

VLCT NEWS

A PUBLICATION OF THE VERMONT LEAGUE OF CITIES & TOWNS

SERVING AND STRENGTHENING VERMONT LOCAL GOVERNMENTS

November 2005

TOWN FAIR 2005 A SUMMER'S DAY IN THE MOUNTAINS

ST. JOHNSBURY EXPLORES ALL ECONOMIC DEVELOPMENT OPTIONS

EMINENT DOMAIN INCLUDED AMONG THEM

(Editor's Note: St. Johnsbury Manager Mike Welch was recently asked to prepare a piece for a statewide magazine on eminent domain for economic development purposes. He was kind enough to share his perspective with the VLCT News, as municipalities across the country are reacting to the recent U.S. Supreme Court decision on the subject.)

The ability for the government to take real property from its citizens – even if the property is not for sale, and we do not wish to sell it – is a principle of governmental authority that is, and rightly so, an ongoing subject for public debate and legal scrutiny.

The Constitution of the State of Vermont, Chapter 1, Article 2 states, "That private property ought to be subservient to public uses when necessity requires it, nevertheless, whenever any person's property is taken for the use of the public, the owner ought to receive an equivalent in money." This provision of the State Constitution

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While the award winners, the speakers, and, of course, the turkey dinner, were popular at the annual Town Fair luncheon, this year the Vermont Local Government Quilt stole the show. Forty-seven municipalities are represented on the Quilt, which was unveiled by Governor Douglas at the luncheon. The artistry and variety drew quite a crowd of onlookers, as they searched for their town and admired the handiwork.

VLCT staff member Patricia Boyle, who stitched the quilt together, and the quilters themselves (see list on Page Nine in this issue), deserve many thanks for their work. If your town has not yet sent in a square (10"x 10" square with an 8"x 8" design), please do. We will continue to make quilts until all Vermont municipalities are represented. We plan to display the first quilt in the VLCT office conference room; others will be on display in public spaces around our office. If you have any questions, please contact Pat at pboyle@vlct.org or 800/649-7915.

(See next page for more Town Fair coverage.)

NATIONAL FLOOD INSURANCE PROGRAM AGAIN IN THE SPOTLIGHT

The devastation brought upon Louisiana and Texas by Hurricanes Katrina and Rita, along with the recent flooding closer to home in Southwestern New Hampshire, have prompted the state Department of Banking, Insurance, Securities, and Health Care Administration (BISHCA) to remind home and business owners about the National Flood

Insurance Program (NFIP).

BISHCA recently issued a press release alerting homeowners to the fact that a standard homeowner's insurance policy does NOT cover damage from flooding. Flood insurance must instead be purchased separately; a common option

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TOWN FAIR 2005

A gorgeous, sunny day greeted VLCT members attending our annual Town Fair on September 14. A temperature of 80-plus degrees welcomed local officials from all over Vermont to the Killington Grand Hotel and Conference Center for Town Fair's mix of workshops, awards, annual meetings,



The beautiful weather was particularly enjoyed by Town Fair's outdoor exhibitors.

exhibitors and, of course, the Turkey Dinner.

Over 300 local officials turned out to learn about issues facing today's municipal employees. Trainings were offered on topics ranging from Water Quality Issues to Health Legislation Updates. The ever-popular Local Officials Legal Roundtable drew a large, engaged crowd in the morning. In addition, attendees were given free time to investigate



David Sichel, left, VLCT Director of Group Services, and Patrick Scheidel, right, Essex Manager and President of the VLCT PACIF Board of Directors, prepare for the annual meetings of VLCT PACIF and the VLCT Unemployment Trust. Both meetings were held in conjunction with Town Fair.

TOWN FAIR RESULTS

\$100.00 GRAND RAFFLE WINNERS

- Gloria Brunette – *Fletcher*
- Steven Hier – *Weathersfield*
- Phyllis Newton – *Vernon*
- David Crawford – *Morristown*
- Erwin Tobin – *Rupert*
- Carol Hammond – *Vernon*
- Loretta Lawrence – *Ferrisburgh*
- Bob Cleaves – *Williamstown*
- Lamont Barnett – *Rockingham*
- Leigh Smith – *Swanton*

Municipal Person of the Year

Michael Welch

Town Citizenship Award

Roland Piexotto and Clair Hesselton

Lifetime Achievement Award

J. Douglas Webb

Town Government Award

James Impey

Legislator of the Year Award

Senator James Jeffords

CONGRATULATIONS!



The Weston & Sampson Engineers' booth featured its Third Annual Town Fair Essay Contest. The winner was Charles Kellogg, Selectboard member from the Town of Benson. Charles won an original painting of a scene in Stowe, looking up toward Mt. Mansfield.

products on display from more than 100 vendors, who were selling everything from insurance to monuments. Please contact Jessica Hill, VLCT Conference Coordinator, at 800/649-7915 for more

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LEGAL AND REGULATORY NOTES



CONDOMINIUM TAXATION; ACT 60; ELECTION WORKER EARNINGS

CONDOMINIUM TAXATION INCLUDES INTEREST IN CONDOMINIUM ASSOCIATION

The Town of Warren has won a reversal in a property taxation matter that it had lost before the state appraiser. *Barrett v. Town of Warren*, 2005 VT 107 (September 16, 2005). The primary question in the

criteria were met for setting the fair market value of the property, pursuant to 32 V.S.A. § 3481 ("Listed value" shall be an amount equal to 100 percent of the appraisal value). As viewed by a court, a town, as the taxing authority, bears the burden of proving appraisal value. Once this burden is met, the plaintiff carries the burden of persuasion

As viewed by a court, a town, as the taxing authority, bears the burden of proving appraisal value. Once this burden is met, the plaintiff carries the burden of persuasion on the issues he or she raises.

case was whether a condominium owner's partial ownership in the condominium association should offset the valuation of the condominium itself. While there are numerous condominiums in Vermont, and the associated appraisal process is relatively simple (as compared to other types of real property), the particular theory on which this appeal was based, and the corporate composition and assets of the condominium association are quite unique.

For the Supreme Court, the question in the case was whether the statutory appraisal

on the issues he or she raises. Barrett, the plaintiff condominium owner, argued that the Town may not tax his interest in the condominium owners' association, because it is intangible personal property, and not real property, as is taxable under the statute.

The question for the Supreme Court was whether this argument could overcome the initial appraisal evidence presented by the Town. The Court will not overturn the town's appraisal unless the taxpayer/appellant can show that the Town's appraisal was arbitrary or unlawful. This is a standard that is not easily reached.

Under Barrett's theory, he claimed that his interest in the association was essentially a liability, and that the value of his property should be reduced by some factor. In fact, the state appraiser lowered the value of the Barrett's property by simply calculating his .88% share of the Association's total equity, and took the condominium's value from that figure. The Supreme Court overturned this decision on the basis that the taxpayer's membership in the association, while intangible, is inextricably linked to the value of this property, and thus, is subject to taxation under the appraisal statute.

