

VLCT NEWS

A PUBLICATION OF THE VERMONT LEAGUE OF CITIES & TOWNS

SERVING AND STRENGTHENING VERMONT LOCAL GOVERNMENTS

April 2008

WELCOME NEW AND RETURNING LOCAL OFFICIALS

VLCT offers congratulations to all new and returning local officials who were elected to office on Town Meeting Day.

Your municipal organization offers a wide variety of resources that can quickly bring

MAC, which offers legal, educational and consulting services, **Group Services**, which offers a wide range of insurance and benefits services; and **Advocacy**, which represents municipal interests at the Vermont State House.

"Your municipal organization offers a wide variety of resources that can quickly bring new local officials up to speed."

new local officials up to speed. Please watch for the print and/or electronic versions of this newsletter and the *Weekly Legislative Report*. Consider attending a workshop put on by the VLCT Municipal Assistance Center (MAC) – for more information about its spring schedule of educational workshops, please visit our website's Events Calendar at www.vlct.org.

You will also find in this issue a brief New Officials' Guide to VLCT, designed to orient you to the broad range of VLCT services:

Our members include all 246 cities and towns in Vermont, plus many fire and solid waste districts and other municipal entities. Rest assured that if you call, we will help you or refer you to a resource that can. Our toll-free telephone number is 800/649-7915 and our general e-mail address is info@vlct.org. Individual staff members can be reached at firstname.lastname@vlct.org. Again, welcome aboard, and may your local government service be lengthy and productive!

TULIP BLOOMS AT VLCT PACIF ADDS A NEW MEMBER BENEFIT

Do you rent your municipal facilities to others? Do you allow others to use your outdoor venues to hold events such as weddings, festivals, cultural events or parades? Do you have groups, such as a historical society, that hold meetings in your facilities on a regular basis? If you answered yes to any of these questions, then PACIF's new TULIP (Tenant Users Liability Insurance Policy) program will be very helpful to your municipality.

TULIP provides low cost general liability insurance for tenant users of a VLCT PACIF member-owned venue or facility. To manage and control the exposures that come

(Continued on Page Ten)

LOCAL GOVERNMENT DAY 2008

U.S. Senator Bernie Sanders addressed a luncheon crowd of 265 at Local Government Day 2008. Here, he speaks to Chester Town Manager Susan Spaulding (left) and Killington Town Manager David Lewis (middle), shortly after they were each presented with the 2008 VLCT Lifetime Achievement Award. Both managers are retiring this year after lengthy careers in local government. Local officials from around the state gathered at the State House before and after the luncheon festivities to hear – and be heard by – their elected senators and representatives on municipal issues. (Photo by David Gunn)



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DIGITAL DIVIDE WORKSHOP

Vermont Telecommunications Authority Board Chair Mary Evslin addressed 75 attendees at VLCT's March 7 Digital Divide Workshop. Evslin was joined by Governor Douglas, luncheon speaker Steve Shepard, and representatives from Burlington Telecom, EC Fiber, the Vermont Rural Broadband



Project and North-link, all of whom emphasized the importance of leading the state toward universal access to high-speed Internet and cellular telephone service. Materials from the workshop and additional information about public broadband service initiatives are available on the VLCT website at <http://www.vlct.org/events/calendar/digitaldivideforum/>. (Photo by Allyson Barrieau)

“The economic and environmental arguments for expanding broadband in Vermont are compelling. **Municipalities can't afford NOT to do this.**”

“For the under-served rural towns of Vermont, the ECFiber model offers an opportunity to replace one of the worst communications networks in North America with **one of the best.**”

“I hope this is the first of many such gatherings around the state, where people share ideas about what works, and what doesn't, in the effort to get **better Internet and telecommunications services to Vermonters.**”

– A few participant take-aways from the Digital Divide Workshop

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.

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LEGAL AND REGULATORY NOTES



SMALL TAX BREAK FOR VOLUNTEER FIREFIGHTERS, EMS

On December 20, 2007, President Bush signed the Volunteer Responder Incentive Protection Act of 2007 (VRIPA). This Act will exclude from taxable income up to \$360 per year of nominal payments from municipalities to volunteer firefighters and volunteer EMS personnel. The exemption begins on January 1, 2008, and affects income earned in 2008, payable on taxes by April 15, 2009. As currently written, the exemption

will sunset on December 31, 2010. The law also clarifies that volunteers who also claim deductions for deductible expenses in connection with fire-service activities will not be able to double-count these expenses under the \$360 per year cap.

- Jim Barlow, Senior Attorney, VLCT
Municipal Assistance Center

MAC PUBLICATIONS UPDATES

The VLCT Municipal Assistance Center recently issued an updated *Handbook for Collectors of Delinquent Taxes*. This handbook offers an overview of the statutory and practical requirements of the position. Different delinquent tax collection methods and special problems are discussed in the *Handbook*, which also has an extensive appendix of sample forms, letters and policies. To order a copy of the *Handbook*, please visit <http://www.vlct.org/marketplace/bookstore/>. VLCT members may also download a copy of the *Handbook* for free from the VLCT on-line Resource Library at <http://resources.vlct.org/>.

The Municipal Assistance Center also recently released the fourth in its series of technical papers. "On the Record Review" looks at the choice a municipality has between on the record and *de novo* review for appeals of its land use decisions and elaborates on the whys and the hows of adopting on the record review.

The "On the Record Review" Technical Paper is available from the Resource Library at <http://resources.vlct.org/>. For more information about these or other MAC publications, please contact Grace Person, MAC Research and Information Assistant, at 800/649-7915 or gperson@vlct.org.

