUE OF CITIES & TOWNS

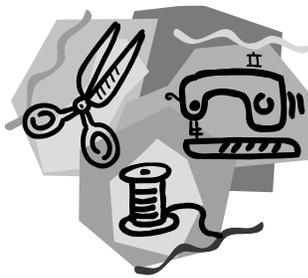
SERVING AND STRENGTHENING VERMONT LOCAL GOVERNMENTS

June 2005

## CALLING QUILTERS!

### JOIN IN THE TOWN FAIR QUILT PROJECT

The theme for Town Fair 2005 is **Cities & Towns – Working Together, Making a Difference**. To symbolize that theme, which really drives local governments at all times, we are asking local officials to join us in a new and creative project. Quilts! What better way to showcase our towns than with this traditional and extremely versatile



craft? Get those creative juices flowing! We would love to include squares from every member city and town. The quilt will be unveiled at Town Fair and the final product will hang in the VLCT board conference room. Of course, if your response is overwhelming, we will enlarge the project to make a series of panel quilts designed to hang together.

Please take a few moments to think about this. What is unique about your municipality? Who in town could put the square together? VLCT is asking for a completed square from each of its member cities and towns. The design that best symbolizes your town is up to you. Squares can be embroidered, quilt blocked, ironed on fabric crayon or whatever you decide, as long as it can be incorporated with other pieces into a quilted finished product. Our own staff member, Pat Boyle, who is an accomplished quilter in her own right, is VLCT's consultant on the project and will put the pieces together into a quilt, or quilts.

Here are the standards. The finished inside should be an 8" x 8" square of your choosing. The fabric should be a minimum of 10" x 10" so that there is fabric to stitch into the overall quilt. Somewhere on the front of the finished inside square should be the town name and year, so that in the future everyone will be able to find their city or town. Ideally, squares will be delivered or mailed to the VLCT offices (Attn. Pat Boyle) in late July or early August so that there is time to put them together. If squares come in from towns later than August 5, we will of course incorporate them in the design,

*(Continued on next page)*

## JOHNSON BREAKS GROUND



April 18, 2005 marked a milestone for the Village of Johnson's Fire Department. On a brilliant spring day, the long awaited groundbreaking ceremony for the Village's new fire station gathered together many local officials, firefighters and department supporters. VLCT Senior Claims Representative Kelly Kindestin also attended, and is seen here presenting a VLCT PACIF check to cover the loss of the former station to Gordon Smith, Fire Chief, as Duncan Hastings, Municipal Administrator, looks on. Please see Page Fourteen for more information about the new building.

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## QUILT -

*(Continued from Page One)*

although they may not make it in for the Town Fair unveiling.



*For example, the dimensions of the exterior, light green box should be 10" x 10", while the inside, dark green box with your design and identification should be 8" x 8".*

We are excited to see what you come up with! Visions of fabulous, creative quilts are dancing in our heads! Please direct questions to Karen Horn ([khorn@vlct.org](mailto:khorn@vlct.org)) or Pat Boyle ([pboyle@vlct.org](mailto:pboyle@vlct.org)).

*- Karen Horn, Director, Legislative and Membership Services*

## VLCT SEEKS MUNICIPAL VENUES FOR WORKSHOPS

The VLCT Municipal Assistance Center recently held its annual Selectboard Forum at the Dover Town Hall in Dover, Vermont. The facility was beautiful and ideal for this type of event. The Town was most cordial in helping plan the workshop, it was well attended, and the attendees felt right at home in a municipal setting.

We would like to hold more of our workshops at facilities like this around the state. Please contact us if your local town hall or other municipal building might be appropriate for such a use. Just think, training on a worthwhile subject right in your own back yard!

We are looking for venues all around the state that hold 75-100 people in a classroom setting, with handicap accessibility and plenty of parking. We will take care of all the details, including lining up caterers and any other necessary vendors in your area.

For more information or to let us know about your town or city, please contact Jessica Hill, VLCT Conference Coordinator at 800/649-7915 or by email at [jhill@vlct.org](mailto:jhill@vlct.org).

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# LEGAL AND REGULATORY NOTES



## DEEMED APPROVAL; APPROPRIATE REMEDY

### DEEMED APPROVAL EFFECTIVELY REVERSES DECISION OF ZONING ADMINISTRATOR

The remedy of deemed approval is a poorly understood concept in Vermont zoning law. The theory, as most observers understand it, is that if an appropriate municipal panel (a zoning board of adjustment, development review board, or planning commission performing development review) fails to issue a decision within the 45-day statutory timeline, the application is deemed to be issued in favor of the applicant. While this substantive remedy holds true, the process by which an applicant may obtain deemed approval is less clear. As the caselaw has developed, it appears that one claiming deemed approval does not have the right to pursue development until a permitting authority has granted a permit, even if the local zoning board has failed to issue a timely decision.

The Environmental Court recently issued a narrow decision in a case involving deemed approval. *Appeal of Nixon, et al.*, No. 21-2-05 Vtec (March 31, 2005). The facts of the case are difficult, and may not provide the best scenario for a court trying to formulate a cohesive rule of law. The case involved a notice of alleged violation issued by the Town of Fairfax zoning administrator (ZA). The notice was issued to a landowner based on the belief that a change of use permit was required under the Town's zoning bylaw. The landowner appealed the notice of alleged violation to the development review board (DRB). In its decision, the DRB stated that it was "unable to come to a decision," and that, "the Board is deadlocked, with no resolution." Once 45 days had passed from the close of the board's final hearing on the matter, no decision approving or denying the project had been granted. Judge Durkin (the new, second

Environmental Court judge) stated, "When a zoning panel fails to act upon an appeal within a 45-day period, 24 V.S.A. § 4470(a) directs that the appeal must be 'deemed approved.'" Interestingly, Judge Durkin applied the *old* deemed approval statute under Chapter 117, as opposed to the new statute, 24 V.S.A. § 4464(b), which became effective on July 1, 2004. Nevertheless, the important principle is that the board's failure to act effectively resulted in a reversal of the ZA's notice of alleged violation.