- Brian Monaghan, Attorney, VLCT Municipal Assistance Center

ACT 60 IS BACK IN COURT ... TO BE CONTINUED

Education funding is an issue that refuses to put itself to bed in Vermont, as in many other states. The monster has reared its head again in another lawsuit entitled *Brigham v. State*, 2005 VT 105 (September 12, 2005) ("Brigham II"). The Supreme Court has remanded a decision of the Washington Superior Court to address the merits of the issues raised by the plaintiffs. This action is a different Brigham than what we saw in the *Brigham v. State* ("Brigham I") case that led to the creation of Act 60, the education funding law that we see, more or less, in place today.

The decision in Brigham II is a highly technical legal decision that does not address the policy arguments raised by the plaintiffs, who are both public school students and taxpayers. The students allege that Act 60 is unconstitutional, because it does not remedy the inequality in public education that was found in Brigham I. The students argue that Act 60 is unconstitutional because it violates the common benefits clause of the Vermont Constitution (Chapter I, Article 7), as well as the provision specifying that "a competent number of schools ought to be maintained in each town unless the general assembly permits other provisions for the convenient instruction of youth . . ." Vermont Constitution Ch. II, § 68.

The Washington Superior Court never reached a substantive decision on either of these claims, stating, ". . . the continuation of this case would not only be disrespectful of the political process underway, it could harm the political process by delaying it or distracting attention and resources more productively focused on it, or derailing it with unnecessary mandates or, worse, the unnecessary perception of mandates." Essentially, the Superior Court sidestepped

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LEGAL/REG. NOTES -

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the case on the notion that judges should steer clear of political issues that are better left to the legislative and executive branches to determine.

Nevertheless, the Vermont Supreme Court, on appeal, reversed the lower court's decision. The Court remanded the case, stating, "Rather than conducting an analysis on whether plaintiffs met the requirements of [the rule], the superior court improperly relied on the notion of judicial restraint in dismissing the complaint." Furthermore, the Supreme Court stated that the judicial system is required to hear this sort of case, as, "Adjudicating cases involving alleged violations of plaintiffs' constitutional rights resulting from a legislative enactment does not undermine the legislative process, nor is it disrespectful of the other branches of government." Rather, determining possible constitutional violations, the Court reasoned, is precisely the job of the judiciary.

This case is not the end of the story. Education funding in Vermont will continue to be litigated, and whatever the outcome of

the case, there will be a substantive impact on Vermont municipalities, at least in so long as we continue to rely on municipally-collected property taxes to fund education.

- Brian Monaghan, Attorney, VLCT
Municipal Assistance Center

ELECTION WORKER EARNINGS THRESHOLD

The Social Security Administration (SSA) recently announced that the election worker coverage threshold for 2006 is \$1,300. The threshold had been \$1,200 since 2002.

As stated by the SSA on its Web site, "A coverage threshold is an amount of earnings that triggers coverage under the Social Security program. Earnings *below* the threshold are not taxable under Social Security nor do such earnings count toward future benefits."

STATE BOARD SEEKS INPUT ON MUNICIPAL PUBLIC SAFETY NEEDS

In 2004, the Vermont Legislature created the Law Enforcement Advisory Board (LEAB). The Board was created to advise the Commissioner of Public Safety, the Governor, and the General Assembly on issues involving the cooperation and coordination of all agencies that exercise law enforcement responsibilities. Members of LEAB include representatives of the state police, defender general, attorney general, state's attorney, municipal police departments, sheriffs, and VLCT.

The 2005 Legislature directed LEAB to develop several pilot projects that would provide local law enforcement to enhance day-to-day public safety needs. The idea is that, particularly in rural areas, municipal public safety needs are not fully met.

Last month, VLCT staff sent an inquiry to municipalities that do not have municipal police departments, asking if they would be interested in working to develop a model for police coverage in those communities. Several concepts for models have been discussed within the LEAB, but they are by no means the only possibilities out there.

The ideas discussed thus far are:

- 1) A resident trooper program that assigns a state trooper to one or more communities.
- 2) Sheriffs could augment police coverage in one or more municipalities.
- 3) Create a new municipal police department.
- 4) Work with multiple municipalities to share services through intermunicipal agreements, contracts or similar arrangements.

There is no funding attached to the pilot projects at this time. If a suitable model is developed for a town or several towns, then LEAB would discuss funding with the 2006 legislative appropriations committees.

Interested municipalities were asked to contact VLCT by October 28. Watch this space for updates about the project.

- Karen Horn, Director, VLCT
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ASK THE LEAGUE

BUDGET TIME: DELINQUENT TAXES, COMMITTEES, HEARING WARNING

We are preparing our town budget for next year. What consideration should we give delinquent property taxes in our budget, when we have no control over them?

Like many other areas of municipal law, Vermont statutes are silent on this issue. As a result, towns have developed a variety of different strategies to address delinquent taxes in their budgets. Some towns present an estimate of both the amount of delinquencies that will be collected in the next year and the amount of current taxes that will go delinquent. Others present a net amount they estimate the amount of delinquencies will go up or down by. Some

towns ignore delinquent taxes when they are preparing the budget, believing that they will be relatively consistent from year to year and will have little impact on the town's financial position.

By and large, property tax collection efforts are relatively successful in Vermont, and if delinquent tax collections are fairly consistent, the selectboard might not need to be very concerned about them. It is roughly estimated that total outstanding delinquencies in most towns will typically equal only four to six percent of its total annual property tax levy. However, if there is some expectation that collections will not be as successful in the future, it may be wise to give delinquent taxes some consideration

when putting together the town budget, so the town does not end up with a deficit. Conversely, it should be remembered that a recent success in delinquent tax collection might not actually be the windfall that it first appears to be. Future revenues can be impacted by present collections. A dollar collected yesterday cannot be collected tomorrow, too.

Previous town reports can be a good place to start when gathering information on delinquent tax collections. Most delinquent tax collectors include a summary of their previous year's work in the town report. A review of the last few years' reports should give a pretty good indication of collection trends and the delinquent tax collector and treasurer can be useful in understanding the success of future collection efforts.

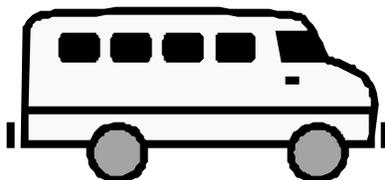
- Jim Barlow, Attorney, VLCT Municipal Assistance Center

IS IT TIME TO ECONOMIZE ON TRANSPORTATION COSTS FOR YOUR ORGANIZATION?

With today's high fuel costs, it makes more sense than ever before to economize on transportation costs. Would your non-profit organization or small non-profit commuter group benefit from owning and operating a 7-15 passenger commuter van – **financed interest-free?**

The Vermont Agency of Transportation (VTrans) and the Vermont Economic Development Authority (VEDA) have funds available through the State Infrastructure Bank (SIB) Program to help qualified non-profits finance up to 90% of the cost of commuter vans. VTrans fully subsidizes the SIB interest charges and application fee.

**TO LEARN MORE, CONTACT VEDA.
802-828-5627**



Each March, our town elects five people to a budget committee. Prior to the next town meeting, the committee reviews the selectboard's proposed budget and all social service agency appropriation requests. The committee's recommendations on the budget and the appropriations are included in the annual town report. What legal authority does this committee have?

