

VLCT NEWS

A PUBLICATION OF THE VERMONT LEAGUE OF CITIES & TOWNS

SERVING AND STRENGTHENING VERMONT LOCAL GOVERNMENTS

December 2007

LEGISLATIVE SESSION LOOMS

The mountains are finally white after a warm and glorious fall. In another sign of impending winter, VLCT's annual legislative platform, the *VLCT 2008 Municipal Policy*, was adopted October 11 at our annual meeting. (The *Policy* can be found at www.vlct.org.) Can a busy legislative session be far behind?

We are heading into the second year of a biennium and legislators face significant

will be the toughest question to answer in 2008 and will affect all that the legislature is able to accomplish.

THE ISSUES IN 2008

In 2007, the legislature made little progress addressing education funding or containing its costs. As a result, these topics will be front and center in 2008. Because the governor vetoed 2007's en-

"How to spend declining revenues will be the toughest question to answer in 2008..."

challenges to both their creativity and their stomach for raising revenues in a somewhat lean year. How to spend declining revenues

ergy bill, legislative leaders have promised to deliver a new bill to his doorstep early in the session. Transportation needs con-

(Continued on Page Seven)

VLCT RELEASES ANNUAL COMPENSATION REPORT

As budget season is upon us, the *2007 Vermont Municipal Compensation and Benefits Report*, a useful tool that many VLCT members are familiar with, is available for purchase. Towns that participated in the survey process have already received a free copy of the *Report*, a benefit for sure!

For those not familiar with the *Report*, it presents the results of VLCT's comprehensive survey of municipal salaries and benefits. The *Report* is organized by population, and contains information from 226 municipalities – an eighty-four percent response rate that we can all be very proud of.

If you would like to order a copy of the *Report* for your own reference, please visit the VLCT Web site Marketplace at www.vlct.org/marketplace/bookstore, or call 800/649-7915.

And, don't forget to complete the questionnaire for your municipality in 2008, so that you will receive the benefit of a free report during next year's budget planning season.

HEALTH TRUST ANNUAL MEETING



At press time, over 100 members of the VLCT Health Trust were registered to attend the Trust's 18th Annual Meeting at the Capitol Plaza Hotel in Montpelier. Trust officials were scheduled to announce the good news that health insurance rate increases for 2008 were held to an average of 8.2 percent. While an 8.2 percent rise in the cost of most other products or services would not be acceptable, in the health insurance industry, single-digit increases are welcome.

INSIDE THIS ISSUE

Energy Coordinator Listserv . . .	2
Legal and Regulatory Notes . . .	4
Ask the League	6
Snelling Center Survey	9
Group Services Comm. Ctr. . .	10
CIGNA Wellness Grant.	10
Leader 2007	11
Basic PC Security	13
VLCT Staff Notes	15
Classifieds	17
Trivia.	19
Calendar	20



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NEW ENERGY COORDINATOR LISTSERV

A new listserv for Vermont municipal energy coordinators is up and running. Others interested in municipal energy issues in Vermont – including energy committees, local and regional planners, selectboard members, conservation commissions, and state staff – are also encouraged to join.

The listserv will allow energy coordinators and others to ask questions, share ideas and best practices, and discuss current issues.

To join the list, simply go to the list's archives page at <http://list.uvm.edu/cgi-bin/wa?A0=VTENERGYCOORDS> and click on "Join or Leave VTENERGYCOORDS."



To send a message to everyone on the list, send an e-mail to vtenergycoords@list.uvm.edu. For more information about listservs, visit <http://www.uvm.edu/ets/listserv/>.

If you have any questions or comments, e-mail Jeff Owen at jowen@sover.net or call him at the Addison County Regional Planning Commission, 802/388-3141.

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LEGAL AND REGULATORY NOTES



DEFICIENT DECISIONS; 3% WITHHOLDING; FICA AND ELECTION WORKERS

DEFICIENT DECISION RESULTS IN REMAND, NOT DEEMED APPROVAL

The Environmental Court has clarified that the proper remedy in instances where a zoning board has issued a timely yet deficient decision is to vacate the decision and remand the matter back to the board to correct the deficient decision. Appellants who might be subject to the defective decision

edy untimely decisions or protracted deliberations, it is not appropriate in cases where a decision is timely yet fails to meet some other requirements of the law. In such instances, the decision will be vacated by the Court and the case remanded to the DRB. The DRB may then reopen the hearing or make findings or conclusions based on the evidence taken at the original hearing. A copy of the decision can be obtained

THREE PERCENT WITHHOLDING PROVISION WON'T APPLY

There has been some confusion lately over whether or not municipalities in Vermont would be subject to a three percent federal withholding requirement on payments to all vendors beginning in 2012.

In taking another look at the issue, it appears that even if the new withholding

"... while the deemed approval remedy should be applied to remedy untimely decisions or protracted deliberations, it is not appropriate in cases where a decision is timely yet fails to meet some other requirements of the law."

are not entitled to deemed approval on the grounds that the decision failed to meet the requirements of 24 V.S.A. § 4464(b)(1). *In re Dufault Variance Application*, 129-6-07 Vtec, (October 24, 2007).

The matter involved a request for a variance from a side yard setback requirement in the St. Albans Town zoning bylaw. The St. Albans development review board (DRB) held a hearing after which it issued a timely decision denying the variance request. The decision generally tracked the five requirements of the state variance statute, 24 V.S.A. § 4469, but did not contain the factual bases upon which the DRB made its conclusions, as required under 24 V.S.A. § 4464(b)(1).