Another interesting component of the case is that neighbors to the subject property filed a timely appeal of the DRB's "non-decision" with the Environmental Court, an appeal the Court declined to dismiss, even though the DRB's action resulted in a deemed approval for the appellant. There has been much speculation about whether the failure of a board to act, i.e., the board's non-decision, was an action capable of appeal. We see from *Nixon* that it is.

Whether the Court's decision to continue to exercise jurisdiction in this matter will have a result on the law of deemed approval in Vermont remains to be seen.

Looking ahead, in the appeal of the "non-decision" of the Town of Fairfax's DRB, the Court may decide that the deemed approval

granted in the *Nixon* case requires the Town to issue a permit for the alleged change of use. Or, the Court could issue the permit itself. Either way, land use officials in the state will be looking for definitive guidance on the process of issuing permits after deemed approval has been granted. We will keep you posted.

- Brian Monaghan, Attorney, VLCT  
Municipal Assistance Center

### FAILURE TO PURSUE STATUTORY REMEDIES BARS FEDERAL AND STATE CONSTITUTIONAL CLAIMS

One of the underlying principles of our country's legal system is the notion that the judicial branch should not create a legal remedy where the legislative branch has already done so. This principle was recently highlighted by the Vermont Supreme Court in a published entry order, *Graham v. Springfield Vermont School District*, 2005 VT 32 (2005).

The relevant facts of the case follow: The Springfield Vermont School District terminated employee Keith Graham, alleging he stole school equipment. Graham sued

(Continued on next page)

### ALTERNATE DISPUTE RESOLUTION

Grievance and Interest Arbitration – Fact Finding  
Mediation – Internal Investigations – Hearing Officer

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## LEGAL/REG. NOTES -

(Continued from previous page)

the District, asserting he was actually fired because of his union activities, in violation of the federal and state constitutions.

The Court concluded that Graham's free speech claim under the United States Constitution was barred because a statute, 42 U.S.C. §1983, potentially provided Graham an adequate legal remedy. Because of the availability of this remedy, Graham could not bring a claim against the school district for violation of the United States Constitution.

As a municipal employee, Graham could also have brought an unfair labor practice claim under the Vermont Municipal Labor Relations Act, 21 V.S.A. §§1721-1729. The Court concluded that the Municipal Labor Relations Act could also have provided Graham a reasonable remedy for his retaliation claim. Therefore he had no action against the school district for violation of the Vermont Constitution.

This brief entry order provides guidance to municipal employers and employees alike as to the appropriate course certain employment actions should take.

- Jim Barlow, Attorney, VLCT Municipal Assistance Center

# BEAVER MANAGEMENT IN GRAFTON

*(Editor's Note: After dogs, beavers probably come in a close second as the four-footed animal that most often shows up on selectboard agendas. Here, Grafton selectboard member Skip Lisle shares his town's approach when beavers settle into a low-lying area that just happens to have a town highway passing by. Another resource for selectboards and highway departments struggling with the industrious beaver is the Vermont Local Roads program, tel. 800/462-6555. Local Roads, in conjunction with the state Fish and Wildlife department, offers a resource kit and occasional workshops on beaver management.)*

Perhaps for the first time in the history of local government in Vermont (or elsewhere), Grafton recently adopted a budget that included a line item for "flow devices." These are fence and pipe systems used to provide long-term protection of roads from flooding by beavers.

The locations where roads intersect beaver habitat in Grafton are few and finite. (Beavers can only successfully dam low-gradient areas on small streams.) The only other solution at these sites is to remove beaver dams on virtually a daily basis (which if not done may also mean routinely rebuilding roads), or to completely eliminate

beavers from the general area. Because beavers have been slowly recovering from the Fur Trade (ca. 1600-1900) in recent decades, their regional populations are now such that the latter solution is usually a short-term one. Moreover, it requires the permission of landowners where beavers reside, all of whom in Grafton would prefer non-lethal solutions.

Flow devices represent delicate and complex equations. In addition to the phenomenal feat of sneaking water away from nature's greatest aquatic engineers, they have to survive and function in a harsh, fluctuating environment. For example, they cannot impede water flow through culverts during massive flood events. This argues for a coarse fence (a large mesh no smaller than needed to exclude most beavers) with a long perimeter. It also should be a low fence without a roof; even in the worst-case scenario (if the fence becomes clogged) the water can still spill over the top and down through the culvert. Flow devices also must be strong enough to withstand the enormous forces of ice, and the steel wire has to be thick enough to last despite the corrosive effects of acidic water. Lastly, they should be designed so as not to block fish, beavers, and large turtles from moving up and down stream channels. (Smaller mammals like otters and muskrats can go through the mesh fencing.) To generalize, the best flow devices are long and extend well beyond the town right-of-way. Therefore, cooperation between the town and landowners also has to be part of the solution.

Given all these challenges, successful flow devices would be impossible to build if not for one factor: beavers are "hard wired," operate largely on instinct, and do very little deductive reasoning. Fortunately, our intellectual advantage, if combined with a determination not to give up easily, is enough to overcome the amazing tools beavers bring to the table.

By looking 'down the road,' and attempting to eliminate problems for long periods instead of continually re-addressing them, Grafton will save a lot of money, while also becoming a leader in progressive wildlife management techniques.

