

# VLCT NEWS

A PUBLICATION OF THE VERMONT LEAGUE OF CITIES & TOWNS

SERVING AND STRENGTHENING VERMONT LOCAL GOVERNMENTS

July 2008

## PACIF PROGRAM HELPS BRING THE MOVING WALL™ TO ST. ALBANS

In April, VLCT PACIF announced a new member benefit – the availability of low cost general liability insurance for organiza-



*St. Albans City Mayor Martin Manahan addresses the crowd at the May 18 closing ceremony for The Moving Wall™. The Wall, which was built by Vietnam Veteran volunteers, was set up in the City's Houghton Park for four days in May. (Photo by Ken Canning)*

tions seeking to use PACIF-insured property for events such as performances, festivals or weddings.

PACIF staff were pleased that the TULIP (Tenant Users Liability Insurance Policy) program insured its first event shortly thereafter.

“When the St. Albans chapter of the Vietnam Veterans of America decided to bring The Moving Wall™ to the City’s Taylor Park, the City contacted us to find out what kind of insurance the chapter would need before it used the park,” said Ken Canning, VLCT Deputy Director, Insurance Operations. “We referred them to our TULIP program, and the chapter was able to secure the insurance it needed to bring the replica of Washington, DC’s Vietnam Veterans Memorial to St. Albans.”

The Moving Wall™ is a half-size replica of the Memorial in Washington. Even

*(Continued on Page Two)*

## VLCT BOARD OF DIRECTORS PROFILE

**ERIC OSGOOD**  
**SELECTBOARD CHAIR,**  
**JOHNSON**

If any of you local officials know of a citizen in your town who would be a good volunteer firefighter, planning commissioner or (fill in the blank) committee member, don’t wait for him or her to volunteer – take the initiative and ask that person if he or she would like to serve the community in one of those positions.

That is what the Town of Johnson did to Eric Osgood 21 years ago and he has been serving the Town in various capacities ever since. “It was really the need of the community,” Osgood recalled as the reason for his start in local government. “They sought me

*(Continued on Page Eight)*

## DOUG HOYT JOINS VLCT CONSULTING GROUP

The VLCT Consulting Group’s roster of distinguished municipal consultants grew again in May with the addition of former Montpelier Police Chief **Douglas Hoyt**.

Hoyt retired from the Montpelier Police Department last year after 32 years of service. For the last 27 of his years of service, he was Chief of the Department.

“We are delighted to have someone with Doug’s depth of experience join our team,” said Jim Barlow, Acting VLCT Municipal Assistance Center Director. “His law enforcement expertise will round out the VLCT Consulting Group’s ability to assist Vermont’s local governments.”

As Montpelier’s Police Chief, Hoyt was responsible for the overall operation of the Department, as well as special initiatives such as the implementation of community policing, obtaining federal grants for special programs, and bringing the planning, design, finance and construction pieces together for Montpelier’s new police station.

Chief Hoyt also served as the City’s Emergency Management Coordinator and managed Central Vermont’s inaugural regional dispatching service, which served 14 communities.

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# VLCT NEWS

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The *VLCT News* is published eleven times per year (the August and September issues are combined) by the Vermont League of Cities and Towns, a non-profit, nonpartisan organization founded in 1967 to serve the needs and interests of Vermont municipalities. The *VLCT News* is distributed to all VLCT member towns. Additional subscriptions are available for \$25 to VLCT members (\$60, non-members), plus sales tax if applicable. Please contact VLCT for subscription and advertising information.

## THE MOVING WALL™ -

*(Continued from previous page)*

at half-size, it is a powerful testament to the American soldiers who died in the Vietnam War. The St. Albans Chapter of the Vietnam Veterans of America brought The Moving Wall™ to Houghton Park for four days; a parade and closing ceremony took place on May 18, the last full day it was at the park.

Canning attended the closing ceremony and was able to witness the effect of The Moving Wall™ on all of those present. "Not all of the events or functions that will be insured through the TULIP program will be of such historical or deeply personal significance as this one," he noted, "but each will be important in its own way. The PACIF Board and staff are pleased to facilitate the insurance needs of everyone."