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MORE EMPLOYEE TERMINATION TIPS

(Editor's Note: Last month's "Tips on How to Terminate an Employee" article strongly advised all municipal employers to consult with their attorney or the VLCT Municipal Assistance Center before beginning the termination process. This check-in is so important that we underline it this month with the additional tips that follow. Your attorney or a MAC staff member will cover these points when you call him or her to discuss terminating an employee's employment with your municipality. However, they are very general in nature and we advise, again, that you speak with your attorney or MAC for advice specific to your situation before you begin the termination process.)

Additional legal requirements placed on municipal employers require an extra focus on the termination process. The following four tips for municipal employee termination provide an overview of these requirements.

- Under Vermont law, the employment relationship for both the public and private sectors is presumed to be "at-will." This means that employment is terminable at any time, for any non-discriminatory reason, or for no reason at all. *However, the at-will presumption can be overcome by the existence of a statute, charter, collective bargaining agreement or a personnel policy inconsistent with an at-will relationship.* An example of this is a defined progressive discipline or termination process as is commonly found in many municipal personnel policies.
- *If there is a termination or progressive discipline procedure in your town's personnel policies, the inclusion of a boilerplate provision that the employee relationship is at-will will not automatically preserve the at-will employment relationship.* Courts will look at the town's policies in their entirety, together with the parties' reasonable expectations and norms of conduct in the workplace, to determine whether the at-will status has been modified.
- If the at-will employment relationship has been modified, failure to follow a

prescribed progressive discipline or termination procedure can give rise to a breach of contract or wrongful discharge claim against the town, so it is important for municipal employers to apply their progressive discipline and termination procedures consistently.

- Municipal employees who are not employed at-will usually have a constitutionally-protected property interest in their employment. Before a municipal employer can interfere with this property interest, the employee must

be afforded due process. Due process typically requires the municipal employer to give the employee written notice of the reason for termination and a hearing at which the employee can respond to the charges before termination is implemented. Failure to afford adequate notice and a hearing can result in a constitutionally-based due process claim against the town.

- Jim Barlow, Senior Attorney, VLCT Municipal Assistance Center

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ASK THE LEAGUE

MUNICIPAL RETREATS; SELECTPERSON SERVING ADDITIONAL POSITIONS

Can a municipal body hold a "retreat" in another town?

Yes. Vermont law does not designate that meetings of a public body must be conducted within its jurisdiction. However, the municipal body is still bound by the open meeting law. 1 V.S.A. §§ 310 et seq. Call-

Can a selectperson also serve on the planning commission or zoning board of adjustment/development review board? Can a selectperson serve as the administrative officer?

Yes and yes. These are not statutorily incompatible offices. However, holding these

the municipality other than membership in the zoning board of adjustment or development review board..." 24 V.S.A. § 4448(a). Do not take this statutory permission as an endorsement, as opportunities for conflict abound. Examples may include:

Scenario: Administrative officer is nomi-

"...holding these dual positions presents multiple opportunities for the appearance of, as well as actual, conflicts of interest."

ing the gathering a "retreat" or "work session" does not exempt a board from providing proper notice and taking minutes. The meeting must also be open to the public and the public must have an opportunity to participate. While most boards can only dream of such luxuries, if your board chooses to hold its retreat while enjoying a cruise on Lake Champlain, you should make sure the boat is big enough to accommodate members of the public who wish to attend!

- Stephanie Smith, Senior Associate, VLCT Municipal Assistance Center

dual positions presents multiple opportunities for the appearance of, as well as actual, conflicts of interest. While most of the conflicts discussed below are direct personal conflicts of interest for a selectperson, a direct financial conflict of interest can also arise in towns where the selectboard sets the compensation for town officers and employees. 24 V.S.A. § 933.

We'll take these dual positions in reverse order, starting with the **administrative officer**. State law expressly allows an administrative officer to "hold any other office in

nated by the planning commission and appointed by the selectboard. 24 V.S.A. § 4448(a). **Conflict:** Selectperson votes for him or herself as administrative officer.

Scenario: Selectboard has the authority to adopt personnel policies governing the administrative officer's behavior, evaluate the administrative officer's performance, and remove the administrative officer at any time for cause after consultation with the planning commission and a public hear-

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ASK THE LEAGUE -

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ing. 24 V.S.A. § 4448(a). **Conflict:** Selectperson evaluates his or her own performance, lobbies and votes against his or her removal from office.

Scenario: Selectboard is authorized by statute to settle lawsuits brought against the town in an appeal of an administrative officer's action or decision. **Conflict:** Selectperson votes against overturning his or her own action or decision as administrative officer.

The statutes are silent as to whether a selectperson may also serve on the **zoning board of adjustment (ZBA)/development review board (DRB)**. Therefore, the Municipal Assistance Center considers the practice permitted, but does not recommend it because of the following possible scenarios:

Scenario: ZBA/DRB members are appointed by the selectboard. 24 V.S.A. § 4460(c).

Conflict: Selectperson votes for him or herself as ZBA/DRB member.

Scenario: Selectboard may remove ZBA/DRB member for cause, upon written charges and after public hearing. 24 V.S.A. § 4460(c). **Conflict:** Selectperson votes against his or her removal from the ZBA/DRB.

Scenario: Selectboard has authority to represent the town in appeals to the Environmental Court and, in limited circumstances, may initiate an appeal of a ZBA/DRB decision as an interested person.

Conflict: Selectperson votes against overturning a decision he or she approved or denied as a ZBA/DRB member.