- Skip Lisle, Selectperson, Town of Grafton  
(Reprinted with permission from the April 2005 Grafton News.)

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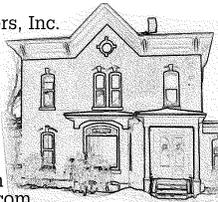
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# ASK THE LEAGUE

## NAMING ROADS; DEDUCTIBILITY OF GIFT TO TOWN; MUD SEASON ROAD RULES

### *Can citizens petition a selectboard to change the name of a road?*

State law vests the authority to name and rename town roads exclusively with the selectboard and citizens cannot compel a selectboard to name or rename a road. 19 V.S.A. § 304(a)(17), 24 V.S.A. §§ 2291(16), 4463(c). Therefore, if a selectboard receives a petition to consider naming or renaming a road, the discretion to act upon the petition resides solely with the selectboard.

Twenty-four V.S.A. § 4463(c) requires that the selectboard hold a public hearing before renaming a public street. While this statute appears to apply only to those roads located within a newly approved subdivision, VLCT recommends holding a hearing whenever the selectboard is considering a name change. We also recommend sending written notification of the hearing to all landowners abutting the street or road.

While the selectboard cannot be compelled to change the name of a road, members should bear in mind that they are elected by, and ultimately accountable to, the citizens of the municipality they serve. The issue of naming or renaming streets can evoke a great amount of public sentiment, and a selectboard should be reticent to dismiss such a request without first hearing from those who made it. Remember, simply holding a public hearing does not obligate a selectboard to name or rename a road. Ultimately, it is the selectboard's decision.

*- Garrett Baxter, Associate, VLCT Municipal Assistance Center*

### *Our town has been raising private funds to renovate the town hall. Some contributors have asked if they can deduct their contributions to the town on their federal income tax returns. What do we tell them?*

Generally, contributors can deduct cash contributions as well as the fair market value of any property donated to local government, but cannot deduct the value of their donated time or services. Contribu-

tions also cannot be deducted if, as a result, the taxpayer receives or expects to receive a financial or economic benefit equal to the contribution. For a contribution of \$250 or more, a taxpayer can claim a deduction only after obtaining a written acknowledgment of the donation from the municipality.

Some contributors, including private foundations and charitable organizations, may ask the town to provide proof of its status as a tax-exempt or charitable entity. If required, a municipality can receive a letter ruling from the Internal Revenue Service (IRS). The procedure is outlined in an IRS publication, Revenue Procedure 2004-1, available at [www.irs.gov](http://www.irs.gov). There is a fee to obtain a letter ruling.

The IRS will also issue a government affirmation letter free of charge. A government affirmation letter describes government entity exemption from federal income tax and cites applicable Internal Revenue Code sections pertaining to deductible contributions. Most organizations and individuals will accept a government affirmation letter as the substantiation they need. Government entities can request a government affirmation letter by calling 877/829-5500.

As everyone is aware, IRS rules are very complicated. Contributors with questions about charitable deductions should speak with their tax preparer. Information on charitable contribution is also available from the IRS at [www.irs.gov/taxtopics/tc506.html](http://www.irs.gov/taxtopics/tc506.html).

*- Jim Barlow, Attorney, VLCT Municipal Assistance Center*

*Mud season has passed and our roads survived, but several log truck drivers complained that garbage trucks were using the roads in violation of the posted limits. A citizen also complained about a tractor pulling a manure spreader and a truck hauling lime to the fields, as both appeared to exceed the posted weight limits. What is the law of mud season road posting and how can we avoid these*

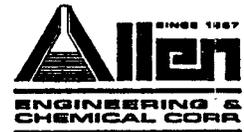
### *problems?*

Road posting is an annual rite of mud season and, whether through common sense or respect for the law, most heavy vehicle drivers stay off the dirt roads during this time of year. But roads can be damaged when posting signs are ignored. Even when roads are not damaged, those who abide by the posting signs will complain that the

*(Continued on next page)*

## VLCT MAC SEEKS ROAD POSTING RULES

Has your town developed rules for restricting the use of town highways during mud season? We would like to share them with other towns. Please send an electronic copy to [tfischer@vlct.org](mailto:tfischer@vlct.org), or mail a copy to Tara Fischer, Vermont League of Cities and Towns, 89 Main Street, Suite 4, Montpelier, VT 05602.



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## ASK THE LEAGUE -

(Continued from previous page)

town is failing to enforce the law against the violators.

The road posting statute is very brief and relatively vague. It requires that the selectboard post copies of rules restricting the use of a town highway in two places and put signs at each end of the road, or portion

of the road, where travel is to be restricted. A person who violates the rules is guilty of a traffic offense and can be fined up to \$100.00. If a road is damaged, the town can bring a civil action to recover against the offender. 19 V.S.A. § 1110.

Unfortunately, the statute does not describe the rules or give any indication of their content. In reality, few towns develop rules for mud season; most simply put up their signs and most people obey them. With regard to farm tractors and lime trucks, there is no exception in the statute for these types of vehicles, as are found in other highway statutes.

Now that mud season has passed, we recommend that you consider developing rules for next year. There are several good reasons to have mud season rules, the first of which is that if the town has not adopted rules, the posted weight restrictions may not be enforceable. Rules also avoid the appearance of arbitrary enforcement. While there may be good reasons to allow farm tractors and garbage trucks limited use of the roads during mud season, it may be hard to explain those reasons to upset log truck drivers and irate citizens. The rulemaking process can be used by the selectboard to think through these reasons before the same issues arise again next year.