The role of citizens in the budget preparation process varies from town to town. Though Vermont law does not recognize, as does the law of other states, a formal budget hearing in which the selectboard takes comment and testimony from citizens, each meeting of the selectboard is an open meeting, and the selectboard's proposed budget is subject to review and comment by the general public. The reality is that in many towns, early public participation in the budget preparation process may be sparse. Unless motivated by a particular concern, few citizens have the interest or patience to attempt to understand the town budget or to

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ASK THE LEAGUE -

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participate in its preparation.

To increase citizen participation in the budget preparation process, some towns have formed budget committees. There is no statute authorizing their creation. While the influence of the budget committee may be significant, lacking statutory recognition or authority, the role of such a committee is only advisory. The most important role for the committee is to make budget recommendations to the selectboard. The committee's work will, like all board-appointed committees, depend on the interests and skills of its members.

- Jim Barlow, Attorney, VLCT Municipal Assistance Center

Our selectboard would like to hold a budget meeting this fall to discuss a number of monetary issues. Are there any special warning requirements for such a meeting?

No. Assuming that your budget meeting will be held by the selectboard, notice require-

ments for it are found in the Open Meeting Law, which covers, generally, government meetings in Vermont. 1 V.S.A., § 310.

The Open Meeting Law requires that the selectboard clearly designate the time and place of its **regular meetings**. Most local boards vote on the time and date of their regularly scheduled meetings (e.g. the second and fourth Tuesday of each month) and post notice of these regular meetings in the local newspaper. 1 V.S.A., § 312(c)(1). These actions satisfy the warning requirements for regular meetings contained in the Open Meeting Law. The law also includes warning requirements for special board meetings (meetings that are not regularly scheduled) and emergency board meetings. 1 V.S.A., § 312(c)(2) and (3). Under Vermont law, **special board meetings** require posting notices in or near the town clerk's office and at least two other places in town at least 24 hours before the meeting. A special meeting must also be publicly announced, meaning that the notice must also be given to an editor, publisher, or news director of a newspaper or radio station serving the area of the state in which the town is located, and to any editor, publisher or news

director who has requested notification of special meetings. **Emergency meetings** may be held without notice. For emergency meetings notice must be provided "as soon as possible." To qualify as an emergency meeting a town must establish that the meeting is "necessary to respond to an unforeseen occurrence or condition requiring immediate attention."

As outlined above, our advice is to follow the requirements for warning a regular or special selectboard meeting that are found in Vermont's Open Meeting Law. 1 V.S.A. §§ 310 et seq.

That said, it would be a good idea to give residents more notice than is required by statute, as the point of a budget meeting is to receive public input on important financial decisions – before town meeting – and to foster a more open atmosphere in town government.

(Editor's note: Other meetings and hearings, with their own particular warning requirements, are found scattered throughout the Vermont Statutes. As an example, public meetings to consider zoning changes are covered in 24 V.S.A. § 4403 and 4404.)

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TOWN FAIR -

(Continued from Page Two)

information on any of the products you saw at Town Fair. Vendor contact information was also included in the Town Fair *Program Guide*.

Overall attendance was lower at Town Fair than in past years. This was due in large part to the absence of the Vermont Municipal Highway Association's Snowplow Rally and



VLCT staffers Brian FitzPatrick, Group Services Chief Operating Officer, and Rikk Taft, Loss Control Consultant, enjoyed meeting members at Town Fair.

Backhoe contests. (Those events have been moved to the spring to better accommodate the national snowplow driver contest's timetable.) If you had planned on attending Town Fair, but changed your mind, or didn't plan to attend at all, please take a moment to let us know why (again, please contact Jessica Hill at jhill@vlct.org or 800/649-7915).

Better understanding of your reasons will help us organize an event that will be more useful to you in the future.



Many Town Fair attendees enjoy the opportunity to relax and catch up with their colleagues from around the state at the morning Conversation Café, sponsored this year by the Chittenden Bank.



The inside exhibit hall at Town Fair was a busy place, as VLCT members visited with over 100 vendors.

Town Fair is scheduled to return to the Barre Civic Center on Thursday, October 5, 2006. We would love to see you all there!

VLCT MEMBERS ADOPT HEALTH CARE PROPOSAL, ELECT LEADERSHIP

Representatives from cities and towns across the state assembled recently at the VLCT Town Fair to debate reforming the state's health care system, adopt a complete municipal legislative agenda, and elect VLCT's leadership for 2005-6.

The 2005 VLCT Annual Business Meeting, held in conjunction with Town Fair on September 14 in Killington, debated over 120 legislative directives. These included improvements in education property taxation, municipal authority and relations with the state, the transportation enhancement grant program, and state facilities planning for host communities.

Much of the Meeting focused on discussing whether the membership should adopt the VLCT Health Care Reform Proposal, which was previously endorsed by the Board of Directors. After seeing municipal bills for health insurance increase by 32% over the past two years, members were ready to look at reforming the system. The Proposal provides a system of universal care and contribution while maintaining a private, competitive system to finance and deliver health care.

Under the VLCT Proposal, all Vermonters would have a uniform primary and preventive care policy provided to them by a private insurance company that would compete for consumers' business. All medical expenses would be paid through that policy. The insurer would be responsible for claims to a capped limit of \$10,000 or \$20,000. The state, as a re-insurer, would be responsible for reimbursing the insurance company for all costs of claims over the capped amount.

The state would raise, through broad-based taxes, the funds necessary to pay for large claims, and to provide every Vermonter with a voucher to obtain a health insurance policy. The voucher would vary in value depending on the individual's ability to pay and, possibly, on healthy lifestyle choices made by the individual.

With everyone insured and all services being fully reimbursed, the state, insurance companies and health care providers could work cooperatively to reduce administrative

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WORKING TOGETHER, MAKING A DIFFERENCE

Vermont's quilters took up the Town Fair 2005 theme and, together, created the lovely Vermont Local Government Quilt. VLCT expresses its deep appreciation to all!

If your travels take you to Montpelier, please visit our office for a look at the quilt. And, if your municipality is not represented below, please send in your 10" x 10" square with an 8" x 8" design. We will continue the Local Government Quilt project until every city and town is represented.

Arlington	Roseanne Henning	No. Hero	Nancy Orcutt
Bakersfield	Kathi Wescom	Orange	Peggy Thompson
Barre Town	Kimalie and Iain (son) Portalupi	Pawlet	Judith Coolidge
Bennington	Kelly Lemieux	Pomfret	Ruth Buchanan
Benson	Jan Ladd	Reading	Ruth Ann Howgate
Bethel	Nancy Barr	Richford	Susan Smolinsky, Library Trustee
Bridgewater	Sandy Russ	Richmond	Lisa Taft Sylvester
Bridport	Danielle Madison	Ripton	Justine Billings
Brookfield	Prudi Dempsey	Roxbury	Debra Rogler
Rutland City	Anna Wilkinson	Rupert	Donna Blomberg
Cabot	Velma White, Assistant Clerk/Treasurer	Ryegate	Mary Doe and Marsha Nelson
Charlotte	Aileen Chulter	Shoreham	Barbara Kivlin, Treasurer, and Terry Douglas
Concord	Beth Quimby	Strafford	Stephanie Johnson
Danville	Ann Cochran, Assistant Clerk	Thetford	Rebecca Buchanan, Assistant Treasurer
Dover	Mary Lou Raymo, Clerk/ Treasurer	Topsham	Juanita Claffin, Victoria Cameron, Rebecca Spoonier
Duxbury	Dottie Porter Griffith	VLCT	Pat Boyle
Enosburg	Carolyn Whiting	W. Windsor	Mary Jane Arvidson
Franklin	Jean Richards (designed by the Franklin Six Quilters, which includes Clerk Susan Clark)	Waltham	Mary Kinson, Clerk
Greensboro	Judy Dales	Warren	Sandra Boardman
Guildhall	Helen Martin, Select person	Waterford	Rosalie Vear
Hartford	Mary Thompson	Wilmington	Annelle Holzman
Manchester	Tina Mayer		
Middlebury	Peg Martin, Selectperson		
Milton	Lorinda Henry		
Montgomery	Carolyn Hesterberg (Montgomery Quilting Circle)		
Mt. Tabor	Valerie White		