Selectpersons in rural towns, by virtue of their office, are already nonvoting *ex officio* members of the **planning commission**. Again, state law does not prohibit selectboard members from serving as full members of the planning commission so the Municipal Assistance Center considers it permitted, though not advised, because of the following possible scenarios:

Scenario: Planning commissioners may be appointed by the selectboard. 24 V.S.A. § 4323(a). **Conflict:** Selectperson votes for him or herself as planning commissioner.

Scenario: If appointed, planning commissioners may be removed at any time by unanimous vote of the selectboard. 24 V.S.A. § 4323(a). **Conflict:** Selectperson's vote blocks his or her own removal.

Scenario: Selectboard may vote to adopt the

town plan and/or bylaws. 24 V.S.A. § 4442(c). **Conflict:** Selectperson votes on the very town plan/bylaws that he or she had a hand in drafting and approving as a planning commissioner. 24 V.S.A. § 4325.

All of the above scenarios bring into question a selectperson's ability to impartially represent the public. For the other officers, questions arise as to their ability to impartially create, administer, and interpret a town's bylaws. Remember, too, that an appearance of conflict can be just as damaging to the public's faith in a town's system of zoning administration as an actual conflict.

As noted above, VLCT does not recommend that a selectperson hold any of these offices unless appropriate measures are taken to mitigate the impact of these potential conflicts. Such measures could include adopting a conflict of interest policy that requires a selectperson to recuse him or herself from all decisions involving his or her role as administrative officer, planning commissioner or ZBA/DRB member (with the caveat that the final decision of whether or not to recuse rests with the individual board member and cannot be compelled by other members of the board).

Finally, appropriate municipal panels (ZBAs/DRBs and planning commissions that exercise development review authority) must adopt rules of ethics with respect to conflicts of interest. Those rules could address the possible membership and participation of a selectperson. 24 V.S.A. § 4461(a).

- Garrett Baxter, Attorney, VLCT
Municipal Assistance Center

TRIVIA

Last month's Trivia winner, **Jennifer Hanlon**, Supervisor of the Unified Towns and Gores of Essex County, barely edged out **Don Milne**, Clerk of the Vermont House of Representatives, with our first March Trivia answer. Both quickly sent in the correct answer: Congratulations were due to Governor Phil Hoff for being the first democrat to be elected Vermont governor since the mid-1800s.

This month's Trivia was inspired by the recent Academy Awards ceremony. Good luck!

Match the following movies – The Trouble with Harry, The Four Seasons, Beetlejuice, Funny Farm, and The Cider House Rules, with the Vermont location (there are a few that were filmed in the multiple locations listed) where they were filmed. Your location choices are:

1. East Corinth
2. Edson Hill Manor/Stowe
3. Grafton/Townshend/Windsor
4. Dummerston/Bellows Falls
5. Craftsbury Common

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

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THE NATIONAL INCIDENT MANAGEMENT SYSTEM

IMPACTS ON VERMONT'S MUNICIPALITIES

BACKGROUND AND HISTORY

On February 28, 2003, the Homeland Security Presidential Directive #5 enacted the National Incident Management System. It directed the Secretary of Homeland Security to develop and administer a National Incident Management System (NIMS) that would enable agencies and governments to work together during a crisis.

In March 2004, a national stakeholder group developed the first comprehensive

national guidelines outlining the components of the NIMS. The guidelines provide a consistent, nationwide approach that allows federal, state and local governments to work effectively and efficiently together during a time of crisis. The NIMS was updated in 2007 and the new guidelines are due out this year.

The NIMS components were designed to complement each other so that they provide a national framework for incident management. These components include:

- preparedness;
- communications and information management;
- resource management;
- command management; and
- ongoing maintenance of the guidelines.

VERMONT'S NIMS ACCOMPLISHMENTS

Over the past several years, Vermonters have worked hard on these NIMS metrics and approximately \$2.5 million has been spent on NIMS planning initiatives. The work includes training in the incident command system (ICS), some inventorying of resources, emergency operations planning and exercises, standardizing equipment so it is compatible, and other related activities.

All of Vermont's towns and cities have directly or indirectly benefited from the Homeland Security Grant funds that were awarded to our first responder community. These funds purchased vital equipment needed to enhance Vermont's ability to respond to an all hazard incident. Additionally, towns have enhanced or written their Emergency Operations Plans and some have exercised them. Every municipality in Vermont must have an Emergency Operations Plan as outlined in the 2005 NIMS guidelines, which can be found on the Vermont Emergency Management website at <http://www.dps.state.vt.us/vem/>.

Many of our state's first responders and emergency support personnel have attended various ICS training. (Guidance on training can be found in the 2007 Vermont NIMS Implementation Plan on the Vermont Homeland Security website, vthomelandsecurity.org. This guidance includes courses recommended for municipal officials.)

STILL TO DO

As we all know, emergency planning is ongoing, which means work still needs to be done! An inventory of valuable response resources completed in 2006 will need to be updated this year. Many of our municipalities' public works departments were never inventoried due to the updating of the Federal

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NATIONAL INCIDENT -

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Emergency Management Agency (FEMA) document. Soon, members of the Department of Public Safety will be contacting municipalities to complete this important inventory of resources. Finally, federal preparedness grants require that local and state governments formally adopt NIMS as the system used to manage a pre-planned event or crisis. Governor Douglas signed an executive order (03-05) that established the NIMS as the state standard for all incident management. Local municipalities are required to formally adopt NIMS as a condition of receiving federal preparedness grants. Many towns and cities have completed this requirement. If you have not, a template is available at the Vermont Homeland Security website.