- Jim Barlow, Attorney, VLCT MAC

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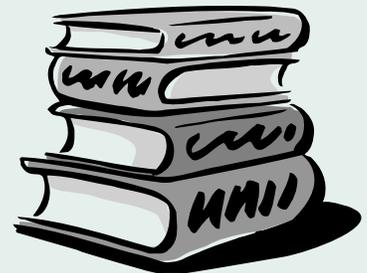
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- ♦ On-site workshops on topics such as financial management, land-use planning, and the proper functioning of municipal boards and commissions.
- ♦ Consulting services such as meeting facilitation, mediation, and personnel recruitment.
- ♦ Manuals and handbooks which provide a plain-English guide to state and federal laws.
- ♦ Regular surveys on salaries and benefits, municipal practices, rates and fees, etc.
- ♦ Model ordinances, bylaws, and policies.

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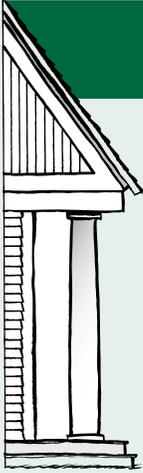
## AVAILABLE FROM THE VLCT LIBRARY

VLCT recently received a copy of new, third edition of *The Effective Local Government Manager*. Published by the International City/County Management Association (ICMA), this book is a comprehensive guide to successful local governance using the governing board/manager model. The topics covered range from achieving effective community leadership to leading a manager's life.

If you would like to borrow *The Effective Local Government Manager* from VLCT, please contact David Gunn, VLCT Administrative Services Assistant, telephone, 800/649-7915, e-mail, dgunn@vlct.org. You may also purchase a copy of the book from the ICMA Distribution Center, telephone, 800/745-8780, or on-line at bookstore.icma.org.



Also available from VLCT is the New England Interstate Water Pollution Control Commission's booklet, "Protecting Drinking Water Sources in Your Community: Tools for Municipal Officials." This publication focuses on land use strategies, septic systems, underground storage tanks, hazardous materials, and stormwater management. For a copy, please contact Karen Horn, Director, VLCT Legislative and Membership Services, at khorn@vlct.org. You may also download a copy in PDF format from www.neiwpc.org.



## CUTS (COMMUNICATIONS UNDER TEN SENTENCES)

### HEALTH SAVINGS ACCOUNT WORKSHOPS START JUNE 7

The VLCT Group Services Member Relations Department is hosting four morning workshops (lunch included) in June to introduce Health Trust members to Health Savings Accounts, and how they might be paired with High Deductible Health Plans. The workshops will be repeated at four locations around the state to ensure that they are convenient to all members.

Please visit [www.vlct.org/calendar](http://www.vlct.org/calendar) for more information. Once you have reached the on-line calendar, pick June 7, 8, 9 or 10 to view an agenda for the workshops and to register on-line. The workshops are free to VLCT Health Trust members. We look forward to seeing you there.

### WELCOME

The **Franklin County Natural Resources Conservation District** recently joined VLCT PACIF, bringing the total PACIF membership up to 342.

### WELCOME

**Tom Yenerell**, West Rutland Town Manager, was recently named an alternate member of the VLCT PACIF Board of Directors. Besides his current position, Tom has municipal experience as a member of the Pittsfield Selectboard and Planning Commission. In the private sector, he is a former owner/operator of a lodging establishment.

Tom took the place of **Dennis Gravelin**, South Burlington Assistant Manager, who moved into another seat on the Board that was vacated last fall when **Brendan Keleher** left the PACIF Board to join the VLCT Board. We welcome Tom to the VLCT PACIF Board and look forward to putting his municipal and business experience to good use!

### GOOD DENTAL INSURANCE NEWS

VLCT Health Trust members recently received notice in the mail of their FY 2006 dental insurance rates. The news is good this year, with only a 2.6% increase - well below dental cost trends.

The Health Trust's dental rate increases through Northeast Delta Dental have moderated from a recent high of 8% in 2003 to 4.27% in 2004 to 2.6% today. If your municipality would like information about joining the Health Trust's dental plan, please visit <http://groupservices.vlct.org/>, select Services & Programs, Dental. You may also call Kelley Avery, Administrative Assistant, Member Relations, at 800/649-7915.

### EMPLOYEE ASSISTANCE PROGRAM (EAP)

Money a problem? Not enough to go around? Living paycheck to paycheck? Credit card debt piling up? Wondering about financing a house, college or retirement?

EAP can help! Call 800/287-2173 for assistance. The VLCT Employee Assistance Program is co-sponsored by the VLCT Health and PACIF Trusts for their member municipalities. Employees *and their household members* are eligible to use the EAP for free.

## Introducing...



Need help finding help?  
*Dialing 2-1-1 is your first step.*

Vermonters have a new service available to them called "2-1-1." The state-wide helpline provides confidential information and referral to vital community resources.

2-1-1 is an easy-to-remember three-digit dialing system (similar to 9-1-1 and 4-1-1) that makes a simple, but critical connection between individuals and families seeking services or volunteer opportunities with the appropriate community-based organizations and government agencies.

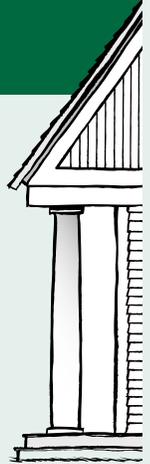
**Dial "2-1-1" from anywhere in Vermont**  
Call 1-866-652-4636 toll-free within Vermont  
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Helpline staff is available M-F, 8:30am to 4:30pm.

Vermont 2-1-1 is a program of United Ways of Vermont, and is funded by individual United Ways throughout Vermont, the Vermont Agency of Human Services, and grants from local foundations. Significant in-kind support has been received from IBM Corporation and Downs, Rachlin, and Martin PLLC.