POPULAR RECREATION GRANT PROGRAM ANNOUNCES 2006 DEADLINES

The Vermont Department of Forests, Parks & Recreation (FPR) is soliciting proposals from municipalities for competitive outdoor recreation grants from the Land & Water Conservation Fund (LWCF) Program. Grants from this program are available only to governmental entities (i.e., cities, towns, park districts, school districts, fire districts). LWCF grants may be used for the acquisition and/or development of public outdoor recreation areas and facilities and town greens.

The National Park Service (NPS) partners with FPR to provide opportunities for public outdoor recreation through LWCF. The LWCF program responds to many of Vermont's essential needs: From creating scenic state and local public parks, to the development of safe playgrounds, athletic fields, picnic areas, and outdoor places to walk, run, play basketball, tennis, swim, fish, canoe, hunt, skate, rock-climb, hike, or camp. Projects receiving assistance from the LWCF program deliver a wide range of benefits supporting our health, youth, smart growth, economics, high quality recreation areas and facilities and conservation of natural resources. These grants are a lucrative way for communities to leverage funds to acquire open natural areas and preserve local recreation now and for the future.

Based on funding trends the Department of Forests, Parks and Recreation anticipates approximately \$200,000 in federal funds will be available for competitive grants in 2006. LWCF is a reimbursement program and can provide communities with federal funds for up to 50 percent of eligible project costs.

A grant workshop to explain the details of the program and answer questions will be held via interactive television on the evening of January 17, 2006. To find out more or sign up for the workshop, contact FPR Grants Office or visit their Web site at www.vtpr.org/reclwcf/index.cfm. **Applications must be received by 4:30 p.m. on Friday, February 24, 2006 to be considered for this round of funding.**

For a grant application and grant guidelines please visit the Web site and click

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VLCT STAFF NEWS AND NOTES

WELCOME

The League recently welcomed three new staff members. Allyson Barrieau joined the staff in early September to fill the newly-created position of Communications Assistant. In early October, Trevor Lashua began as our new Associate, Legislative and Information Services. Trevor was followed later in the month by Roxanne Pike, who is our new Production Specialist.

Allyson came to VLCT from Capital City Press in Berlin, Vermont, where she was a Digital Specialist. She also has experience as a freelance graphic designer; she graduated from Lyndon State College with a Bachelor of Arts in Communication Arts and Sciences, concentrating in Graphic Design.



Allyson Barrieau

Prior to returning to school to finish her degree and start her "second career," Allyson was a Sergeant in the United States Air Force, based in Seoul, Korea and Okinawa, Japan as a television news reporter. She lives in East Montpelier with her son, Ryan, and has enjoyed working with the Barre Players as an actress and set painter in the past.

Trevor Lashua came to VLCT from Barre Town, Vermont, where he was a Management Intern. Trevor received his Master of Public Administration earlier this year from the University of Vermont; he received his Bachelor of Science degree in Communications, concentrating in Journalism, from Castleton State College in 1998.

Trevor's experience also includes working as a Municipal Reporter for *The Eagle Times* in New Hampshire, as well as for Burlington, Vermont's Department of Parks and Recreation. He is looking forward to bringing all his skills and education together at VLCT to represent members' interests at the State House.



Trevor Lashua



Roxanne Pike

Roxanne Pike also comes to VLCT with municipal experience, as she has served as Roxbury's Town Clerk, Assistant Town Clerk, and Auditor. Most recently, she worked for Norwich University in Northfield, Vermont as a Retail Services Provider and at the Vermont Mutual Insurance Company in Montpelier, Vermont as a Policy Services Clerk. Roxanne lives in Roxbury, Vermont and enjoys spending time with her granddaughter, hiking, and gardening.

(Continued on next page)



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VLCT STAFF -

(Continued from previous page)

GOODBYE

VLCT staff bid farewell to **Patrick Williams** in September. Patrick, who was Deputy Director of Group Services, left to work for HRSentry, LLC as its Director of Marketing and Customer Relations. While we will miss our daily dose of his mischievous sense of humor, we know that Patrick will be in touch, as VLCT PACIF is an HR Sentry customer.

TRANSITIONS

Tina Feeney has switched roles at the League. Tina traded in her position of Member Relations and Underwriting Manager in early summer for a part-time consulting position in the areas of underwriting and special projects. We are glad that she agreed to stay on because we couldn't bear to see her go!

More changes are afoot in the Group Services department of the League, beginning with the creation of a new position, Chief Operating Officer. **Brian FitzPatrick** has assumed this position, leaving his old position of Manager, Safety and Health Promotion temporarily vacant. One of Brian's first projects will be an analysis of all areas of the Group Services Department – Claims, Member Relations, Safety and Health Promotion, and Underwriting – in light of the tremendous growth the VLCT insurance trusts have undergone in the last five years. Brian will work with the VLCT staff and boards to recommend new staff

and/or new staffing configurations that will best serve our growing membership.



Shawna McNamara

Finally, congratulations are due to **Shawna McNamara**, who was recently promoted from Production Specialist to Administrative Assistant, Safety and Health Promotion. Shawna will take over from **Maureen Turbitt**, who will retire at the end of November.

- *Katherine Roe, VLCT Communications Coordinator*

VLCT STAFF VOLUNTEER FOR STATEWIDE, NATIONAL SERVICE

In addition to their VLCT duties, and, often, duties as local officials in their own cities and towns, several VLCT staff members volunteer serve on statewide or national boards and commissions.

VLCT Executive Director **Steven Jeffrey** serves as a member of the Vermont Municipal Employees Retirement System Board of Directors, Vermont Pension Investment Committee, and the National League of Cities (NLC) Working Group on Health Care. This month, Steve will begin a term on the Board of Directors of the NLC Risk Information Sharing Consortium; in December, he will begin his third, non-consecutive term on the NLC Board of Directors.

VLCT Group Services Director **David Sichel** serves on the NLC Mutual Insurance Board of Directors.

VLCT Group Services Chief Operations Officer **Brian FitzPatrick** serves on the Vermont Safety Council.

VLCT Senior Health Promotion Consultant **Heidi Joyce** serves on the Governor's Commission on Healthy Aging.