The National Incident Management System is the key to the prevention of, response to and recovery from an all-hazard incident or pre-planned event. It provides the local template that enables local response to work together efficiently and effectively. It also allows for agencies from all levels of government to assist and cooperate with local response in times of large, complex incidents.

- *Captain Chris Reinfurt, Director,
Vermont Homeland Security Unit,
Vermont State Police*

(See also "Intrastate Mutual Aid Guidelines Being Considered" in the March, 2007 issue of the *VLCT News*.)

VLCT STAFF NOTES

Congratulations are in order for two VLCT Group Services staff: **Dan Roda** and **Rikk Taft**.

Dan recently accepted a new position with VLCT as an Underwriter Trainee. Dan transitioned from his former Member Relations Representative position into his new underwriting post during March as new Member Relations Representative **Pam VanDeursen** familiarized herself with her new responsibilities.

Rikk became the proud father of Danyka Rose Taft on February 25. Rikk took a brief leave in late February while he, his wife Heather, and Danyka's big sister welcomed home the newest member of the Taft family.

Please watch the May 2008 *VLCT News* for a longer welcome to Pam and to former VLCT staffer **Kelley Avery**, who recently returned to the League to fill the new Benefit Program Administrator position.

Finally, VLCT recently bid goodbye to Municipal Assistance Director **Dominic Cloud**, who accepted the position of St. Albans City Manager. MAC Senior Attorney **Jim Barlow** has accepted the position of Acting Director of the Municipal Assistance Center while VLCT conducts a search for a new Director.

VLCT BOARD CHANGES

VLCT lost two members of its Board of Directors in March, when **Nick Ecker-Racz** chose not to run for re-election to the Glover selectboard and when Governor Douglas appointed Board President **Sandy Grenier** to a vacant seat in the Vermont House of Representatives. VLCT is grateful to both board members for their service to the Board and support of Vermont local government.

William Perkins, Middlebury selectboard member, has moved from Board Vice-president to VLCT Board President. **Sandy Miller**, Milton town manager, will serve as Board Vice-president. Nominations for the two vacant seats on the Board were accepted through Friday, March 28, 2008.

Sandy joins six other former VLCT Board members currently serving in the Vermont Legislature: Sen. **Jim Condos**, Rep. **Gail Fallar**, Rep. **Leigh Larocque**, Rep. **Ann Manwaring**, Rep. **Jim Masland**, and Rep. **Mary Peterson**. Three of these legislators are former VLCT Presidents: Reps. Manwaring, Masland and Grenier. Perhaps we should have saved this information for a future *VLCT News* Trivia question!



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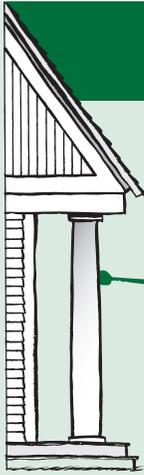


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TULIP BLOOMS -

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with renting or lending municipal facilities to another entity, municipalities should ask that renters be insured, so that the renter can provide a certificate of insurance and name the municipality as an additional insured. If they are not insured, you may be assuming their liability and putting your coverage and the PACIF trust at risk.

Best practices for facility rental risk management include the following recommendations for municipalities:

1. Adopt a Facility Use Policy.
2. Require all users of municipal grounds or facilities to execute a Facility Rental Agreement for each event.
3. Require the user/renter to provide proof of insurance to the municipality prior to using the facility. Recommended minimum limit of liability is \$1,000,000.
4. Require the user/renter to name the municipality as an "additional insured" on the renter's liability coverage.

If your municipality does not already have a Facility Use Policy or standard Facility Rental Agreement (Best Practices 1 and 2 above), the VLCT Municipal Assistance Center (MAC) has developed models that you can use as a starting point for drafting

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PACIF WORKERS' COMP AUDITS UNDERWAY

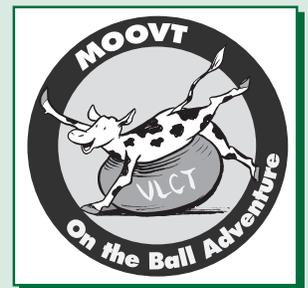
The VLCT PACIF workers' compensation coverage annual audits are underway – a sure sign of spring! In early March, all members received a memorandum from Larry Smith, Member Relations Manager, that outlined the information VLCT needs for the audits. Most members will receive a prescheduled visit from a VLCT member relations representative within the next month – if you haven't already – to collect the information. PACIF members whose workers' compensation audited contribution is less than \$4,000 will be asked to complete a self-audit. For more information, contact a VLCT member relations representative at info@vlct.org or 800/649-7915.

PRESCRIPTION DRUGS

The VLCT Health Trust has reinstated the prior approval process for the 2008 plan year. To ensure a smooth transition for members currently taking medications that require prior approval, these prescriptions will be able to be filled without prior approval for the first 120 days of the 2008 plan year. At the time the prescription is filled, both the member and the physician will receive a letter in the mail advising the need for approval. *The 120-day transition period will conclude on May 1, 2008, at which time prior approval will be mandatory and prescriptions requiring prior approval will not be available for benefit without it.* Please feel free to contact the Member Relations Department at 800/649-7915 or info@vlct.org for further information.

HEALTH PROMOTION PROGRAMS IN FULL SWING

VLCT's **On the Ball Adventure** began in early March with over 1,050 municipal employees and their family members participating. This strength, flexibility and balance program runs through April 27, and is a perfect way to prepare for an active summer. Municipal employees who are participating in the **Keep it Off Challenge** are entering the homestretch, as this weight management program moves toward its May 2 conclusion. Congratulations to all who are working on wellness this winter!