*In Vermont call 9-1-1 to save a life,  
stop a crime, report a fire; call 2-1-1 for  
community information and referral.*





## TEN STEPS TO MANAGE STRESS

Your body reacts to stress in many ways. For example, you may experience:

- Sweating
- Cold hands
- Knots in your stomach
- Pounding heart
- Muscle tension
- Heart disease
- Lowered resistance to all sorts of illnesses
- Insomnia
- High blood pressure
- Depression

If these symptoms are temporary and occur rarely, they are probably okay. However, if stress goes on too long, your body suffers, and serious health problems can result, such as:

- Tension headaches
- Ulcers



If these symptoms persist, see your physician!

Stress can also interfere with your ability to concentrate, which can put you at greater risk of having an accident on the job, at home, or on the road.

Although you may not be able to avoid stress, you *can* manage it. Here's how:

1. **Get enough sleep.** Give your body a chance to pull itself together, especially when you're under pressure.
2. **Exercise regularly.** It helps relax muscle tension and makes you feel better.
3. **Reduce consumption of alcohol, sugar, and caffeine.** The things we take to relieve stress often add to it.
4. **Minimize the hassles.** Leave earlier for work to avoid rush hour traffic or take a less crowded route. Shop when stores

are less crowded.

5. **Set priorities.** No one can do it all - and certainly not all at once. Prioritize tasks and do them one at a time.
6. **Try persuasion instead of confrontation.** A little give and take reduces much strain.
7. **Share your problems.** Talk to a friend, family member, or professional counselor about things that are getting to you. Don't keep things bottled up.
8. **Set aside time to relax.** Leave a little time each day to put your feet up and give your body time to unwind.
9. **Watch out for making too many changes at the same time.** When you're facing big changes at work or in your personal life, wait for a while before taking on something else that's stressful.
10. **Keep things in perspective.** Learn to laugh a little at all the things driving you nuts. It doesn't change anything, but it helps take the pressure off.

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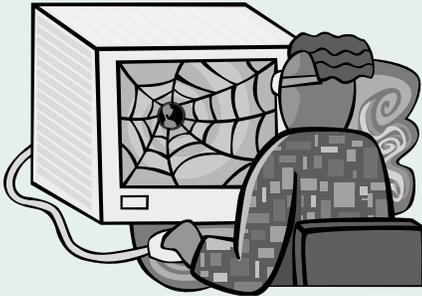


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Long Term Care Insurance





## GovOFFICE USERS REACH 32



Twenty-nine Vermont municipalities, a regional planning commission, a local chamber of commerce and a local economic development corporation are now using GovOffice software for their Web sites.

If your municipality is interested in this easy-to-use and maintain Web site development tool, which is also very reasonably priced, please visit [govoffice.com](http://govoffice.com) or contact Michael Gilbar, Director, VLCT Administrative Services, telephone, 800/649-7915, e-mail, [mgilbar@vlct.org](mailto:mgilbar@vlct.org).

VLCT has partnered with GovOffice as a way to help Vermont municipalities realize the efficiencies and citizen satisfaction that can result from a well-designed and comprehensive municipal Web site. We'd be happy to let you know who is using GovOffice so you can visit their sites and decide if it is the right program for your municipality.

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# Tech Check



## THE FUTURE OF THE INTERNET

In September 2004, the Pew Internet Project sent an e-mail invitation to a list of respected technology experts and social analysts, asking them to complete a 24-question survey about the future of the Internet. We also asked the initial group of experts to forward the invitation to colleagues and friends who might provide interesting perspectives. Some 1,286 people responded to the on-line survey between September 20 and November 1, 2004. About half are Internet pioneers and were on-line before 1993. Roughly a third of the experts are affiliated with an academic institution and another third work for a company or consulting firm. The rest are

divided [among] non-profit organizations, publications, and the government.

**Some 66% agreed with the following prediction: At least one devastating attack will occur in the next 10 years on the networked information infrastructure or the country's power grid.** This survey finds there is a strong across-the-board consensus that the Internet will become so important to users in the coming decade that the network itself will become an inviting target for attack. By a nearly 3-1 margin, the experts in this survey expressed worry about the vulnerability of the Internet and the likelihood of an attack on the underlying

infrastructure within the next ten years. As one expert wrote, "A simple scan of the growing number and growing sophistication of the viral critters already populating our networks is ample evidence of the capacity and motivation to disrupt." Eleven percent disagreed with the prediction and 7% challenged it, including some who argued that they did not expect any attack to be serious enough to involve loss of life or a very long outage.

**The Internet will be more deeply integrated in our physical environments and high-speed connections will proliferate – with mixed results.** There was little disagreement among experts that broadband adoption will grow and that broadband speeds will improve. Nor was there much doubt that vastly more people and objects would be linked on-line in the next decade. Experts envision benefits ranging from the ease and convenience of accessing information to changed workplace arrangements and relationships. At the same time, a majority of experts agreed that the level of surveillance by governments and businesses will grow.

Some of the highlights:

- 59% of these experts agreed with a prediction that more government and business surveillance will occur as computing devices proliferate and become embedded in appliances, cars, phones, and even clothes.
- 57% of them agreed that virtual classes will become more widespread in formal education and that students might at least occasionally be grouped with others who share their interests and skills, rather than by age.
- 56% of them agreed that as telecommuting and home-schooling expand, the boundary between work and leisure will diminish and family dynamics will change because of that.
- 50% of them believe that anonymous, free, music file-sharing on peer-to-peer networks will still be easy to perform a

*(Continued on next page)*

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Phone: 802-334-5326  
Fax: 802-334-1610  
Toll Free: 888-603-6362  
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888-800-4232



## TECH CHECK -

(Continued from previous page)

decade from now.