The property owners appealed the decision to the Environmental Court, arguing that because the decision failed to meet the requirements of 24 V.S.A. § 4464(b)(1), they were entitled to deemed approval. The Environmental Court rejected this argument, concluding that while the deemed approval remedy should be applied to rem-

at: <http://www.vermontjudiciary.org/tcdecisions/07-129z.Dufault.sjo.pdf>.

- Jim Barlow, Attorney, VLCT Municipal Assistance Center

requirement is implemented, municipalities in Vermont would not be affected. This is because the three percent is withheld

(Continued on next page)

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LEGAL/REG. NOTES -

(Continued from previous page)

only if a government entity processes more than \$100 million in gross receipts in a fiscal year.

Though implementation of the new requirement is almost four years away, opposition to it is building. Opponents point out that it would be onerous for those municipalities that do exceed the \$100 million floor because it applies to every single purchase, whether it is a \$3 ream of paper or a multi-million dollar infrastructure project.

The withholding requirement, passed by Congress in 2005's Tax Increase Prevention and Reconciliation Act (also known by the acronym TIPRA), was originally scheduled to be implemented in 2010. The U.S. House of Representatives passed a bill (H.R. 3056) this fall that would delay implementation until 2012. Yet another bill introduced in the House that would repeal the three-percent withholding requirement currently has more sponsors than votes eventually needed for passage. National organizations such as the National League of Cities and the Government Finance Officers Association support the move to repeal the withholding requirement.

The original intent of the requirement was to narrow the "tax gap" (the difference between what should have been paid in taxes and what was actually paid) between government contractors and the federal government. Current law requires contractors receiving any income that is not subject to income withholding requirements to make "estimated tax payments" which have been chronically underestimated.

The cost nationally for local and state governments to implement and administer the three percent withholding is estimated at \$62 million annually.

- Trevor Lashua, Senior Associate, Advocacy and Information

FICA COVERAGE THRESHOLD FOR ELECTION WORKERS

Please note that the threshold for coverage under social security and Medicare for election workers will rise on January 1, 2008. It will rise from \$1,300 in 2007 to \$1,400 in 2008.

LARGE FARM OPERATION RULES REVISED

The Legislative Committee on Administrative Rules (LCAR) adopted revisions to Vermont's Large Farm Operations Rules at its meeting on October 31. These rules provide management and design standards, procedures, and requirements for Large Farm Operation (LFO) permits. The rules' intended result is a permit that:

- assures no discharge of farm wastes from production areas to state waters;
- includes requirements for nutrient management, maintenance, record keeping, and annual reporting; and

- addresses siting and setbacks.

Local officials have no zoning jurisdiction over accepted agricultural and silvicultural practices, including construction of farm structures. 24 V.S.A. § 4413 (d). However, they can at least participate in an advisory group to the secretary of the Agency of Agriculture that assists in the review of an LFO application for construction of a new large farm barn. Whereas the secretary "shall" establish the advisory group and include a representative appointed by the local legislative body when

(Continued on Page Eight)

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ASK THE LEAGUE

QUORUM REQUIREMENTS; NONCONFORMING MOBILE HOMES

Our appointed planning commission has difficulty meeting quorum requirements with a seven-member commission. How do we reduce membership on the commission to five members?

The legislative body of the municipality has the authority to create a planning commission under 24 V.S.A. § 4321, and the authority to set term limits and fill vacancies by appointing new planning commissioners un-

body, but VLCT recommends that the legislative body pass a resolution. This resolution would include the authority to create, appoint and set the term limits of a planning commission. It would also outline the transition from a seven-member to a five-member commission, allowing active members to complete their existing terms, and/or redefining terms for vacant seats in order to achieve staggered terms for the resulting five positions.

Yes. While 24 V.S.A. § 4412(7) does provide municipalities with broad enabling authority to prohibit the expansion and perpetuation of nonconformities as they see fit, a statutory exception exists for those mobile homes situated within preexisting mobile home parks.

State law defines a nonconforming structure as one "that does not conform to the present bylaws but was in conformance with all applicable laws, ordinances, and regu-

"... a mobile home owner may replace or rebuild his or her mobile home in the same footprint as the previous mobile home..."

der 24 V.S.A. § 4323 (a). The authority to reduce the size of the planning commission also lies with the legislative body.

To move to a five-member commission, the planning commission and legislative body would first meet to determine who is willing to resign from the commission. If members are inactive, they could be removed by a unanimous vote of the legislative body. 24 V.S.A. § 4323 (a).

The act of reducing the membership on the planning commission could occur at a regularly scheduled meeting of the legislative

To keep the public informed about the reduction of the membership of the planning commission, the legislative body could hold a public hearing on the issue. The public will then have an opportunity to participate in the discussion prior to passage of the resolution.

*- Stephanie Smith, Senior Associate, VLCT
Municipal Assistance Center*

Can a nonconforming mobile home within a preexisting mobile home park be replaced?

lations prior to the enactment of the present bylaws..." and directs municipalities to specify exactly how such structures will be addressed in its bylaws. 24 V.S.A. § 4303(13). Typically, bylaws only allow a nonconforming structure to be replaced or rebuilt when it has been destroyed by some natural catastrophe, and then only to the same condition preceding its destruction or to the extent the degree of nonconformity is not increased. The only other alternative for an owner who seeks to replace or rebuild a nonconforming structure for some other reason not specified in a municipality's bylaws is to request a variance.