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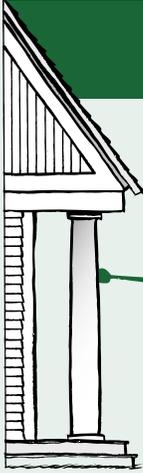
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CUTS

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VLCT MEMBERS -

(Continued from Page Eight)

costs, strengthen disease management programs, introduce technological efficiencies, and share best practices. The Proposal envisions that these efforts, in combination with a more wellness-conscious populace, will provide an opportunity to slow the pace of inflation for medical services and for improved health care outcomes.

Some VLCT members worried that the Proposal represented too much state government control and felt that a better approach would be to return authority to health care providers and insurers. Despite their concerns, the Proposal was adopted by an overwhelming majority of members voting.

The membership also approved a resolution calling on the VLCT Board of Directors to develop and submit to the membership a proposal to replace the current education funding system by the next annual meeting.

Turning to administrative matters, the membership elected a new president, vice-president and three new board members. **Susan Spaulding**, Chester Town Manager, is the new VLCT President. **Sandy Grenier**, the Town Clerk and Treasurer from St. Johnsbury, is Vice President and new board members include **Sandy Harris**, Town Clerk from Vernon, **Dave Lewis**, Town Manager in Killington and **Sandy Miller**, Town Manager from Milton. Re-elected to the Board for another term were **Hunter Rieseberg**, Hartford Town Manager, and **Al Wilkinson**, Alderman from Rutland City.

HEALTH RENEWAL MEETINGS

VLCT Group Services Member Relations staff are continuing to schedule On-site Visits to discuss the 2006 health renewal season with Health Trust members. An On-Site Visit Request Form is available on the Group Services' portion of the VLCT Web site, under Forms, Printable. If you would like a Member Relations staff member to visit your town to discuss your health insurance options, please fill out the form and return it to us. Once we receive your form, we will contact you to arrange a meeting at your location, at your convenience.

HEALTH RENEWAL CHANGES – DON'T FORGET NOVEMBER 1 DEADLINE

Last month, we outlined the changes ahead for the 2006 VLCT Health Trust prescription drug benefits and gave members a heads up on the November 1 deadline associated with these changes. This month, we would again like to remind you that each Health Trust member must decide and notify VLCT in writing which prescription drug benefit your municipality will offer beginning January 1, 2006. This must be done prior to November 1, 2005. If we do not hear from you, in writing, the default will be the Co-insurance Option 1.

AND ANOTHER DEADLINE...

VLCT PACIF renewal applications are due on November 4, 2005.

HEALTH TRUST ANNUAL MEETING

All Health Trust members are invited to attend the Trust's Sixteenth Annual Meeting on Friday, November 18, 2005, at the Lake Morey Resort in Fairlee, Vermont. Registration is free for members; you may register using the form mailed out last month or on-line at the VLCT Web site, under Member Services, Calendar.

On the agenda for the meeting are 2004 claim and financial reports, 2006 rates, 2006 plan changes, the VLCT Health Care Reform Plan, the health care outlook for 2006 and beyond, and other business. The morning meeting will conclude with a buffet luncheon. We hope to see you there!

WELCOME

The **Franklin Natural Resources Conservation District** recently joined the VLCT Health Trust, bringing the Trust's membership up to 292 members.

Finally, retiring Board members **James Condos**, South Burlington City Councilor, **William Fraser**, Montpelier City Manager, and **William Shepeluk**, Waterbury Municipal Manager, were recognized and thanked for their years of dedicated service to VLCT.

- Steven Jeffrey, VLCT Executive Director



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THE JOB PROCESS

- Is the proper equipment used for the job?
- Has the equipment been properly maintained and are all safeguards in place?
- Is there protection from electrical hazards?
- Are hazardous chemicals being used, and if so, are proper precautions taken?
- Is appropriate personal protective equipment (PPE) used, is it in good

repair, and does it fit properly?

- Are all hazards recognized and precautions taken to prevent injury or illness?

You

- Are you aware of the hazards of the job?
- Can you perform each step of the job competently?
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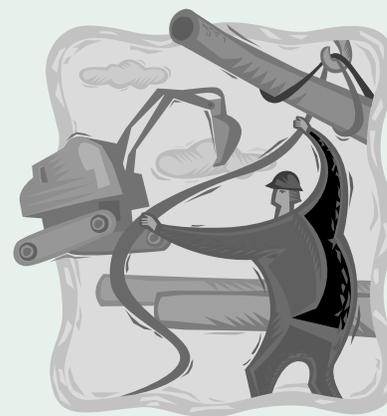
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For more information about the safety and wellness resources available from the VLCT Safety and Health Promotion Department, please contact Brian FitzPatrick at bfitzpatrick@vlct.org or 800/649-7915.



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Tech Check

HAS TECHNOLOGY TRICKLED DOWN TO SMALLER CITIES?

There is no doubt that technology has discovered local government. Last year over \$45 billion dollars were spent by local jurisdictions on technology, a statistic that has not gone unnoticed by technology vendors of all sizes. Add the fact that the federal budget will be facing severe cuts in discretionary funds for the next several years and you have vendors that increasingly view local government as a ripe new market.

Some municipal staff will argue that dynamic local government technology applications have always been around. They just couldn't afford it - perhaps until now. The greatest challenge for the technology vendor community is how it can effectively reach the thousands of small municipalities and how to determine the appropriate scale

- for there is no one technology application that fits all situations and all size of municipalities. On the other side (our side) the greatest challenge for small municipalities, aside from scarce resources, is often the lack of in-house technological expertise, developing adequate system requirements, effectively managing contractors, and the ability to evaluate vendor claims and promises. A common complaint is having vendors make claims that they can solve our problems without really knowing what they are.

While some leading technology companies target specific sized local jurisdictions, i.e., over five million or more in population, others are realizing the potential of the vast small municipality and county

markets. We are seeing this happen in no less than nine major areas.

1. The first area is often referred to as "E-Government;" however, I prefer to categorize this as **public communications management**. We have witnessed an enormous increase in the sophistication of municipal Web sites and their functionality. It wasn't too long ago that most sites were merely a static page with a list of phone numbers and office hours. Now there are software companies that offer small municipalities the ability to make on-line payments, look up vital information, sign up or volunteer on line, and provide special news and information. Citizens are increasingly becoming more technology-savvy with over 53 million people having access to broadband connections. Having a constant high-speed connection makes thousands of new applications possible that could not be accomplished through dial-up. Customer care systems are now being marketed to small municipalities with great success.

2. The second area could be called **record or knowledge management**. Even small municipalities are faced with the growing dilemma of increased document management in terms of data collection, integrity, security, storage, and data retrieval. Some powerful software suites offer sophisticated search engines, mass document summary tools, and collaboration and survey analysis tools. At PTI we are partnering with a group of technology providers to market such a product to local governments.

3. The third area has been made possible by the incredible advances found in **wireless and broadband technologies**. In some cases, municipalities have taken the lead in deploying some cutting edge applica-

(Continued on Page Twenty)

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VLCT COLLECTING DATA ABOUT VERMONT MUNICIPALITIES

In late September, VLCT mailed out its 2006 Municipal Census survey to all municipal managers, administrators, and clerks. The Census, which was last completed in 2002, contains a wealth of information about municipal operations, positions and boards, cooperation with other municipalities, voting practices, local ordinances and planning, finance, use of private vendors, and water and sewer rates.