WELCOME

The **Southern Windsor/Windham Counties Solid Waste Management District** is VLCT PACIF's newest member.



TULIP BLOOMS -

(Continued from previous page)

your own policy and agreement. Please contact Grace Person at gperson@vlct.org if you would like copies of these documents.

If the users/renters of your municipal facilities or grounds do not have their own insurance coverage already in force to cover this exposure, then TULIP could be the solution to complying with best practices 3 and 4 above.

IMPORTANT TULIP INFORMATION

The TULIP program is available to municipalities that permit tenant users to use their facilities for specific events. It protects both the tenant user and the facility itself against claims by "third parties" who may be injured or have property damage, as a result of the activities of the tenant user.

Events may range from very low risk activities, such as seminars, receptions or weddings, to higher risk events including camps, sporting events and concerts. The premium is based upon the risk associated with the event or activity, the number of days needed, the number of participants and if there are any special requirements, such as alcohol liability, food service, etc.

VLCT PACIF has arranged to make this coverage available to your community members who wish to use/rent your facilities and don't already have insurance coverage for this exposure. This coverage is underwritten by Everest National Insurance Company and sold via our insurance broker HUB International and its partner, Entertainment Brokers International (EBI).

The policy provides \$1,000,000 per occurrence general liability limit of insurance and automatically includes the municipality as an additional insured. The premium can be as low as \$75 for a low risk, non-alcoholic event that lasts up to four days with an average daily attendance of 100 people. For another \$75, liquor liability coverage can be

(Continued on next page)



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TULIP BLOOMS -

(Continued from previous page)

added to the policy. The four days of coverage may be consecutive or non-consecutive such as quarterly meetings during the course of the policy term.

It is important to note that this policy is a completely independent and separate insurance offering and is not related to PACIF in any way. Your PACIF Coverage Document does not provide this coverage and losses will not be handled by the VLCT Claims Division. Any losses paid by Everest National Insurance will not affect your PACIF coverage or contribution charge.

HOW TULIP WORKS

When a tenant user wants to use a municipal facility, the municipality directs the tenant user to www.ebi-ins.com/tulip. The tenant user will have to select two codes from drop down menus that identify the facility and location. On the website the facility is designated as the Vermont League

of Cities and Towns, Property and Casualty Intermunicipal Fund, Inc., Tenant Users Of (code no. 0406). The **location** refers to the municipality in which the event is to be held.

After selecting the facility (VLCT) and the location (the municipality/PACIF mem-

“TULIP provides low cost general liability insurance for tenant users of a VLCT PACIF member-owned venue or facility.”

ber), the tenant user chooses a description of its event or activity, answers a few basic questions, and then receives an on-line quote.

If the tenant user decides to purchase TULIP coverage, he or she simply enters his or her credit card information and coverage is bound, including forwarding a Certificate of Insurance to the facility (VLCT), the tenant user and the broker.

All PACIF members will soon receive a memo containing a supply of instruction cards that can be given to tenant/users. These convenient cards direct them to

the TULIP website and lead them through the three easy steps necessary to purchase a policy.

This collaboration among PACIF, MAC, the brokers HUB and EBI, and the carrier Everest National now provides our members a comprehensive approach to achieve

the best practices risk management solution to handle liability arising out of the use and rental of municipally-owned grounds, facilities and venues. For additional information or questions, please call the PACIF Underwriting Division or MAC.

*- Ken Canning, Deputy Director,
VLCT Group Services*

HELP OVERSEE VERMONT'S GEOGRAPHIC INFORMATION SYSTEM

The Vermont Center for Geographic Information (VCGI) has a vacancy on its board of directors for a municipal representative. The Center is a nonprofit public corporation that was established to:

- ensure that geographic information system (GIS) data for the State of Vermont are compatible and useful to all data users;
- promote the use of GIS data by the public and private sector and citizens; and
- promote the growth of the industry in the State of Vermont.

This is a two-year gubernatorial appointment and the individual will serve at the pleasure of the Governor. The board meets four times a year; however, additional meetings may be called by resolution of the board. To learn more about VCGI, please go to <http://www.vcgi.org/>.

If you would like to be considered for this board seat, please send a letter of interest and a resume by **Wednesday, April 30, 2008** to VLCT, Attn: Stephanie Smith, 89 Main Street, Suite 4, Montpelier, VT 05602 or fax to 802/229-2211. A land use or planning background is helpful, but not necessary for the position; an interest in the topic and regular attendance at meetings are most important.



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Tech Check



FIVE COMMON MISTAKES ON MUNICIPAL WEBSITES

The Internet is a wonderful tool that has revolutionized the way we conduct our daily lives. Municipalities have also embraced this new technology and it has proven to be an effective way to communicate with citizens, visitors and prospective businesses. Municipalities have invested thousands of taxpayer dollars in developing municipal websites. The successful ones are reaping the rewards of increased efficiency, better communication and wide exposure.

Unfortunately, poorly designed and managed municipal websites litter the Internet and frustrate citizens and visitors alike. Here are five of the most common mistakes on municipal websites:

1. Failure of Municipal Leaders to Monitor the Site

As I speak around the country, I often mention something I saw on a city website and I get a blank stare from the mayor or councilmember. Many will

admit that they very seldom visit their own city's site. In the digital world, this is as bad as failing to see a tree lying in the middle of your busiest street. The municipal website is often the first stop by many people who are visiting or doing business in your city; therefore, *you* need to visit often and note items that need attention. After all, you would never allow a police cruiser to be parked in front of City Hall with four flat tires, however, each day millions of people visit city websites with dead links and outdated information.