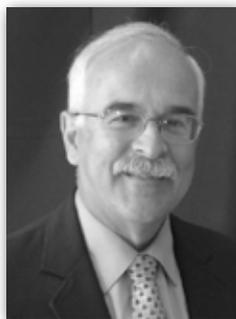
This is not so with respect to mobile homes within preexisting mobile home parks. Although municipalities may establish site standards to regulate individual mobile home sites within a preexisting park, those standards cannot have the effect of "prohibiting the replacement of mobile homes on existing lots." 24 V.S.A. § 4412(1). Consequently, a mobile home owner may replace or rebuild his or her mobile home in the same footprint as the previous mobile home, regardless of the fact that it will continue to be in violation of site standards for the applicable zoning district.

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

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LEGISLATIVE - (Continued from Page One)

tinue to escalate while revenue sources dedicated to the transportation fund continue to decline. (See article on page 9 about a new study, directed by The Snelling Center, on Vermont's transportation funding needs and priorities.) The Corrections Department was directed to find a way to reduce costs of incarceration by \$4 million, with half of those savings to be used for re-entry services. Summer study committee reports, generally due to the legislature by December or January 15, are required on a host of issues such as state policing capacity, groundwater management, current use, solid waste management facilities, school construction aid assistance, and phosphorus discharges from wastewater treatment facilities. Each of these reports will recommend legislative action. Legislation to establish a new program encouraging construction of housing came to naught in 2007 and will be taken up anew in 2008. The same is true for tax increment financing, a tool to help municipalities address infrastructure needs in areas targeted for redevelopment. The House Fish, Wildlife and Water Resources Committee worked over the summer to develop "riparian buffers" legislation that was introduced in late spring; it also expects to hear from a working group about how to revamp laws addressing regulation of wetlands. Much more is on their plates as well. And much of it would affect local governments.

In fact, every bill that was introduced in the 2007 session, whether it saw action or not, is considered "live" again at the start of the next session. Regardless, a lot of those bills will not be taken up in committee this year. If an issue is still current and no action was taken in the previous year, it is more likely that a new bill, with a 2008 bill number, will be introduced. New bill or old, your advocacy staff is ready to take on the 2008 legislative session, with your advice, limitless experience and active help.

STRENGTHENING VLCT'S LEGISLATIVE EFFORTS

Last summer, in addition to working with local officials to propose and adopt the *VLCT 2008 Municipal Policy*, advocacy staff and the VLCT Board conducted an assess-

ment of our efforts in the legislature. We sought to answer, "How can VLCT be more successful in achieving the goals expressed in the *Policy*?" The Board agreed to focus our efforts in the following ways, in addition to the work advocacy staff currently accomplish. Some of these initiatives will benefit substantially from the involvement of the VLCT membership.

- Highlight in testimony and the media the uniqueness and value of VLCT's membership of local government officials, who dedicate themselves to implementing democracy in the public view every day and who assure that consistently high quality services are delivered to their citizens.
- Employ board, policy committee members and general membership more consistently and effectively in the legislative process to deliver a local government message.
- Provide assistance to local officials who deliver local government messages to the legislature.

- Increase the Web presence of VLCT advocacy efforts. We hope to link to commentary Web sites and to post our testimony before committees to our Web site. The Web site has a link to the legislature's Web site, which lists all bills introduced and records action on the House and Senate floors, as well as addresses of legislators.

One of the most important actions a local board can take is to invite its senators and representatives to a meeting to discuss local issues before the legislative session begins or in the first few weeks of the session. Keep them engaged with your issues throughout the session! Take time to read the *VLCT Municipal Policy Priorities* brochure and then the *Weekly Legislative Report* on-line or when it arrives in your mailbox. And join us for Local Government Day in the Legislature on February 20, 2008. If you have particular expertise in any of the areas highlighted in VLCT's legislative priorities, please let us know. We may ask for your help!

- Karen Horn, Director, VLCT Public Policy and Advocacy



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LARGE FARMS-

(Continued from Page Five)

an application for construction of a *new* barn is proposed, the secretary “may” convene such a group when the application is for the expansion of an existing barn.

What is an LFO? If livestock or domestic fowl are confined for more than 45 days and are in an area where vegetation is not sustained during the growing season, and the facilities are owned by the same person or share a common border or common waste disposal system, then the numbers of animals noted below will qualify as an LFO.

An LFO facility includes production area, barns, and land devoted to waste storage. It also includes other agricultural structures such as waste management systems built to prevent direct discharges to waters of the state or to help groundwater meet state groundwater quality standards.

In summary, an LFO facility is one that is designed, adapted or used to operate a

farm in which the barns are designed to house more than:

- 700 mature dairy animals, whether milked or dry;
- 700 bulls;
- 1000 cattle, cow/calf pairs, young stock or heifers;
- 1000 veal calves;
- 2500 swine weighing over 55 pounds or 10,000 swine weighing less than 55 pounds;
- 500 horses;
- 10,000 sheep or lambs;
- 55,000 turkeys;
- 30,000 laying hens with a liquid manure handling system or 82,000 laying hens without a liquid manure handling system;

- 125,000 chickens other than laying hens without a liquid manure system;
- 5,000 ducks with a liquid manure handling system or 30,000 ducks without a liquid manure handling system; or
- any other animal type and number that the secretary (of the Agency of Agriculture) deems to fit this category.