This information, shared among municipalities, is a valuable resource for those seeking to know how other municipalities may solve a particular problem or offer a service. There is no reason to reinvent the wheel! In addition, members of the media, other levels of government, and the Legislature often approach VLCT when they need information about municipal practices and procedures. Having this information available is a vital part of VLCT's mission to educate these groups about Vermont local government.

The 2002 Census was based on an 89 percent response rate from our member municipalities. While that was a great response, we would be thrilled to exceed it for the 2006 version. All those who do send in their completed Census survey will receive a complimentary copy of the final Census once the data is analyzed.

If you have any questions about your Census survey, please contact Garrett Baxter at the Municipal Assistance Center, 800/649-7915 or gbaxter@vlct.org. **The deadline for returning the Census surveys is Monday, November 14, 2005.**

- Katherine Roe, VLCT Communications Coordinator

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ST. JOHNSBURY -

(Continued from Page One)

models a portion of the Fifth Amendment to the U.S. Constitution "...nor shall private property be taken for public use, without just compensation."

These constitutional provisions have provided the basic guidance for establishing the law associated with the eminent domain authority of government.

When we look around Vermont today we don't have to look very far to find examples of where eminent domain authority either was, or could have been, used. Highways, bridges, water lines, sewer lines, utility lines, railroad tracks, municipal buildings, fire stations, cemeteries, and airports are all considered public uses or services where eminent domain authority may be exercised.

In the use of eminent domain for property acquisition, the government must show that the property is required for a public use. "The end to be accomplished is the ultimate test of whether a contemplated exercise of the power of eminent domain is for the public use ..." (*Deerfield River Co. vs. Wilmington Power and Paper Co.* (1910) 83 VT 548, 77A 862).

The government must demonstrate that there is a "necessity" that the property be taken. "Existence of necessity is the foundation of the right to take under this article, and ascertainment of necessity should precede or accompany and not follow the taking, since this article guarantees the

protection of a right rather than the redress of a wrong." (*Stearns vs. City of Barre* (1901) 73 VT 281, 50A 1086). Necessity implies the consideration of the greatest public good.

Pursuant to the Constitution, the property owner must receive just compensation for property that is taken by eminent domain.

The taking of property by eminent domain involves a different process depending upon the agency using the authority, and the purpose for which the property is to be used. As noted above, however, a common element of the use of the authority is the finding of necessity.

In November 2004, the voters of the Town of St. Johnsbury decided in a special town meeting to use the Urban Renewal statutes in Vermont State Law to address community concerns about economic and physical blight along Bay Street, bound by the Passumpsic River. The Town worked with a consultant to develop a workable program for this 86-acre, multiple property-owner site. Our consultant reported that "Renovation and reuse of the buildings has been the exception rather than the rule and today most of the structures are largely vacant. A few of the wood frame structures have been replaced entirely by small steel buildings. In a few exceptions, some of the buildings, such as the Ralston Mill Complex, have been renovated for contemporary uses, but overall, the area has experienced a significant decline in investment." (Office of Robert White, Urban Renewal Planning, Town of St. Johnsbury, November 2004).

During the special town meeting, voters encouraged the selectboard to continue to work on the development of an Urban Renewal Plan to address this blighted area.

The Bay Street area is the southern gateway to St. Johnsbury. Throughout the Bay Street planning discussions, St. Johnsbury residents have identified specific public uses that should be addressed through a Bay Street Urban Renewal Plan. Conceptual plans for the redevelopment of this area include more green space, park, playground, outdoor performance area, improved traffic flow, better pedestrian access, parking facilities, public access to the Passumpsic River, and commercial development. The plan details the desire to attract a major retailer and other commercial uses to Bay Street. The selectboard conducted a Citizen Survey during the 2004 presidential election. A total of 806 residents responded to the survey (18% of the registered voters). In response to the question "Shall we work to attract a large anchor department store to the Bay Street area?" 82% said Yes, 11% No, and 7% were unsure. The 2006 St. Johnsbury Town Plan, in the process of being drafted, will devote an entire section to the community plan for the development of Bay Street. The redevelopment of the Bay Street area has become one of the most important projects this community has undertaken.

The Vermont Urban Renewal statute confers upon municipalities the power to use eminent domain to obtain interest in real property that it may determine is necessary in connection with the development of an urban renewal project.

St. Johnsbury has made no decision about using eminent domain powers in connection with the Bay Street Urban Renewal Project as it continues to work directly with individual property owners on the initial phases of this project.

If eminent domain powers were to be used for an Urban Renewal Project in Vermont, the following process must be followed (Vermont Statutes Annotated Title 24, Chapter 85, Urban Renewal):

- Voters determine that an area is blighted;
- Voters determine that there is a public necessity to redevelop the blighted area;
- Voters consider and approve an Urban Renewal Plan;
- A survey of the property must be completed by the municipality;
- The municipality must petition a

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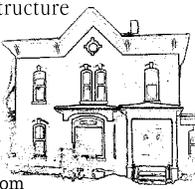
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ST. JOHNSBURY -

(Continued from previous page)

superior judge setting forth the reasons why it proposes to take certain lands or rights;

- A hearing is scheduled with all interested parties;
- A notice must be published in the newspaper once a week for three weeks outlining a description of the urban renewal projects in this location and the time and date for the hearing;
- A copy of the petition must be served on interested parties and property owners;
- If any person owning or having an interest in the land to be taken objects to the necessity of the taking, then the court shall require the municipality to introduce evidence of the necessity of the taking;
- The court shall determine whether the taking of such land and rights is necessary and may modify the proposed taking in such respects as the court may consider proper;

TRIVIA

Guildhall Selectboard member

Patricia H. Rogers successfully matched wits last month with Mike Gilbar, VLCT's resident trivia guru. Patricia knew that Nathaniel Colver, a Baptist evangelist from Addison County, chaired the first political convention in Vermont. The convention was held in Montpelier in August of 1829 and the party was the Antimasons.

Mike has been reading more Vermont history books and has this challenge to offer for November:

The progressive movement in Vermont was kicked off by a governor's address to the Legislature prior to the turn of the 20th century, followed by two failed bills a couple years later. Who was the governor (and where was he from), what year did he tout this progressive reform, what year did the bills die, and what were he and the Legislature trying to reform?

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.

- An appeal may be taken to the Supreme Court; and
- If an appeal is taken, all proceedings shall be stayed until final disposition of the appeal.

The use of eminent domain authority, for a Vermont urban renewal project, is not the result of a decision made by a backroom government bureaucrat. A very comprehensive process involving the public, elected officials, the courts, and the property-owner must be adhered to.