At the same time, there were notable disagreements among experts about:

- whether Internet use would foment a rise in religious and political extremist groups;
- whether Internet use would usher in more participation in civic organizations;
- whether the widespread adoption of technology in the health system would ameliorate the most knotty problems in the system such as rising costs and medical errors; and
- whether Internet use would help people expand their social networks.

Finally, the experts were relatively unconvinced about two suggested impacts of the Internet related to democratic politics and processes:

- Just 32% of these experts agreed that people would use the Internet to support their political biases and filter out information that disagrees with their views. Half the respondents disagreed with or disputed that prediction.
- Only 32% agreed with a prediction that on-line voting would be secure and widespread by 2014. Half of the respondents disagreed or disputed that idea.

**In the emerging era of the blog\*, experts believe the Internet will bring yet more dramatic change to the news and publishing worlds. They predict the least amount of change to religion.** Asked to rate the amount of change that is likely in a variety of institutions in the next decade, the Internet experts predicted the most radical change in news and publishing organizations and the least amount of change in religious institutions. They also predicted large-scale change to educational institutions, workplaces, and health care institutions. They believe that families and communities will experience change, but not as much as other social arrangements.

Here are examples of experts' reflections:

- "Connections across media, entertainment, advertising, and commerce will become stronger with future margins going to a new breed of 'digital media titans' ... Well-branded innovators such as Google and Starbucks have a chance to build all-new distribution models tied to ad revenue and retail sales."
- "Health care is approximately 10 years

behind other endeavors in being transformed, and will experience its boom in the next 10 years."

- "Government will be forced to become increasingly transparent, accessible over the Net, and almost impenetrable if you're not on the Net."
- "Digitization and the Internet make for a potent brew ... TiVo kills the commercial television format. Napster, Kazaa, and iPod kill the 'album' format. In the future, everyone will be famous for fifteen minutes in their own reality show."
- "Hyperlinks subvert hierarchy. The Net will wear away institutions that have forgotten how to sound human and how to engage in conversation."
- "The 'always-on' Internet, combined with computers talking to computers, will be a more profound transformation of society than what we've seen so far."
- "The next decade should see the development of a more thoughtful Internet. We've had the blood rush to the head, we've had the hangover from that blood rush; this next decade is the rethink."
- "The dissemination of information will increasingly become the dissemination of drivel. As more and more 'data' is posted on the Internet, there will be increasingly less 'information.'"

**Experts are both in awe and in frustration about the state of the Internet. They celebrate search technology, peer-to-peer networks, and blogs; they bemoan institutions that have been slow to change.** We asked the experts to tell us what dimensions of on-line life in the past decade have caught them by surprise. Similarly, we asked about the changes they thought would occur in the last decade, but have not really materialized. Their narrative answers could be summarized this way:

- *Pleasant surprises:* These experts are in awe of the development of the Web and the explosion of information sources on top of the basic Internet backbone. They also said they were amazed at the improvements in on-line search technology, the spread of peer-to-peer networks, and the rise of blogs.
- *Unpleasant surprises:* The experts are startled that educational institutions have changed so little, despite widespread expectation a decade ago that schools would be quick to embrace change. They are unhappy that gaps exist in Internet access for many groups – those with low income, those with lower levels of educa-

tional attainment, and those in rural areas. And they still think there is a long way to go before political institutions will benefit from the Internet.

**These survey results and written commentary from experts add to a growing database of predictions and analysis from trendsetters about the impact of the Internet.** At the invitation of the Pew Internet & American Life Project, Elon University assistant professor Janna Quitney Anderson formed a research class in the spring semester of 2003 to search for comments and predictions about the Internet during the time when the World Wide Web and browsers emerged, between 1990 and 1995. The idea was to replicate the fascinating work of Ithiel de Sola Pool in his 1983 book *Forecasting the Telephone: A Retrospective Technology Assessment*. Elon students looked in government documents, technology newsletters, conference proceedings, trade newsletters and the business press. Eventually, more than 1,000 people were logged in the predictions database and more than 4,000 predictions were amassed. The fruits of that work are available at: <http://www.elon.edu/predictions/> and they are also the basis for a forthcoming book by Anderson called *Imagining the Internet*.

The material from this survey is being added to the database. We hope the database will provide a resource for researchers and students to assess the evolution of the Internet. Further, we invite readers of this report to enter their own predictions at that site.

- by *Susannah Fox, Associate Director; Janna Quitney Anderson, Elon University; Lee Rainie, Director, Pew Internet and American Life Project, 1615 L Street, NW, Suite 700, Washington, DC 20036, 202/419-4500 or <http://www.pewinternet.org>*

\* Blog is short for Weblog, a journal that is frequently updated and intended for general public consumption. Blogs generally represent the personality of the author or the Web site.



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Vermont's ambulances now come equipped with new tools that help provide comfort and treatment to children—teddy bears. Blue Cross and Blue Shield of Vermont and The Vermont Health Plan learned that emergency crews use such toys to open the lines of communication between EMTs and children, who respond positively to the familiar comfort of a teddy bear. Teddy bears for children, the most innovative health plans, and the largest provider networks in the state—these are signs of a healthier Vermont. To learn more about The Vermont Health Plan, our teddy bear initiative and other programs, visit [www.bcbsvt.com](http://www.bcbsvt.com).



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The Vermont Planners Association is accepting nominations through **Thursday, June 16, 2005** for its annual awards competition. Awards will be made in the following categories: Outstanding Planning Project, Outstanding Plan, Outstanding Citizen Planner, and Outstanding Professional Planner. For more information, contact Jessica Hill at [jhill@vlct.org](mailto:jhill@vlct.org).