Once an LFO application is complete, the secretary of Agriculture must contact the secretary of the Agency of Natural Resources to determine that there are no unpermitted discharges to waters of the state that would require a federal Confined Animal Feeding Operation (CAFO) permit. If necessary, or at the secretary of Agriculture’s discretion in the case of an expansion, the advisory group shall be convened to review applications and make recommendations regarding the permit. The Agriculture Agency has 45 days to review the permit or it is deemed approved. Only the applicant seeking the permit and the secretary of Agriculture are parties to an appeal of an LFO permit. An applicant may appeal the secretary’s final permit decision to the environmental court within 30 days of a final permit decision.

As noted above, an LFO permit addresses discharges to surface waters; groundwater quality; compliance with Accepted Agricultural Practices (AAPs); land application of wastes; flies, odor, noise, or traffic in excess of “those from a well managed similar sized farm of the same animal type”; erosion and sediment control during improvement activities; compost and leachate control; and waste management system design standards. As well, the application must address setbacks and nutrient management plans.

There are only a few LFOs in Vermont. However, the potential impact of such large operations on surrounding areas and waters is clearly significant. Should such a facility be proposed, local legislative bodies need to assure that they appoint an advisory committee member and that the municipality’s voice is heard in the application process.

- Karen Horn, Director, VLCT Public Policy and Advocacy



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TAKE THE SNELLING CENTER'S TRANSPORTATION SURVEY!

As an initial step in its study of the future of transportation funding, the Snelling Center for Government has posted an on-line survey designed to gauge where Vermonters think their transportation dollars should be spent.

The survey, which takes just a few minutes to complete, asks the respondent to prioritize what he or she feels is most important: the maintenance and repair of existing infrastructure (such as roads and bridges) or the construction of new infrastructure. The survey also asks respondents what they feel is the condition of the state's transportation infrastructure. To take the survey, go to <http://www.snellingcenter.org/transportationfinance/>.

The Snelling Center's transportation funding project, of which VLCT is a sponsor, is an initiative launched at the request of a number of individuals and entities (including the Speaker of the House, the State Treasurer, and the Senate President Pro Tem) to determine not only how transportation dollars should be spent in Vermont, but also how they should be raised. With the continued deterioration of infrastructure and the increasingly anemic performance of state transportation fund revenue, a significant gap already exists between maintenance and construction needs and the funding available for both. The "Transportation Priorities and Financing Options" initiative is scheduled to conclude with the release of a summary report late in 2008.

The Snelling Center, located at the University of Vermont, is a non-profit, non-partisan entity created to inform public policy and foster civic leadership in Vermont.

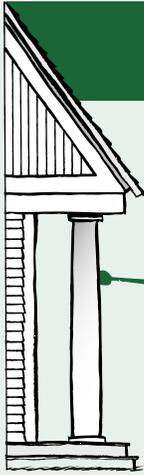
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CIGNA WELLNESS GRANT PUT RIGHT TO WORK

When the VLCT Health Trust chose CIGNA as its new health insurance provider almost a year ago, one of the exciting possibilities offered by the new partnership was receipt of a CIGNA Wellness Grant.

The Health Trust did receive a \$50,000 Wellness Grant from CIGNA in late summer, and put the funds immediately to work. "We were delighted to receive this substantial grant," said Joe Damiata, Manager, VLCT Safety and Health Promotion. "We know that wellness is a key to keeping health insurance costs down, and this grant, which we will receive again in 2008, lets the Health Trust strengthen its already comprehensive wellness program."

The Health Trust chose to spend the Wellness Grant in three areas:

- Take the HRA Incentive. Health Trust members who completed CIGNA's HealthQuotient on-line health risk assessment by September 1 were entered into a drawing to win one of one hundred, \$50 cash prizes. Winners were notified last month. If you have not completed the HRA, you may do so at any time at myCIGNA.com. The HRA provides you with valuable feedback about your potential health risks so that you may take action now to minimize them.

WELCOME

The Town of Victory recently joined the VLCT Health Trust, bringing total membership up to 258.

- Improved Health Screenings. The Health Trust recently purchased two new machines that will be used during the free annual health screenings it offers to members: a bone density detection machine that uses ultrasound on the forearm to help determine osteoporosis risk and a machine that measures A1c for diabetics and those at risk for diabetes.
- Flu Clinics. The Health Trust offered thirty flu clinics at municipalities

around the state in October and November. One thousand Health Trust members received their flu shot at one of these clinics!

For more information about the Health Trust's wellness programs, please contact Heidi Joyce, VLCT Senior Health Consultant, at 800/649-7915.

- Katherine Roe, VLCT Communications Coordinator

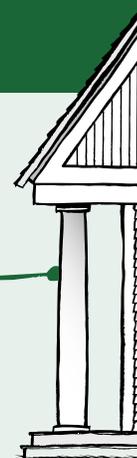
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LEADER CLOSSES SECOND YEAR WITH IMPROVED NUMBERS

The VLCT Health Trust's Leader Program recently closed its second year with increased participation and scores over its first year. Seventy-six members participated

in health insurance rate credits to the 2007 Leader Program participants. The credits reflect a job well done in motivating and tracking employees' participation in a wide

"We commend our municipal employees for choosing to promote good health and thereby contributing to our effort to lower health insurance premiums."