*- Katherine Roe, VLCT Communications Coordinator*



*Before the closing ceremony, visitors to The Moving Wall™, a half-size replica of the Vietnam Veterans Memorial in Washington, DC, searched for the names of their loved ones. (Photo by Ken Canning)*



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# LEGAL AND REGULATORY NOTES



## U.S. SUPREME COURT REFUSES TO APPLY CLASS OF ONE THEORY OF EQUAL PROTECTION TO PUBLIC EMPLOYMENT

In a six to three decision, the United States Supreme Court recently refused to extend the umbrella of protections provided by the so-called "class of one" theory of equal protection to employees in the public employment realm. *Engquist v. Oregon Department of Agriculture et al.*, 552 U.S. \_\_\_\_ (2008).

applied to the regulatory context in *Village of Willowbrook v. Olech*, 528 U.S. 562 (2000) holding that "(o)ur cases have recognized successful equal protection claims brought by a 'class of one,' where the plaintiff alleges that she has been intentionally treated differently from others similarly situated and that there is no rational basis for the difference in

Anup Engquist was hired in 1992 by the Oregon Department of Agriculture as an international food standard specialist. Over the years, Engquist encountered repeated problems with another employee for whom she was later passed over for a vacant managerial position. In 2002, Engquist was informed that, due to reorganization, her position was

*"The Court rejected Engquist's attempt to require the same type of judicial review of the government's behavior when it acts as an employer as when it acts as sovereign by regulating, licensing, or making law."*

To appreciate the impact of this case requires an understanding of what is meant by the class of one theory of equal protection. The Equal Protection Clause of the 14<sup>th</sup> Amendment states:

"... nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the *equal protection of the laws.*" (Emphasis added.)

The Equal Protection Clause stands for the core principle that government must treat similarly situated individuals equally. Ordinarily, equal protection claims touch upon governmental classifications that result in disparate treatment. ("Equal Protection" . . . emphasizes disparity in treatment by a State between classes of individuals whose situations are arguably indistinguishable." *San Antonio Independent School Dist. v. Rodriguez*, 41 U.S. 1, 60 (1973)).

Rather than alleging class-based discrimination, a class of one equal protection claim alleges that one has been irrationally singled out not due to membership to an identified class (race, sex, ethnicity, etc.) but for "arbitrary, vindictive, and malicious reasons." The Court first articulated this theory as it

treatment." The issue before the Court in the Engquist case was whether this theory had application in the public employment context.

being eliminated. Unqualified to take another position at her level and unwilling to take a

*(Continued on next page)*

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## LEGAL/REG. NOTES -

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demotion, Engquist was eventually let go. Thereafter, Engquist brought suit against the State (her employer) alleging, among other things, that under the class of one equal protection theory she was intentionally singled out for adverse treatment unrelated to any legitimate government purpose.

The Court rejected Engquist's attempt to require the same type of judicial review of the government's behavior when it acts as an employer as when it acts as sovereign by regulating, licensing, or making law. The Court justified this distinction on the basis that "(t)he government's interest in achieving its goals as effectively and efficiently as possible is elevated from a relatively subordinate interest when it acts as sovereign to a significant one when it acts as employer." The Court went on to distinguish the application of the class of one equal protection theory in the public employment context from that in the regulatory context as evidenced in the *Olech* case by reasoning that there are some forms of state action, such as its actions as an employer, "which by their nature involve discretionary decision making based on a vast array of subjective, individualized assessments. In such cases the rule that people should be 'treated alike, under like circumstances and conditions' is not violated when one person is treated differently from others, because treating like individuals differently is an accepted consequence of the discretion granted."

To hold otherwise, the Court posited, would undermine the discretionary authority of government officials and constitute a repudiation of the doctrine of at-will employment. For these reasons and more, the Court held that the class of one theory of equal protection has no application in the public employment context.

This decision is on its face beneficial to municipalities in that it does afford broad protections to municipalities whose employees are at-will. However, as the dissenting opinion notes, "the theory that public employment which may be denied altogether may be subjected to any conditions, regardless of how unreasonable, has been uniformly rejected." A property interest in employment arises when an employee has a legitimate interest or expectation in continued employment. Although federal constitutional procedural requirements govern ter-

mination of an employee with a property interest in continued employment, state law governs whether the employee actually has a property interest in his or her employment.

In Vermont, an employment contract for an indefinite term is an at-will agreement, which may be terminated at any time or for any reason or no reason at all. However, the at-will principle is one of construction, which can be defeated by evidence to the contrary. Personnel policies and employee handbooks have been interpreted to create a binding contract when the employer's discretion to terminate indefinite employment is limited, when procedures for termination are established and communicated to the employee, where a progressive disciplinary procedure is set forth, or when implied promises have been made that undermine the at-will relationship. This at-will presumption may also be overcome by statute, charter, or collective bargaining agreements. It is precisely because of the malleable nature of this relationship that municipalities should avoid the compulsion to rely too heavily on the potential protection offered by this decision and, instead, continue to treat similarly situated employees equally.