A recent split decision of the United State Supreme Court Decision in *Kelo vs. the City of New London, Connecticut* (545 U.S. ____ (2005), June 23, 2005) has people talking about the use of local governmental eminent domain authority for economic development purposes. (See the August/September 2005 *VLCT News*, Legal and Regulatory Notes column.) A summary of the *Kelo* decision states "the City has carefully formulated a development plan that it believes will provide appreciable benefits to the community, including but not limited to, new jobs and increased tax revenue. As with other exercises in urban planning and development, the City is trying to coordinate a variety of commercial, residential, and recreational land uses, with the hope that they will form a whole greater than the sum of its parts. To effectuate this plan, the City has invoked a state statute that specifically authorizes the use of eminent domain to promote economic development. Given the plans' comprehensive character, the thorough deliberation that preceded its adoption, and the limited scope of the Court's review in such cases, it is appropriate here, as it was in *Berman*, to resolve the challenges of the individual property owners, not on a piecemeal basis, but rather in light of the entire plan. Because that plan unquestionably serves a public purpose, the takings challenged here satisfy the Fifth Amendment." (Syllabus, October Term 2004, Supreme Court of the United States, *Kelo et al v. City of New London Et Al* – 545 US ____ (2005)).

The *Kelo* decision confirmed that although at least a portion of the New London development plan would result in private benefit, the public purpose indoctrinated in the community plan for redevelopment satisfied the requirements for using eminent domain authority to accomplish the goal.

In St. Johnsbury citizens have, for nearly 30 years, watched Bay Street with the hopes that private enterprise would step in and

redevelop this area. Some improvements have taken place at individual properties, but overall the area is underutilized economically and physically. Residents have stepped up to the plate to incite some movement toward the redevelopment of Bay Street. The concept planning associated with the Bay Street project has brought people throughout the community together to discuss this initiative. This project is the most exciting proposition discussed in St. Johnsbury in recent history. Ultimately, if the plan is to become reality, private property will need to be acquired to satisfy the overall public purpose described in the Urban Renewal Workable Program. The local government should adhere to negotiating agreements with all private property owners. However, if the redevelopment plan resulting from this comprehensive community planning effort is to be accomplished, the ability to utilize the power of eminent domain authority should remain an option. The overwhelming positive community impact that will result from the Bay Street redevelopment effort should not be thwarted due to the inability to successfully negotiate a private land transfer.

In St. Johnsbury, we are not at the point in this project where the selectboard has had to make any decisions about whether or not to consider the use of eminent domain authority. Some individuals have clearly said that they would not use the authority, while others hold more to the belief that we should never say never. Regardless, the decision will not be made lightly when, and if, we reach that point in the Bay Street redevelopment project.

In Vermont, communities have a way of making things happen. People get tired of seeing the same problems day-after-day and eventually someone strikes a spark under enough people to initiate action that will result in positive change. As citizens, we have a responsibility to do everything possible to keep our communities healthy – economically and physically. If the majority of the people of the community determine that it is time to take effective action to inspire change, eminent domain should be counted among the tools a community can consider.

- Mike Welch, Manager, Town of St. Johnsbury

(This article appears in *Livin' the Vermont Way's* November/December issue along with another article opposing eminent domain. To find out where you can pick up a copy of *Livin' the Vermont Way*, please visit livinmagazine.com.)



TECH CHECK -

(Continued from Page Fifteen)

tions. In Virginia, the City of Manassas is about to become the first city in the nation to offer its 35,000 citizens the choice of broadband using power line communications. Other municipalities are building out Wi-Fi networks in whole or in part in their municipalities as a citizen service - almost akin to providing library and information services - just a different medium. Our citizens are increasingly looking for and expecting greater mobility and flexibility and wireless and broadband technologies open the door to many new exciting and affordable applications.

The remaining areas have more to do with specific applications as opposed to a separate new technology. They can be generally classified as database management, remote monitoring, or decision-making tools, billing and accounting.

4. The fourth area is found in the expansion of **public safety technology applications**. From new computer dispatch systems to digital voice and data radios to squad car computers and video surveillance to wireless crime scene mobile labs, we are seeing tremendous advancements that are becoming more scalable for small municipalities.

5. The fifth area or trend has to do with **transportation management**. Once again, we are seeing new small systems technologies for computer assisted dispatch and software for fleet management, records management, preventive maintenance and fuel consumption. We are also seeing packages for fleet management, route management, etc.

6. The sixth area is what we call **sustainability**. This involves energy and environment, which includes water quality and wastewater management. Hundreds of new products having to do with records, billing, compliance, and monitoring services and applications are now available to local governments.

7. The seventh area is found in **public works applications**. Tools are now available for project management,

operations management and system monitoring.

- 8. The eighth area is **administration and finance**, where great improvements have been made in records management, human resource management and financial management. This includes interactive Web-based billing.
- 9. The last area is found in **criminal justice** where we have new jail management systems, case tracking system, jury management systems, and general court management systems.

There seems to be a new application every day and more and more are being aimed at smaller municipalities, which is good news. Whether these new technologies have reached the perceived threshold of affordability is quite another issue. Aside from the costs, the greatest problem facing small municipalities is not technology or its applications. It is the lack of technology knowledge and leadership. At PTI we are now developing a host of new programs and

services to directly help small jurisdictions better take advantage of what is available, what is possible, collective purchasing, and provide much needed training and development.

Yes, when it comes to technology, it is an exciting time for small municipalities. Through its wise use, they may remain small, but they will also remain vibrant and increasingly more relevant with an improved quality of life!

(Reprinted with permission from Georgia's Cities, March 2005, the monthly publication of the Georgia Municipal Association, and the author, Dr. Alan R. Shark, D.P.A., CAE, Executive Director, Public Technology Institute.)

ABOUT PTI

Public Technology Institute is a national non-profit technology research and development organization based in Washington, D.C., representing local governments. Its mission is to bring the benefits of technology to local governments. Membership in PTI is open to all local governments. Membership fees are based on the population size of the jurisdiction.



**Need help finding help?
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Place just one call to our Community Information Referral Specialists and you'll be linked to more than 3,500 health and human services throughout Vermont.

Dial "2-1-1" anywhere in Vermont or 1-866-652-4636 toll-free within Vermont or 1-802-652-4636 from outside Vermont Visit www.vermont211.org for an online database

Helpline staff is available Mon.-Fri., 8:30am-4:30 pm.

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.



GRANT PROGRAM -

(Continued from Page Nine)

on the Land & Water Conservation Fund program.

For more information on this program, contact Sherry Winnie, LWCF Grants Administrator at 802/241-3690 in the Vermont Department of Forests, Parks & Recreation, 103 South Main Street, Bldg. 10 South, Waterbury, VT 05671-0601.



NATIONAL FLOOD -

(Continued from Page One)

is to purchase it through the National Flood Insurance Program.

NFIP was developed by the federal government in 1968 to reduce flood damage through floodplain management, and to provide flood insurance. The Program represented a more proactive approach by the federal government to reducing flood damage. Previously, the federal government had only provided disaster relief and built flood-control structures such as dams, levees, and seawalls. Now, NFIP works with participating municipalities to map floodplains and adopt zoning, subdivision or building requirements, and special-purpose floodplain ordinances that have resulted in more flood-proof building materials and locations.

Participation in NFIP is voluntary. Currently, about fifty Vermont towns do not participate in the National Flood Insurance Program. This makes their citizens ineligible for coverage through the NFIP. In addition, there are certain limitations on federal financial assistance for these communities in the event of a Presidentially-declared disaster due to flooding.