"... The credits reflect a job well done in motivating and tracking employees' participation in a wide variety of wellness activities, from quitting smoking to exercising regularly."

in the program in 2007, up from forty-nine during 2006. Employee scores improved by almost ten percent; overall scores improved by almost five percent.

In recognition of its members' efforts, the Health Trust will distribute over \$320,000

variety of wellness activities, from quitting smoking to exercising regularly.

"We are proud of our Leader participants for taking wellness in the municipal workplace to the next level," said Richard Park, Director of VLCT Group Services.

Health Trust members who participated in the 2007 Leader Program are: Addison County Solid Waste District, Berkshire, Brandon, Brattleboro, Bristol, Burke, Castleton, Charleston, Charlotte, Chittenden

(Continued on Page Fourteen)

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Tech Check



BASIC PC SECURITY

Just as some of us need reminders to buckle our seatbelts and check the air in our tires to keep us safe in our vehicles, we also occasionally need to check some things to maintain the safety and security of the computers we use. I want to take this month's Tech Check to review some very basic steps every user should take. This is not intended as an in-depth examination of security, but rather a list of points to consider.

Keep your Windows, Internet Explorer and MS Office applications

patched. Most of the recent, severe virus outbreaks exploited flaws in Microsoft software for which there were already patches. New fixes are published regularly. Get them!

Getting the latest updates may be especially problematic if you have a dial-up Internet connection and you avoid updating due to the download times involved. In this situation you should either invest the time in downloading any "critical updates" from Microsoft or talk to whatever PC technical resource you have about a better

method to update your system or systems. Granted, this issue primarily affects Microsoft products. However, Apple, Mozilla (Firefox and Thunderbird) and various distributions of Linux are not completely immune and all regularly publish updates and patches. You should keep any of these software packages or operating systems current.

Virus, spyware, and adware protection. Unless your computer is completely isolated from the Internet, you need these. Browsing the Web, no matter how careful you believe you are, or receiving e-mail without both virus and spyware/adware protection virtually guarantees that your system is infected. It may be annoying adware, privacy-compromising spyware or a virus that can harm your PC and spread to others.

Even more so than with your operating system and browser, it is critical to keep this software up to date because new virus and spyware definitions are released almost daily. Another issue with most of these is that you must subscribe to them for a fixed period of time. Do not let your subscription expire or you lose the ability to get updates.

There are several different vendors for these types of software. Many now combine virus, spyware and adware protection features in a single package.

If you are ever on a Web site which displays a flashing message saying "Your system may be infected," "Free virus (or spyware) scan" or some such similar message, do not click on it. In many cases they may be spyware or adware themselves.

E-mail. Previous columns have covered the subject of spam and hoaxes (see January 2002, September 2003, and November 2004) so I won't address those two sub-

(Continued on Page Eighteen)



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LEADER PROGRAM -

(Continued from Page Eleven)

County Superior Court, Chittenden Solid Waste District, Colchester, Dorset, Dummerston, Eden, Essex, Essex Junction Village, Fairlee, Georgia, Grafton, Greater Upper Valley Solid Waste Management District, Hardwick, Hardwick Electric Department, Hartford, Hartland, Jericho, Killington, Ludlow, Lyndon, Marshfield, Mendon, Middlebury, Milton, Montpelier, Morristown, Newport City, Norwich, Otter Creek Natural Resources Conservation District, Peacham, Pittsford, Plainfield, Pomfret, Putney, Randolph, Readsboro, Richford, Richmond, Rockingham, Shelburne, South Burlington, St. Albans City, Swanton Village, Thetford, Vergennes, VLCT, Vershire, Village of Derby Center, Village of Derby Line, Waitsfield, Wallingford, Warren, Washington County Superior Court, Waterbury, Waterford, Weathersfield, Westford, Wilmington, Windsor, Winhall, Winooski, Wolcott, Woodstock, Barre Housing Authority, Worcester, and Westminster.

For more information on the 2008 Leader Program, please attend one of VLCT's Wellness Coordinator regional meetings in January or February 2008. Registration information for the meetings will be mailed and posted at the VLCT Web site (<http://www.vlct.org/eventscalendar/upcomingevents/>) in late December.

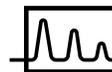
- Katherine Roe, VLCT Communications Coordinator



Six 2007 Leader participants were recognized for their efforts at the recent VLCT Health Trust Annual Meeting. Highest top management scores were attained by the Greater Upper Valley Solid Waste Management District (small municipality, 90 %), Hardwick Electric Department (medium municipality, 77.5 %), and, missing from photo, Town of Rockingham (large municipality, 67.5 %). Highest employee participation scores were attained by Addison County Solid Waste Management District (small municipality, 83.7 %), Town of Ludlow (medium municipality, 70.3 %), and Town of Hartford, large municipality, 81.3 %). Congratulations, all!



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VLCT WELCOMES TWO NEW STAFF MEMBERS

Jim Burke and **Susan Galfetti-Benoit** joined the VLCT staff in October, just in time to meet some VLCT members at Town Fair.