- Garrett Baxter, Attorney, VLCT  
Municipal Assistance Center

## NOMINATIONS SOUGHT

### ARTHUR GIBB AWARD FOR INDIVIDUAL LEADERSHIP

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**Nominations should be post-marked or e-mailed by July 15, 2008.** For more information, please contact Jason Van Driesche, Program Director, Smart Growth Vermont, at [Jason@smartgrowthvermont.org](mailto:Jason@smartgrowthvermont.org) or 802/864-6310.

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# ASK THE LEAGUE

## INCOMPLETE APPLICATION; SEASONAL OVERTIME; AUTHORITY TO ADOPT BYLAWS

**Is an incomplete conditional use application grounds for denial by an appropriate municipal panel (AMP)? Can an AMP deny an application because the applicant didn't attend the quasi-judicial hearing?**

No and no. An AMP cannot deny an application on the sole basis of the application being incomplete. However, it is possible that the board would be unable to determine the application's compliance with the requisite bylaw standards if the application was incomplete, which would result in a denial. In this case, the reason for the denial would not be because the application was incomplete, but rather because the evidence provided

In this situation, the board would still need to render a formal decision that meets the following legal requirements specified in 24 V.S.A. § 4464 (b) (1):

- must be issued in writing (however, minutes may suffice);
- must include findings of facts and a conclusion of compliance for each development standard; and
- must include a final statement of conclusion.

The board also cannot deny an application because the applicant or the applicant's

of the application then it must be approved. Certainly, participation by the applicant at the hearing would only help the applicant's case, but his or her absence from the hearing is not grounds for denial.

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

**Are employees who work at the town pool entitled to overtime if they work more than 40 hours in a workweek?**

No. The Fair Labor Standards Act includes a specific exemption for amusement and recreational employees from minimum wage and overtime requirements. Twenty-

*"The default process for adopting, amending, or repealing zoning bylaws continues to be by a majority of the members of a town's legislative body. But, now, a legislative body in any sized municipality may elect to place a bylaw, amendment or repeal squarely before the voters on a case-by-case basis."*

by the applicant would not support the approval of the application.

representative didn't attend the hearing. If the submitted evidence supports an approval

nine U.S.C. § 213(a)(3) exempts any employee who is employed by an establishment that is an amusement or recreational establishment, organized camp, or religious or non-profit educational conference center:

- if the establishment does not operate for more than seven months in a calendar year; or
- if, during the preceding year, its average receipts for any six months of the year were not more than 33 1/3 percent of its average receipts for the other six months of that year.

In order to apply this exemption, a town needs to determine whether it operates a seasonal recreational "establishment." The U.S. Department of Labor defines "establishment" as "a distinct physical place of business rather than an integrated business

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## ASK THE LEAGUE -

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or enterprise.” *Fair Labor Standards Handbook, Volume I*. A beach or swimming pool open seven months or less complies with this definition and a town would not be required to pay the minimum wage or overtime. Other establishments whose employees may be exempt include concession stands at beaches, pools or public golf courses, summer camps and seasonal recreation programs.

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

### What is the process for adopting, amending, or repealing bylaws?

Prior to the adjournment of this year’s legislative session, the default process for adopting, amending, or repealing zoning bylaws was by a majority of the members of a town’s legislative body. That action would be effective 21 days after adoption unless five percent of the voters petition to consider the legislative body’s vote. Alternatively,

the legislative body or the electorate in a rural town had the option of adopting bylaws, amendments or repeals by Australian ballot at a duly warned special or regular town meeting.

The enactment of the municipal technical amendments bill (H. 436) has changed this process.

The default process for adopting, amending, or repealing zoning bylaws continues to be by a majority of the members of a town’s legislative body. But, now, a legislative body in any sized municipality may elect to place a bylaw, amendment or repeal squarely before the voters on a case-by-case basis. 24 V.S.A. § 4442(c)(1). This is in contrast to the enabling authority of Act 115, which allowed a legislative body to give voters the authority to adopt, amend or repeal all bylaws by Australian ballot. Under the prior law, once a legislative body granted that authority to the voters, it could not take it back. Now, depending upon when it deems it appropriate, a legislative body may either take action or defer to the voters.

This new default process is applicable to all towns, though there continues to be a difference in rural towns. Although rural towns

retain the ability to adopt, amend or repeal bylaws by vote of the town by Australian ballot, that option can only be exercised at the election of the voters. The legislative body of a rural town can no longer simply give this authority to the voters. The electorate must vote at a special or regular town meeting to adopt bylaws, amendments or repeals by Australian ballot, and it is only they who can return this authority to the legislative body.