**TRIVIA**

They are unbeatable. Royalton's trivia gurus beat everyone to the punch again this month. **Royalton Administrative Assistant Jackie Higgins** correctly answered that Annette Parmelee, from Enosburg Falls, was instrumental in the woman's suffrage movement in Vermont. Parmelee was known as the Suffragette Hornet.

Let's try to stump Royalton with June's challenge:

**This railroad foreman met with an unfortunate accident in 1848 in Cavendish that earned him the dubious distinction of being a famous patient. Who was he and what happened to him? For extra credit: Who was the doctor who treated him?**

Contact us with your answer: VLCT, 89 Main Street, Suite 4, Montpelier, VT 05602, tel. 800/649-7915, fax, 802/229-2211, e-mail, [kroe@vlct.org](mailto:kroe@vlct.org).



## CLASSIFIEDS -

(Continued from Page Fifteen)

in northeastern Chittenden County that demands a very diverse range of municipal planning activity. The Town seeks an individual to assume responsibility for its planning program that includes land use planning and regulation, housing policy, natural resource and open space planning. Education/Experience: Preference given to those with a Master's degree in Planning, Public Administration or related field, and those with five years of professional planning experience, at least two of which are at the municipal level. Skills/Characteristics: Working experience with MS Office and ArcGIS necessary. Proven experience in complex planning activities, ability to work independently, excellent organizational skills, maintaining productive and harmonious relationships, and presentation of ideas and findings in a clear, concise manner. This full-time position offers competitive salary/benefits commensurate with background and experience. Application review begins **June 1, 2005** and continues until the position is filled. Send cover letter, resume, professional writing sample and salary history to: Town Planner Search Committee, P.O. Box 39, Jericho, VT 05465. EOE. (5-11)

**Part-time Staff Planner.** The Town of Richmond, Vt. is seeking qualified persons to apply for the new town position of part-time Staff Planner. The Planner, working approximately 16 hours per week, will help the planning commission complete statutory and long-range planning objectives. Additional duties include grant writing and administration, development of local ordinances and GIS mapping projects. Salary dependant upon qualifications and experience. Send resume and three references by **June 24, 2005** to: Planner Search, P.O. Box 285, Richmond, VT, 05477. Direct requests for a copy of the job description and any questions to Ron Rodjenski, Town Administrator, at 802/434-5170 or townadministrator@richmondvt.com. EOE. (5-13)

**Finance Director.** The Town of Randolph, Vt. has an immediate opening for the position of Finance Director. Qualified

## JOHNSON BREAKS GROUND

(Continued from Page One)



*Ground is broken for the Village of Johnson's new fire station. The original station was destroyed by fire on February 8, 2004. The estimated completed cost of the new fire station is \$1,100,000. VLCT PACIF's contribution to the replacement is \$708,293.*

*A big show of support from the Johnson community in the form of donations and in-kind services will make up the difference between what the old fire station was insured for through PACIF and the final cost of the new one. "I was very impressed with the level of support the fire department is receiving," VLCT Senior Claims Representative Kelly Kindestin commented. "Donations, from raffles to in-kind assistance from a variety of contractors, are pouring in. What impressed me the most is that one individual, Sheldon Osgood, will donate his time and materials for the masonry work on the front of the building. All this help and support will ensure that the Village meets its fundraising goal."*

applicants should possess a Bachelor of Arts Degree, with major course work in accounting, finance, or related field. Minimum of five years experience, preferably in a municipal environment, with supervisory responsibilities. Salary dependant upon qualification, plus excellent benefits. Interested individuals should submit resume, letter of interest, by **June 17, 2005**, to Town Manager's Office, Drawer B, 7 Summer Street, Randolph, VT 05060. (5-13)

## CALENDAR -

(Continued from Page Sixteen)

conference will address the challenges of building unity in the face of social, economic, and cultural change. It will look at how our rural communities build bridges between parts of their communities to get things done. Participants will discuss their ideas, share success stories, and learn from each other (and from providers) about tools and resources available to communities. For more information, contact [vcrd2@sover.net](mailto:vcrd2@sover.net).

**VLCT Town Fair.** Sponsored by VLCT and VLCT Group Services. Wednesday, September 14, 2005, Killington Grand Hotel, Killington, Vermont. This annual event returns to Killington in 2005. Enjoy a full day of training, exhibits, the VLCT Annual Meeting and, of course, that famous turkey dinner. Watch your mail in early July for complete registration materials.



# Classifieds

Please visit the VLCT Web site to view many more classified ads: [www.vlct.org/classifieds.cfm](http://www.vlct.org/classifieds.cfm). You may also submit your ad via an e-mail link on this page of the site.

## FOR SALE

**Mobile Office Trailer.** Three-year old mobile office trailer for sale at best offer. Trailer is 12' wide x 13.6' high x 32' long (376 sq. ft.). Shipping length is 36'. Trailer has two office areas, a bathroom with shower, and is heated and air-conditioned. Used as a scale house office and staff lunchroom/locker room. Located at the Addison County Solid Waste District

## 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.

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 the next 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](mailto:kroe@vlct.org).