Jim fills the new position of Information Technology Director and Susan steps into a position previously held by **Kelley Avery**, who left VLCT in early September to take an educational administration position with the Washington South Supervisory Union. To better serve our members, Susan will be an Inside Member Relations Representative, as well as provide administrative support for our Member Relations team. She will work closely with our "on the road" Representatives, **Tanya Chambers**, **Lisa Lindner** and **Dan Roda**, and with Member Relations Director **Larry Smith**.

Susan comes to VLCT from the State of Vermont's Office of Health Access, where she was a Health Program Administrator. Previously, she was an Assistant Data Analyst for Blue Cross Blue Shield of Vermont. She is a graduate of Champlain College, with an Associate in Science degree from its Secretarial Specialist Program. Susan and her husband are just settling into their new



Susan Galfetti-Benoit

home in Washington, Vermont. Please welcome her to VLCT when you call in with your Health Trust questions!

Jim comes to VLCT from Bruegger's Enterprises/Bagel Bakery in Burlington, where he served for ten years as a Senior Systems Engineer and Data Support Manager. Prior to that, he was a Senior Software Engineer for Universal Microsystems in Waitsfield, and held information technology positions with Stowe's Springer/Miller Systems and Winooski's Physician's Computer Company. Jim is a graduate of the University of Vermont, with a Bachelor of Science in Busi-

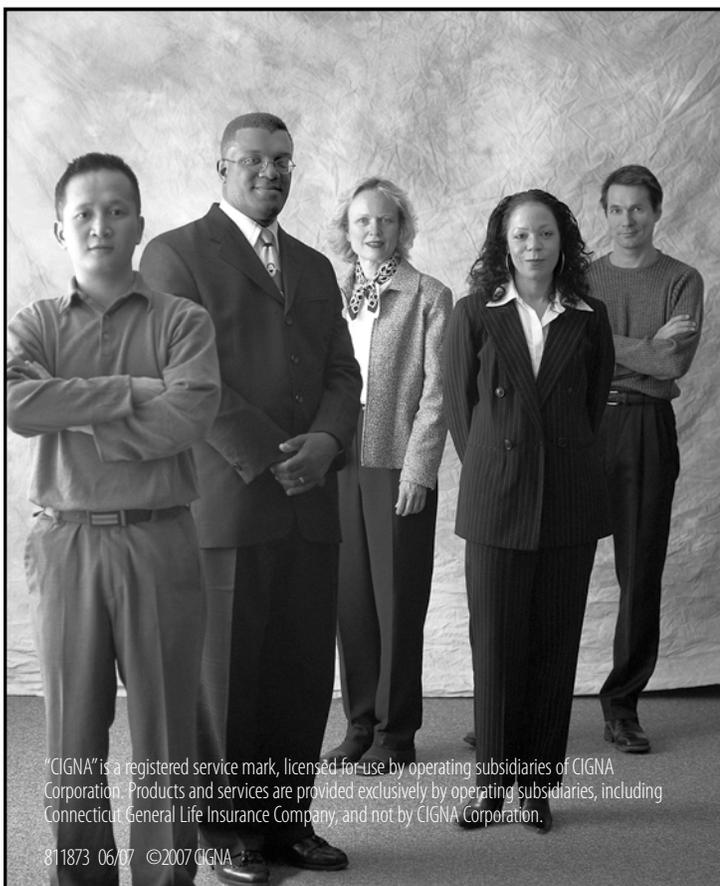


Jim Burke

ness Administration. He lives in Montpelier with his wife and two sons.

As VLCT's first Director of Information Technology, Jim will oversee the League's increasingly complex data management needs and assist with its strategic planning in the area of information technology. He will work closely with other members of the VLCT Information Technology Division, **Luke MacDonald** and **Jill George**, and oversee VLCT's two communications staff members. Welcome, Jim!

- Katherine Roe, VLCT Communications Coordinator



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Classifieds

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

HELP WANTED

Deputy City Clerk. Rutland City, Vt. seeks a full-time Deputy Clerk to assume the City Clerk's duties in her absence. Other duties include assisting with business licensing, maintaining databases for birth, death and marriage/civil union records, and processing vital records corrections. The Deputy Clerk also functions as the

voter/elections clerk by maintaining voter and absentee ballot databases, creating voter checklists and assisting the City Clerk during elections. Additional duties include maintaining a dog database, administering the City Clerk's Web site, issuing hunting and fishing licenses, acting as notary public and taking minutes at various municipal meetings. For a full job description, contact the City Clerk's office at 802/773-1801. Requirements: high school graduate or GED and at least two years of college; three or more years of clerical experience with proficiency in Microsoft Office; computer literate and ability to adapt to new software; paralegal experience a plus; ability to create mail merges, import and export data; clerical aptitude, accuracy, good judgment, and ability to get along with others. Salary, \$20.16/hr. Hours, 8:30 a.m. to 5:00 p.m. To apply, send letter of interest and resume to: Susan A. Clark, Rutland City Clerk, P.O. Box 969, Rutland City, VT 05702. (11-9)

Financial Position. Stowe, Vt. has a temporary, 32-hour per week opening from December 2007-April 2008 in the Finance Department. This detail-oriented, multi-task position requires interaction with employees, department heads and the public. Duties include accounts payable, completion of a variety of spreadsheets, account reconciliations, and other general office duties as needed. The ideal candidate will have strong written and oral communication skills and proficiency with various computer programs, including Microsoft Excel, Word and Outlook. The ability to organize, prioritize and maintain multiple tasks and deadlines is a must. Salary dependent upon qualifications and experience. To apply, send letter of interest and resume to: Susanne Gann, HR Coordinator, Town of Stowe, P.O. Box 730, Stowe, VT 05672. Position open until filled, but we will begin scheduling interviews no later than November 26, 2007. E.O.E. (10-30)

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.