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

## AUDITORS HANDBOOK UPDATED

The VLCT Municipal Assistance Center recently released an updated version of its *Handbook for Locally Elected Auditors*.

This handbook provides a quick and understandable guide to the statutory and practical requirements of the position of town auditor. Chapters include information on auditor’s duties, election, and working with professional auditors, as well as the audit process, preparations, and report. A sample internal control questionnaire and audit checklist are included in the handbook’s appendices.

The *Handbook for Locally Elected Auditors* is available for purchase for \$20 (members) and \$30 (nonmembers), plus tax, if applicable, from the VLCT website’s Marketplace ([www.vlct.org/marketplace/bookstore/](http://www.vlct.org/marketplace/bookstore/)). VLCT members may also download a copy for free from the VLCT website’s Resource Library (<http://resources.vlct.org/>).



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## DOUG HOYT -

(Continued from Page One)

Hoyt joins the VLCT Consulting Group's three other consultants, all of whom are available to consult with Vermont municipalities on a project-by-project basis. Each has a particular area of experience and expertise, as outlined below:

- VLCT Chief Financial Officer William Hall. Financial management, including operating and capital budget management, capital improvement planning, GASB 34 implementation, financial reporting, purchasing and bidding policies, debt management, complying with audit recommendations, and management of cash and investments. Hall is a Certified Public Accountant, and has over a decade of experience in municipal finance.
- Killington Town Manager Dave Lewis. General municipal management, including interim manager services, assistance with municipal operations, and project management services for municipal construction and public works projects. Lewis will retire this month after 32 years as Killington's Town Manager.
- Former Wilmington Selectperson Paul Myers. General municipal operations, including economic development, real estate, purchasing and procurement, and security. Before his retirement to Wilmington, Myers worked for Texaco for 34 years, ending his career as the company's Vice-President for Refining and Marketing.



**Doug Hoyt**

Please contact Jim Barlow at the VLCT Municipal Assistance Center ([jbarlow@vlct.org](mailto:jbarlow@vlct.org)) for more information about hiring a member of the VLCT Consulting Group for your municipal project.

- Katherine Roe, VLCT Communications Coordinator

## ERIC OSGOOD -

(Continued from Page One)

out." Osgood served on Johnson's volunteer fire department from 1987 to 1999, with a stint on the school board from 1994 to 1996. In 1996, he was elected to the selectboard; he has been its chair since 1999.

Osgood has found the most satisfying aspects of his local government service to be seeing projects move from the drawing board to reality and being able to personally help people. "I enjoy making the system work for people who have a legitimate problem," he said, "even if it is just to help him or her find the right state or federal agency."

As chair of his five-member selectboard for almost a decade, Osgood has developed a keen sense of board dynamics. "The longer you serve as chair, the more confidence you have in being able to speak on behalf of the board. You develop a sense of how things will play out, and have some influence [on the outcome] as chair." As for his personal leadership style, Osgood said he tries to be a bridge builder between his different constituencies.

How does he do it? "I try to understand and listen to where they are coming from," he said. "A lot of it is personalities. I step back and remember who they are and what kind of personality they have, and don't prejudge the situation. I present myself as neutral until I cast my vote."

Osgood believes that "the community has come together very well over the last few years." As an example, he cited the selectboard's decision to permit ATVs to use some of Johnson's roads. As has happened in several other Vermont communities, this decision caused quite a stir. The board received a petition to hold a special town meeting to vote on whether or not to uphold its decision. "The vote was very narrowly – by single digits – in favor of allowing ATVs," Osgood recalled. But, of even more value than the vote, he said, was the committee that was set up at the meeting to draft rules for ATV use that were acceptable to all. "The committee members worked together to come up with solutions," Osgood said. "The democratic process worked out – people felt they

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## ERIC OSGOOD -

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were heard and both sides came a long way in coming together.”

Osgood and his board also practice the art of bridge building (literally and figuratively) with town employees and with the Johnson Village Trustees. “The Town shares employees and equipment with the Village,” Osgood said, noting that the selectboard and trustees informally reach out to each other regularly and formally meet a few times a year to go over issues. Osgood also serves as Chair of the county Sheriff’s Advisory Board, which oversees the E-911 PSAP that serves all ten towns in the county. Os-

the covered bridge in the village to collapse in 2001, the municipal offices flooded in 1995, and, several years ago, the fire department building burned down. A combination of federal and state funds has helped Johnson rebuild while minimizing the impact on the tax base, but, going forward, Osgood said, “our challenge will be to maintain the infrastructure and not let it get as run down as it was.”