Transfer Station at 1223 Route 7 South, Middlebury, Vt. Buyer is responsible for removing and transporting the trailer, at his or her expense, from the Transfer Station site. Call the office to arrange an inspection of the trailer during office hours (8:00 a.m.-4:00 p.m., Monday-Friday, excluding holidays). A detailed specifications sheet is available. Call the District at 802/388-2333 or visit [www.acswmd.org](http://www.acswmd.org). (3-23)

**1994 Mack truck.** For sale by sealed bid. R model, 9-speed Fuller transmission, 275 HP Mack engine, 7-yard body with tailgate sander and wing. Minimum bid \$24,000. Contact Town of Walden road foreman Carroll Hall at 802/563-2504 (802/533-2289, evenings). Bids will be opened **June 13, 2005**. Please submit bids to: Walden Town Clerk, 12 Vt. Route 215, West Danville, VT 05873. (4-6)

**1995 International Truck.** The Town of Wallingford, Vt. has for sale a 1995 International Truck, 10' dump body, DT 466, 250 HP, 7-speed, 76,760 miles, 5,708 hours. Plow frame attached, 11' funnel plow and piped for drop-in sander. Good condition. The Town reserves the right to reject any and all bids. The truck will be sold "as is" with *no warranties*. Asking \$6,000. Call the Wallingford Town Garage (River Street, Wallingford) at 802/446-2472 to see the vehicle, or call 802/446-2872 for a spec sheet. Send bids to Wallingford Selectboard, P.O. Box 327, Wallingford, VT 05773. (5-11)

## REQUEST FOR AUDIT SERVICES

The Berlin, Vt. selectboard is requesting proposals from independent certified public accounting firms to conduct annual audits at the end of Fiscal Years ending June 30, 2005, 2006 and 2007. To obtain the RFP submission requirements, contact the Town Administrator's Office at 802/223-4405. Mark RFPs

"RFP – Audit Services" and mail or deliver to the Town Administrator's Office, Municipal Office Building, 108 Shed Road, Berlin, VT 05602 **by 12 noon, Friday, June 3, 2005**. All RFPs will be opened and read aloud at the selectboard meeting on June 6, 2005 at 7:00 p.m. The selectboard reserves the right to accept or reject any and all RFPs. (5-5)

## HELP WANTED

**Zoning Administrator/Health Officer.** The Town of Jericho, Vt. is accepting resumes for this combined position. Percentage FTE yet to be determined. Please contact Cyndi Humphrey, Town Administrator, 802/899-9970, or [cyndijersb@adelphia.net](mailto:cyndijersb@adelphia.net) for complete job description. (4-14)

**Interim City Manager.** Barre, Vt., a full-service city with a population of 9,200 people, is seeking a full-time interim manager for a minimum six-month term, appointed by a Mayor and six-member Council. The Manager will be responsible for an \$8 million General Fund budget, \$4 million Water and Sewer Budget, and directing 100 full-time employees. A BA/BS degree in Finance, Business, or Public Administration required; MPA/MBA preferred. Experience in labor negotiations, municipal fiscal management and budgeting required. Strong computer skills are necessary, with expertise required in spreadsheet development and use. This is a full-time (40 hrs. per week) position with an annual salary range of \$50,000-\$60,000 DOQ. Barre offers an excellent benefit package and use of City vehicle and phone. Send or e-mail cover letter, detailed resume and three work-related references **by June 13, 2005** to: Mayor Peter D. Anthony, City of Barre, 6 North Main Street, Suite 2, Barre, VT 05641-4193. Mark envelope "Interim Manager Application." EOE/MF. (5-10)

**Town Planner.** The Town of Jericho, Vt. is a growing community of over 5,000

(Continued on Page Fourteen)



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## Calendar

*For more information about the following workshops or events, please contact Jessica Hill, VLCT Conference Coordinator, tel., 800/649-7915; e-mail, [jhill@vlct.org](mailto:jhill@vlct.org). Or, visit [www.vlct.org](http://www.vlct.org), select the Calendar, and select a workshop for more information or to register on-line. On-line registration option is available for VLCT workshops and events only.*

**Clerks and Treasurers.** Thursday, May 26, 2005, Capitol Plaza Hotel, Montpelier. Sponsored by the VLCT Municipal Assistance Center. This annual workshop will focus on the nuts and bolts issues faced by municipal clerks and treasurers. Particular attention will be given to licensing dogs, record keeping requirements, and recent statutory changes.

**An Introduction to Health Savings Accounts.** Tuesday, June 7, S.

Burlington, Wednesday, June 8, St. Johnsbury, Thursday, June 9, Bennington, and Friday, June 10, 2005, Hartford. Sponsored by the VLCT Group Services Member Relations Department, which will provide an overview of how a High Deductible Health Plan works with a Health Savings Account. The morning workshop, with lunch, is free for VLCT Health Trust members.

**Planning and Zoning Series #4, Roles & Responsibilities in Planning & Zoning.** Thursday, June 9, 2005, VIT sites throughout the state. Sponsored by the VLCT Municipal Assistance Center and your local regional planning commission.

**Spring Workshop and Annual Meeting.** Tuesday, June 14, 2005, Suzanna's Restaurant, Berlin. Sponsored by the Vermont Government Finance Officers Association, this workshop offers sessions on fraud audits, performance

management, personnel issues and new legislation. For more information, contact Jessica Hill at VLCT.

**2005 Legislature Wrap-up Tour.** Friday, June 24, Burlington, City Hall Conference Room 12; Monday, June 27, Brattleboro, Selectboard Meeting Room; Tuesday, June 28, Newport City, City Council Room; and Wednesday, June 29, 2005, Rutland Town, Town Hall (downstairs), all 9 a.m. – 11 a.m. VLCT legislative staff will travel around the state to present information on laws that are new or changed as a result of the 2005 legislative session. Bring your questions and be prepared to learn!

**Beyond the Divide, Conflict and Paths to Community Success.** Vermont State House, Montpelier, Tuesday, August 9, 2005. Annual roundtable conference sponsored by the Vermont Council on Rural Development. This year the

*(Continued on Page Fourteen)*