Executive Assistant. Hardwick, Vt. seeks an Executive Assistant who can work in a team-oriented environment where we all share the load. This person must have a strong governmental accounting background (3 years +) with NEMRC software applications preferable. Knowledge of departmental budgeting, financial statement preparation, project management, meeting minute taking, etc. This person should enjoy multi-tasking and be able to make sound independent operational decisions. Other important attributes include grant writing, interdepartmental relations and effective communications, both oral and written. Salary commensurate with experience. Excellent benefits. To apply, send letter of interest and current resume to: Rob Lewis, Hardwick Town Manager, P.O. Box 447, Hardwick, VT 05843, or via e-mail rlewis.hardwick@vtlink.net. Position open until filled. E.O.E. (10-30)

Library Director. Shelburne, Vt. (pop. 7,000) seeks a full-time Library Director to manage a growing municipal library in an active community. The Director supervises 2 full-time and 6 part-time employees as well as numerous volunteers. The library houses 30,000 volumes with a circulation approaching 60,000. A master's degree in Library Science plus 5 years of experience, including at least 2 years as a supervisor, is desired. In addition to being a dynamic hands-on manager who will maintain a visible presence in the library and community, the successful candidate will demonstrate strong initiative, leadership and interpersonal skills. Salary range, \$39,520-\$47,840, with a competitive benefit package. Visit www.shelburnevt.org for a complete job description. To apply, send letter of interest and resume to: Paul W. Bohne III, Town Manager, 5420 Shelburne Road,

(Continued on Page Nineteen)



TECH CHECK -

(Continued from Page Thirteen)

jects. I will make a couple of suggestions.

Turn off the "Preview" or "Reading" pane because it opens the message. Believe it or not, messages can contain programming that runs when you look at the message. With the preview on, simply highlighting an e-mail in the list opens it. In Outlook Express you cannot delete an e-mail without opening it.

In Outlook Express go to "View"->"Layout..." and uncheck the box for "Show Preview Pane."

In Outlook you must turn off the Reader pane in each folder. (Unfortunately, you cannot turn it off globally.) To do this, go to "View"->"Reading Pane" and choose "Off."

The old caution used to be: Don't open e-mail unless you know who sent it to you. However, now you may get spam where the sender's name looks like someone you recognize (even yourself!). Always check the subject line: if it looks out of place or odd, delete the e-mail. Be suspicious of any mail without a subject.

Broadband routers and firewalls and wireless access points. This is a subject that deserves an extensive treatment, which I will not attempt here. You should change the default password and not allow configuration access from either the Internet or the wireless network.

The benefits and risks of wireless access are topics also worthy of extended discussion. If you have not considered this, yet still have wireless enabled in your office, you probably ought to turn it off. At the very least, turn on security and encryption and isolate any publicly available wireless network from your office network.

One issue that is often overlooked is laptops with wireless cards that are plugged into your wired network. These systems may connect automatically to an unsecured access point in your neighborhood. This may make your network available to whomever is on that network and you may not even be aware of it.

There is an excellent Wikipedia article with links to other resources at: http://en.wikipedia.org/wiki/Wireless_security. It is a good starting point.

USB drives, iPods and music players. These devices can be two-fold threats

to your organization. First, users can copy data from your system or network. Taking files home to work on off-hours may be a legitimate need but what happens to that data once it leaves your office? The drive may get lost or misplaced. Is the home system secure? Is the drive password-protected? Unless you have monitoring software running on your network, you also have no idea what gets copied on to these devices.

The second threat is from drives or MP3 players that are compromised by a virus or other malicious software. As with e-mail or Web viruses, these can open your system up to outside access.

If you must use a USB drive, purchase a device which can be password-protected and encrypted and use this feature.

An interesting side-note to this topic: A security company scattered twenty USB drives in the parking lot of a credit union early one morning. The drives had a program that would report to the company's system with information about the computer and network into which it was inserted. Fifteen of those drives went into credit union PCs almost immediately.

For an article about this specific test, see: http://www.darkreading.com/document.asp?doc_id=95556&WT.svl=column1_1.

Use Google or your favorite search engine with either "USB Drive security" or "iPod security" for more about the threats from iPods and USB drives.

Finally, let me close with a couple rules that may seem self-evident yet which I see violated constantly.

Passwords. Make any password hard to guess but simple to remember. Mix upper and lower case letters, numbers and symbols. Do not use significant dates such as birthdays, dictionary words. ("UvM1978Grad" is not safe.) Also, never write down your password on a piece of paper unless the paper is locked away – hiding it under your keyboard is not secure. (You may laugh that this should be obvious; however I have seen the administrator password, in bold and highlighted, taped on the wall at the front desk of a resort in Colorado.) Complexity, randomness and length are what you want. You can use numbers for letters: 1 (one) for "i" or 4 instead of "A", for example. But the simple practice of doing this for a dictionary word (i.e. 11gh7 for light) is not recommended – cracking programs look for those

combinations. Use a phrase you can remember and "initialize" it: mCp17bOit0! stands for "My computer password is the best one in the organization!" (Okay, maybe not the best one to remember or use, but you get my drift.) Microsoft has a password checker at: <http://www.microsoft.com/protect/yourself/password/checker.msp>.