As a result of BISHCA's publicity efforts, Vermont municipalities may receive inquiries from their citizens as to whether or not they participate in the NFIP. Each community must weigh the benefits and limitations of joining the Program and judge its benefit to citizens and the economy. There are land use implications to consider, as well as implications for homeowners who apply for mortgages for properties that are located in floodplain areas.

Please visit www.floodsmart.gov if your municipality would like more information about the National Flood Insurance Program. Margaret Torizzo, at the state Agency of Natural Resources, Water Quality Division, is the state administrator for the program. She may be reached at 802/241-3759.

- Katherine Roe, VLCT Communications Coordinator

the signs of a healthier vermont.



When Vermont's children receive the coverage, care, and comfort they deserve, these are signs of a healthier Vermont.

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.



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of Vermont**



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TRAIL GRANTS PROGRAM ANNOUNCES 2006 DEADLINE

The Vermont Recreation Trails Grant Program is soliciting proposals from municipalities and non-profit organizations for recreation trail grants under the 2006 round of funding. Based on funding trends, the Department of Forests, Parks, & Recreation anticipates approximately \$400,000 in matching funds will be available for 2006. 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 mini-grants. Mini-grants of up to \$500 fund all project costs and are awarded to local governments, community volunteer groups, educational institutions, civic groups, or non-profit organizations. Mini-grants are intended to be relatively small in scale, include a community service component and clearly pose no adverse historical or environmental impacts. Mini-grants may be used to provide training, develop a trail, or to purchase educational tools or materials.

Competitive grants of up to 80 percent of a project's cost are awarded to communities and non-profit organizations 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. Trails previously funded through this program include construction and restoration of the Long Trail and its amenities, regional connector trails, and town nature interpretive trails.

Vermont's Recreation Trails Grant program is administered by the Vermont Department of Forests, Parks & Recreation of the Agency of Natural Resources. This program helps to create and maintain trails and greenways in Vermont and contributes to the vision of an interconnected network upheld by individual communities and

organizations providing access to outdoor recreational opportunities.

A grant workshop will be held via interactive television on the evening of November 29th. To find out more or sign up for the workshop, contact our office or visit our Web site at www.vtfr.org/recgrant/trgrant.cfm. Applications must be received by 4:30 p.m. on Friday, January 13, 2006 to be considered for

this round of funding. Upon federal approval, funding will be made available to the highest ranked projects in the spring of 2006.

For more information on this program, contact Sherry Winnie, Grants Administrator, at the Vermont Department of Forests, Parks & Recreation, 103 South Main Street, Bldg. 10 South, Waterbury, VT 05671-0604, telephone 802/241-3690.

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Classifieds

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

HELP WANTED

Planning Assistant. Town of Georgia, Vt. Duties include administration of the Town's subdivision regulations, assisting the public with permit applications, assisting the planning commission, and the ability to attend night meetings. This position requires employee to maintain a valid driver's license and reliable transportation. This position is part-time (20-24 hours a week). Please send letters of interest and résumés to Carrie Johnson,

47 Town Common Road North, St. Albans, VT 05478 **by October 31, 2005.** EOE. (10-3)

Public Works Director. The City of Montpelier, Vt. (pop. 8,200) seeks a Public Works Director. Current Director retiring on 12/31/05 after 30 years of service. Department Head position answering directly to the City Manager. Department has 37 employees and approximately \$7 million budget (including water, sewer and capital funds). Responsible for winter/summer highway maintenance, water distribution and wastewater collection, water and wastewater treatment, vehicle maintenance, capital projects, bridge maintenance and all other functions typically associated with a full service public works operation. Facilities and equipment are in top condition and department has an established record of excellent service and response to public. Successful candidate should have 10 years or more experience managing comparable organization – municipal experience preferred. Bachelors Degree in a relevant field is strongly preferred. Must be familiar with civil engineering concepts, public budgeting processes and public project management processes. The successful candidate will have excellent interpersonal communication and public presentation skills, have demonstrated ability to track multiple priorities and activities, and must be able to creatively work with tight budgets for the best public value. Job requires significant direct interaction with local elected officials, state regulatory officials, professional consultants, construction contractors and crews, residents and citizens and fellow city employees. The City of Montpelier offers a comprehensive benefit package. Compensation is negotiable depending on qualifications and experience, current budgeted annual salary is \$65,700. Letters of interest, résumé and list of references should be submitted to the City Manager's Office, 39 Main Street, Montpelier, VT 05602

by November 10, 2005. Inquiries may be sent to wfraser@montpelier-vt.org. (10-13)

FOR SALE

End Caps. The Town of Fairlee, Vt. has 30 used, non-galvanized end-caps for standard W-beam guardrails. Contact the Fairlee selectboard office at 802/333-9653. (9-22)

Electric Motor. Graniteville, Vt. Fire District # 4. New 5 hp General Electric motor, VHS, single phase, 1-60-240, 3600 rpm, WP-1, steady bushing. New cost was \$1300. Will consider any reasonable offer. For more information or to see motor, contact Merle Miller or Andy Rouleau at 802/479-9155. (9-23)

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.

WELCOME EVA JILL FISCHER

As we went to press, we received word that VLCT Research and Information Assistant Tara Fischer had become a new mom. Eva Jill Fischer was born on October 20 and weighed in at eight pounds, three ounces. Mom, Dad Tim, and Eva are all doing well.

Tara will return to VLCT early in 2006 from leave. We hope to catch a glimpse of the young Eva at the office before then!





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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. Or, visit www.vlct.org, select the Calendar, and select a workshop for more information or to register on-line. The on-line registration option is available for VLCT workshops and events only.

Economic Development for Municipal Leaders. Thursday, November 17, 2005, Cortina Inn, Mendon. Sponsored by VLCT Municipal Assistance Center and the Northeastern Economic Developers Association. This new workshop will provide a comprehensive orientation to economic development activities. Particular attention will be given to what municipalities can do to become “development ready” and to strategies for attracting and retaining businesses.

VLCT Office, Montpelier. Sponsored by VLCT Public Policy and Advocacy Services. This event will be held four times around the State at a location near you. Come and meet with VLCT legislative staff to discuss the upcoming session.

Legal and Practical Aspects of Property Tax Collection. Wednesday, December 7, 2005. Sponsored by VLCT Municipal Assistance Center. This new workshop will provide a comprehensive review of collecting both current and delinquent taxes. Particular attention will be paid to the roles and responsibilities of the officers involved, conducting tax sales, and best practices for doing a tough job well.

GMWEA Fall Trade Show and Technical Program. Thursday, November 10, 2005, Sheraton Hotel and Conference Center, South Burlington. Sponsored by the Green Mountain Water Environment Association. This full day event is for anyone in the water quality field interested in training and meeting with industry vendors. Up to Two Training Credit Units may be earned by attending the training sessions. Visit the GMWEA Web site, www.gmwea.org, for complete details.

VLCT Health Trust Annual Meeting. Friday, November 18, 2005, Lake Morey Resort, Fairlee. Sponsored by VLCT Health Trust. Members and Directors of the VLCT Health Trust will gather to hear reports on the year past, new rates, and trends to watch for in the future.

VLCT Legislative Preview. December 1, 2005, Hartford Town Office; December 8, Richmond Town Office; December 13, Manchester Town Office; December 16,