2. Having Technical People Solely Responsible for the Content of the Site

This is surely not a knock on the information technology (IT) department, but leaving decisions on content to the technical gurus can be a fatal mistake

(Continued on next page)



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TECH CHECK -

(Continued from Page Thirteen)

for your municipal website. The website should reflect the character and direction of the leadership and management of the municipality. I recommend forming a diverse committee to meet on a monthly basis to suggest ideas and improvements for the municipal website. Things are changing at a rapid pace and we need to stay current and provide the best content to keep the municipal website updated and relevant. Can we video stream the Parking Authority meetings or add a searchable complaint system? These are things that can better communicate and inform the public. The IT department can tell us if it's possible; leadership can make it happen.

3. Failure to Realize Why it's Called the World Wide Web

While I doubt many people will confuse Paris, Texas with Paris, France, you would be surprised at how many municipal websites seem to think that the

only visitors will be from within their state or country. Most site selection companies use the Internet as their primary information outlet. A company from Oregon looking for a plant site should not need to get out an atlas to find out about a community. We need to think big. When you are in Richmond, tell the visitor whether it is in Indiana, Virginia or Vermont! In this global economy, most visitors or companies will not be "driving into town." Give them the information they need and make it easy to find.

4. Out of Date Information

The worst thing on a municipal website is to look at the Calendar of Events and see a listing for the 2002 Spring Fling. There is no excuse for having a stale website. The Internet is a dynamic, fast changing tool and we need to reflect that in our municipal websites. New technology makes it possible for easy updating of content. Citizens, visitors and business prospects need relevant, up-to-date information. A business will

not survive with outdated price lists and inaccurate contact information and neither can we.

5. Fuzzy Contact Information

I was looking for a mailing address to send a proposal to a city recently and I felt sure that I could get the mailing address on the city's website. Wrong! I spent about five minutes, (an eternity on the web) and finally gave up. Not everyone is dealing in e-mail. We need to make it easy to communicate. E-mail addresses, phone numbers, fax numbers, street addresses are *all* a necessity and cost us nothing to add to our site.

(Reprinted with permission of the Alabama Municipal Journal and the author, Jim Hunt. Mr. Hunt works with communities and organizations to achieve excellence and attain amazing results. He is a Past President of the National League of Cities and founder of Amazing Cities (www.amazingcities.org).

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DRY HYDRANT AND FIRE POND MAPPING

The Northern Vermont Rural Conservation and Development's Rural Fire Protection Task Force is working with staff at E911 to ensure that all dry hydrants and fire ponds within a community are mapped in the E911 database. This ensures that emergency responders will have the information they need to locate and access these important resources.

Municipalities are asked to include the location of any dry hydrant or fire pond when submitting their address updates to E911. If your community has never provided this information to E911, you are encouraged to do so now. If you do not have staff available to gather this infrastructure information, some communities have had success enlisting retired senior volunteers or local college interns.

For more information about this mapping effort, contact VLCT's representative on the Rural Fire Protection Task Force, Julia Compagna, Hyde Park Town Administrator, at 802/888-7784.

FOUNDATION DIRECTORY ONLINE

The Vermont Community Foundation, in partnership with the Foundation Center, maintains a comprehensive database of grantmakers that have a primary address in Vermont, as well as those that are not located in Vermont but have a geographic focus that includes the state.

The grantmakers are indexed by types of support, fields of interest, type of grantmaker, geographic focus, etc. You may also search the database using keywords of your choice. To research whether or not a foundation might be able to fund your municipal project, visit <http://fdovermont.foundationcenter.org>.



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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

Fire Chief. Wilmington, Vt. Beautiful Vermont outdoor resort community seeks full-time, hands-on Fire Chief to lead volunteer department. Wilmington seeks a dynamic Fire Chief who is knowledgeable in fire and emergency response in New England-type weather and who has 10 years education/experience (with at least five years captain or higher) and proven skills in all aspects of Fire Chief responsibilities. The ability to plan and follow through, as well as to balance needs/people resources is a must. The department provides coverage for 2200 full-time residents, over 2300 buildings and the Mount Snow Ski Resort. It has a roster of 40 officers and fire fighters, four vehicles and negotiated mutual aid agreements with surrounding towns. More information is available at www.wilmingtonvermont.us. Please send resume and salary requirements to Wilmington Town Manager, P.O. Box 217 Wilmington, VT 05363. **Application deadline is 5 p.m. on April 25, 2008.** EOE (3-17)

Underwriting Manager. The Maine Municipal Association has reopened the search for an Underwriting Manager. MMA's Risk Management Services Department provides a wide range of property and liability coverages for municipalities and quasi-public entities in the state of Maine. Risk Management Services performs all the services related to the programs – including ratemaking, underwriting, marketing, loss control and claims management – through its in-house staff of 41 insurance professionals. Responsibilities include managing a department of eight people who perform the underwriting and marketing functions. The position requires a strong background in commercial underwriting, the ability to participate in reinsurance negotiations and direct mar-

keting activities, a commitment to the highest level of customer service and a working knowledge of contemporary risk management practices. Knowledge of ISO and NCCI loss costs and procedures to ensure appropriate ratemaking also required. The successful candidate must also be computer-literate and prepared to work closely with IT staff and computer vendors. Qualifications include at least 10 years experience in commercial lines underwriting management, excellent supervisory skills and the ability to communicate well at all levels. An undergraduate degree is preferred, together with a demonstrated interest in personal professional development, such as CPCU or ARM designations, or related programs. Experience in self-funded programs is an asset. MMA offers a competitive salary and a comprehensive benefits package. To apply, send resume with cover letter and salary requirement by fax to 207/626-3358, by e-mail to HumanResource@memun.org, or by U.S. mail to Human Resource Specialist, Maine Municipal Association, 60 Community Drive, Augusta, ME 04330. **Position open until filled.** MMA is an Equal Opportunity Employer. (3-14)