Lock your PC. When you leave your computer unattended, you do not want anyone to use it in your absence. With Windows PCs a simple <CTRL-ALT-DELETE> then <ENTER> will lock the screen and require your password before someone can use your computer.

Set your screensaver to kick in after 10 minutes or so of inactivity and password-protect it. To set this option, right-click anywhere on your desktop and choose "Properties" (or navigate to "Control Panel" then choose "Display"), click the "Screen Saver" tab at the top, put a time in the "Wait:" box and check the box for "On resume, password protect."

As I said at the beginning, this article is about basic security; some of these issues you may be aware of and others you might not have considered. Administrators with larger networks will no doubt have addressed these and other issues. Those of you with simpler setups may want to explore more. A good place to start is: http://www.mangolab.com/index.htm?sec_tips.htm. This site has many more security items to look at, along with the "whys" and "hows" behind them.

- Jim Burke, Director, VLCT Information Technology

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CLASSIFIEDS -

(Continued from Page Seventeen)

P.O. Box 88, Shelburne, VT 05482, or e-mail pbohne@shelburnevt.org. E.O.E. (10-24)

Planning Director. Brattleboro, Vt. (pop. 12,000), a regional center for commerce, finance and technology, seeks a Planning Director to be responsible for all aspects of comprehensive planning, community and economic development programs for the Town. The Planning Department provides services related to community development, long-range planning, zoning administration, and economic devel-

opment. Candidates should be exceptional leaders, capable of planning and directing department services and coordinating efforts with other departments. They must be committed to assisting the Town as it moves towards more sustainable development and economies. The desired candidate must be capable of managing complex issues and be action-oriented, as well as open to change. Exceptional oral/public speaking and written communication skills are needed. He/she must have the ability to build relationships and work in a team-oriented organization. This position requires a person with high energy, capable of operating with significant independence and initiative, yet open to direction from Town Manager and policy makers. Requirements: Extensive experience in planning, community development, redevelopment and growth management programs in a public sector-related organization. Education should include at least a Bachelor's degree in Planning, Public Administration or a related field. Candidates should have knowledge of principles and practices of urban and city planning, economic factors that influence community development, and zoning, and a thorough knowledge of automated systems related to planning and zoning issues. Preference given to candidates with sustainability credentials and experience with local development. To

apply, submit resume and cover letter to: Brattleboro Town Manager, Planning Director Search, 230 Main Street, Room 208, Brattleboro, VT 05301. Review of candidates begins November 14. (10-23)

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TRIVIA

Brian Hanson, a planner with the Northeastern Vermont Development Association, beat out over a dozen colleagues with his answer to last month's Trivia Challenge. He knew that it was coins that metalsmith Reuben Harmon minted for the Republic of Vermont in 1785.

Here is our last challenge of 2007, in recognition of fall hunting seasons:

In a Vermont book entitled *The Gentleman from Hayville*, the author remarked that a license fee for deer hunters was "a funny thing if we got to keep them deer around the place for a year and then pay to go out and shoot 'em." Who was the author and when was the book written?

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

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Calendar

For more information about the following workshops or events, please contact Jessica Hill, VLCT Manager, Administrative Services, tel., (800) 649-7915; e-mail, jhill@vlct.org. Or visit <http://www.vlct.org/eventscalendar/> 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.)

Town Health Officers Workshop. Thursday, December 6, 2007, Elks' Lodge, Montpelier. Sponsored by the VLCT Municipal Assistance Center. Town health officers, selectboard members, and town managers/administrators should attend this workshop, which features sessions on the health officer's role in Vermont's public health system, a rental housing roundtable, an update on Vermont's septic laws, and a discussion of the future role of the health officer.

Flood Prevention and Management.

Thursday, December 13, 2007. Broadcast from a Vermont Interactive Television site near you. Sponsored by VLCT Municipal Assistance Center and your local Regional Planning Commission. This evening workshop will focus on short- and long-term strategies for restoring the hydrological balance in our river systems.

Midwinter Municipal Roundtable.

Wednesday, January 16, 23 and 30, 2008, VLCT Offices, Montpelier. Sponsored by the VLCT Municipal Assistance Center and VLCT PACIF. The midwinter roundtable will focus on three common challenges to governing rural communities: Managing Conflicts of Interest (January 16), Ordinance Adoption and Enforcement (January 23), and Personnel Management (January 30).

Municipal Grants Symposium. Thursday, January 17, 2008, Elks' Lodge, Montpe-

lier. Sponsored by the VLCT Municipal Assistance Center. This popular workshop will bring together numerous state, federal, and private grant making sources for a discussion of their unique programs and how municipalities can best position themselves for effective applications.

Wellness Coordinator Workshop. Thursday, January 31, Capitol Plaza, Montpelier; Thursday, February 7, Cortina Inn, Mendon; Thursday, February 14, Hampton Inn, Colchester; Thursday, February 21, Comfort Inn, St. Johnsbury; Thursday, February 28, Wilmington Town Offices. Sponsored by the VLCT Health Trust. Topics for this workshop, repeated in the five locations noted above, include the Leader wellness incentive program, looking back and going forward, introduction of the 2008 exercise ball program, and an update from the Trust's employer assistance program.