Assistant Director, Employees Health Trust. The Maine Municipal Employees Health Trust provides high quality employee benefits and services to municipal, county government and special dis-

trict employees, retirees and their dependents throughout Maine as a self-insured, multiple employer plan. This exciting and challenging senior level position is responsible for oversight of all Health Trust programs including benefits, participant and employer group services and wellness. The Assistant Director will be involved in designing and executing new Health Trust benefit programs and services, daily supervision of the operations staff and coordination of Health Trust marketing, communications and field services activities. This position requires considerable interaction with other Maine Municipal Association staff, direct contact with the Health Trust Board of Trustees, Health Trust advisors, third party administrators, stop-loss carrier, municipal officials and Health Trust participants. The ideal candidate will have a minimum of five years of broad based experience at the management level in employee benefit design and administration with an emphasis on self-insured plans. A bachelor's degree is required, preferably in business administration, insurance or a related field (graduate degree preferred). Must be able to work in a team environment. Some experience in the area of employee benefit presentations and communications is desired as well as interpreting utilization data and analyzing financial information. MMA

(Continued on Page Eighteen)



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(Continued from Page Seventeen)

offers a highly competitive salary plus an exceptional benefit package. Visit our website www.mmeh.org to learn more about Maine Municipal Employees Health Trust. **Position open until filled.** To apply, submit a current resume with cover letter including salary history to Human Resource Specialist, Maine Municipal Association, 60 Community Drive, Augusta, ME 04330. Send electronic submissions to HumanResource@mmeh.org or fax to 207/626-3358. MMA is an Equal Opportunity Employer. (3-13)

Town Manager. Windsor, Vt. (pop. 3,800), a full-service community situated on the banks of the Connecticut River in the Upper Valley Region of south-central Vermont, seeks a Town Manager. Working under the general policy direction of a five-member selectboard, the Town Manager is responsible for the administration and management of all municipal services including: development and administration of a \$3.5 million annual budget, day-to-day supervision of department heads, contract negotiations, personnel management of 28 full-time employees, economic development, financial management, and official representative with all federal, state and local governments, and other regional, state or local organizations. Requirements: graduate of an accredited college or university with a bachelor's degree (master's preferred) in business, public administration or related field; at least five years experience in municipal management; familiarity with municipal government finance; experience with economic development, labor relations and collective bargaining; a positive attitude, be collaborative,

and ability to promote and stimulate positive community relations. Salary range, \$65,000 to \$80,000. To apply, submit a resume to Lynn Grace, Town of Windsor, PO Box 47, Windsor, VT 05089. **Electronic submissions preferred** to lgrace@windsor-vt.gov. E.O.E. (3-6)

Director of Public Works. Windsor, Vt. seeks an experienced professional to manage its Department of Public Works. This individual will direct and control all aspects of public works activities including water, sewer, highway, public property, solid waste and equipment maintenance. The position requires supervision of a unionized staff of 10. Qualifications: bachelor's degree in a related field, civil engineering preferred, and ten years of progressively responsible experience in public works administration; must have demonstrable supervisory ability and excellent organizational, communication and customer service skills. Salary, \$50,000 to \$65,000. To apply, submit a resume to Lynn Grace, Town of Windsor, PO Box 47, Windsor, VT 05089. **Electronic submissions preferred** to lgrace@windsor-vt.gov. E.O.E. (3-6)

Road Foreman. Fayston, Vt. is accepting applications for a Road Foreman. Applicant should have experience with operating heavy equipment (including backhoe, grader, dump truck), the ability to work with and within a budget, and experience managing employees. CDL endorsed valid Vermont driver's license required. This is a full-time, year-round position with retirement package and health benefits. Wage and benefits package commensurate with

experience. Application and job description available at the Fayston Municipal Offices. To apply, send application with cover letter **by April 15, 2008** to Patti Lewis, Fayston Selectboard, 866 North Fayston Road, Fayston, VT 05660, or e-mail to faystonsb@madriv.com. (3-5)

Police Patrol Officer. Windsor, Vt. seeks a Police Patrol Officer. Candidates must be at least 21 years of age, in good physical condition, and be a high school graduate or have a GED. Associate's degree or higher in the criminal justice field preferred. Candidates must pass physical agility test, oral board interviews, background investigation, psychological testing, polygraph and drug screening. Full-time certification not required for hiring. Salary, \$14.84 to \$17.88 per hour, based on experience. To apply, submit town application along with resume (optional) to Windsor Town Hall, Human Resources, P.O. Box 47, Windsor, VT 05089, or e-mail to lgrace@windsor-vt.gov. Applications are available from the Town Hall. E.O.E. **Position open until filled.** (3-4)

Engineering Technician. Lebanon, N.H. seeks an Engineering Technician for its Department of Public Works. The Technician performs responsible technical and sub-professional engineering duties at an advanced level in the field or office, including data collection in various disciplines; inspection of municipal projects; coordinating activities with other City departments; working with private utilities and construction companies to minimize service disruptions; and responding to emergency situations as necessary. Requirements: a knowledge and a level of competency commonly associated with a Bachelor's Degree in Civil Engineering, Environmental Engineering, Project Management, Business or Public Administration or related field; three to five years experience in engineering and/or construction; and a valid N.H. vehicle operator's license. Position grade 7. Hourly salary \$21.16 to \$24.85. AFSCME Local 1348 union position. Applications are available at City Hall and the Department of Public Works and online at www.lebcity.com. To apply, submit resume and application to Mike Lavalla, Director Public Works, Public Works Office, 20 Spencer Street, Lebanon, NH 03766. For a complete job description, visit www.lebcity.com under Employment Opportunities. For more

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CLASSIFIEDS -

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information, phone 603/448-3112. **Position open until filled.** (2-28)

Executive Director/Planner. The Mad River Valley Planning District, a three-town planning district serving Fayston, Warren, and Waitsfield in Vermont, seeks an Executive Director to oversee its innovative growth management and community planning programs. This high visibility, challenging position can have a significant, positive impact on the development and environmental quality of the Mad River Valley. The Executive Director reports to a seven-member steering committee and works with local boards, citizen groups and businesses on a wide range of community planning, transportation, land conservation and environmental protection initiatives, and provides support to Town staff on planning, zoning and project development issues. The Executive Director must be a highly motivated, independent worker with excellent writing, public presentation and interpersonal skills. He or she must have a strong commitment to community involvement and long-range planning. Grant writing experience is a plus. A Bachelor's degree and at least two years of relevant experience in community planning or a closely related field are required; Master's in planning or a closely related field preferred. Competitive salary, health benefits, flexible work environment. Please submit resume, cover letter, three references, and a writing sample to mrvpd@madriver.com (preferred) or mail to Mad River Planning District Steering Committee, PO Box 471, Waitsfield, VT 05673. E-mail any questions concerning the position to mrvpd@madriver.com. For further information visit www.mrvpd.org. **Position open until filled.** (2-22)

Police Officer. Berlin, Vt. is currently accepting applications for the full-time position of police officer. The successful candidate will possess exceptional moral character and strong ethics, be able to be certified by the Vermont Criminal Justice Training Council, and possess a valid Vermont Operator's License. Full-time certification is preferred. To apply, submit a cover letter, resume and at least three references, in confidence, to William Wolfe, Berlin Police Department, 108 Shed Road, Berlin, VT 05602. **Position open until filled.** (2-20)

2008 TOWN GOVERNMENT AWARD

VLCT Executive Director Steven Jeffrey (right) recently presented Washington County Senator William Doyle with the VLCT 2008 Town Government Award. The award recognizes a Vermont individual who is not a local official, but who has shown an awareness of local government issues and a commitment to strengthening Vermont local government.

Jeffrey chose VLCT's annual moderators' workshop as the venue for the award presentation in honor of the commitment Senator Doyle and moderators share to Vermont's town meeting tradition. Doyle has served continuously in the Vermont Senate since 1969 and is considered the "dean" of that body. Congratulations, Senator Doyle! (Photo by Jessica Hill)



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Calendar

For more information about the following workshops or events, please contact Jessica Hill, Manager, VLCT Administrative Services, tel., 800/649-7915; e-mail, jhill@vlct.org. Or visit www.vlct.org's Events Calendar and select a workshop for more information or to register on-line. For non-VLCT events listed below, please contact the individuals directly. (The on-line registration option is available for VLCT workshops and events only.)

Town Officers' Education Conferences.

Thursday, April 10, Lyndon State College, Lyndon; Wednesday, April 16, Holiday Inn, Rutland; Thursday, April 24, Lake Morey Resort, Fairlee; and Wednesday, April 30, 2008, Grand Summit Lodge, Mt. Snow. For more information, contact Mary Peabody at Mary.Peabody@uvm.edu.

Next Communities Initiative, A Two-Day Smart Growth Workshop. Saturday, April 12 and Saturday, April 26, 2008, News-Bank Conference Center, Chester. The Vermont Association of Planning and Develop-

ment Agencies, Vermont Planners Association, Smart Growth Vermont, Vermont Department of Housing and Community Affairs and VLCT are sponsoring this two-day workshop to help planning commissioners, community stakeholders, professional planners, selectboards and town managers develop the skills necessary to make constructive change happen in their towns.

Conducting Effective Tax Appeals. Thursday, April 17, 2008, Elks Lodge, Montpelier. Sponsored by the VLCT Municipal Assistance Center. In 2008, Vermont municipal governments will collect over \$1 billion in property taxes. With ever increasing pressure on the property tax, it is important that the appeals process be properly administered. Come learn what your town can do to conduct effective property tax grievances and appeals.

Northern New England Low Impact Development Conference. Monday, April 21, 2008, University of Vermont's Davis Center, Burlington. Sponsored by University of Vermont Extension. Are you interested

in cleaning up Lake Champlain, protecting your town's infrastructure from flood hazard erosion, reducing stormwater and non-point source pollution impact on your local waterways or reducing the stress on your combined sewer systems? For more information, contact Emma Melvin, emelvin@uvm.edu or visit www.uvm.edu/~seagrant.

Selectboard Institute. DATE CHANGE! Saturday, April 26, 2008, Elks Lodge, Montpelier. Sponsored by the VLCT Municipal Assistance Center. The Selectboard Institute will focus on the fundamentals of municipal governance, such as understanding the municipal organization, essentials of municipal law, running effective meetings, and managing the town budget.

Playground Safety Inspector Certification Course and Exam. Wednesday, April 30 through Friday, May 2, 2008, Elks Lodge, Montpelier. Sponsored by the National Playground Safety Institute and the Vermont Recreation and Parks Association. For more information, contact betsy@vrpa.org or visit www.vrpa.org.