Finding volunteers to serve in local office is another challenge, according to Osgood. “We advertise in the paper, send notes to every resident, and highlight openings in our town report,” he said. Even with these efforts, “this year, I think every single person who ran did not have a challenger, and there were many seats left open,” at town meeting.

if they unite around an issue. “A lot of communities don’t seem to appreciate the influence we have as a group,” he said. “Those legislators really do perk up and listen to what local government people have to say.”

His work on behalf of VLCT will be yet another public service commitment for Osgood, but one that he hopes “will make local officials’ jobs easier, or, at least not harder.”

When he is not busy with community activities, Osgood keeps up with the activities of his five children and brand new, first grandchild. When he gets a chance, he opens his garage to reveal “Silver Annie,” the 1929 Buick that he bought from his grandfather and now takes to car shows and parades. “I couldn’t see it leaving the family,” he laughed. His grandfather named the silver, gold and black car Silver Annie because it was the company’s 25th Anniversary car. Osgood recently joined the 251 Club, with the goal of visiting every Vermont municipality in the car.

A job offer from IBM initially drew Osgood to Johnson back in 1984, after he had completed four years in the Air Force. He is a graduate of Bradford’s Oxbow High School and, in 1999, he completed the Snelling Center’s Leadership Program. He encourages other local officials to consider the program, which he enthusiastically endorses. He would be happy to chat with others about that program, as he drives through your town in Silver Annie.

Welcome to the VLCT Board, Eric Osgood.

*-Katherine Roe, VLCT Communications Coordinator*



*VLCT Board member and Johnson Selectboard Chair Eric Osgood has a goal of visiting every Vermont municipality in his antique Buick. (Photo provided)*

good is proud of the partnerships the Town has forged with the Village and with Lamaille County. He noted that Johnson and two other towns contract with the county sheriff for 24-hour patrol service, and that five towns have partnered for ambulance service. “There is probably more that we could do to share services,” he said.

Osgood said that one of the biggest challenges Johnson faces is to maintain the infrastructure that it has worked so hard to build in recent years. “About 15 to 20 years ago, we started to rebuild the whole infrastructure of the community. We built a new sewer plant, new school, new municipal hall, new water lines, and a new fire station.” Some of this building resulted from an unusual series of disasters: snow load caused

“Everybody’s life these days is on a very fast track,” he commented. “All organizations are suffering from this.”

As he steps onto the statewide stage as a member of the VLCT Board, Osgood has a few issues he would like to help VLCT pursue under the golden dome. “One that is important to Johnson is the value of the PILOT money and getting that 100 percent funded. As Johnson is host for a Vermont State College and 4,600 acres of state-owned property, I have been very active in providing testimony on this issue. It is a fairness issue: we are providing a certain amount of public services for something that benefits the whole state.”

Osgood is also bullish about the impact Vermont cities, towns and villages can have

## FINDING A FIT

Eric Osgood’s local government service has changed over time. When the 2 a.m. fire alarms became a little harder to do (“the older you get, the less you like them,” he said), he switched to the school board, and from there to the selectboard, where he has found his niche. “I didn’t enjoy the school board as much as I do the selectboard,” he said. “Dealing with parents and their kids was emotionally charged, and it was hard to say no to the kids.” Of course, he said with a smile in his voice, “on the selectboard, we find that people can be just as emotionally attached to their dogs.”



## NEWS TO USE

*VLCT Group Services offers insurance, risk management and employee benefit services for Vermont municipalities.*

### NEW HSA LIMIT INCREASES FOR 2009

The Treasury Department and Internal Revenue Service have announced the 2009 maximum contribution levels for health savings accounts (HSAs) and out-of-pocket spending limits for high deductible health plans (HDHPs). (Subscribers must be enrolled in HDHPs to use HSAs.) These amounts have been adjusted to account for cost-of-living increases.

For 2009, the maximum annual HSA contribution for a single person is \$3,000. For family coverage, the maximum annual contribution is \$5,950. Catch-up contributions for individuals who are 55 years of age or older have increased to \$1,000 for 2009 and all years going forward.

If you have any questions regarding your existing plans with the VLCT Health Trust or the high deductible health plan in particular, please contact VLCT Member Relations at 800/649-7915.

### NEW DEPENDENT VERIFICATION AND STUDENT CERTIFICATION FORMS

The VLCT Health Trust has recently implemented new age 19 Dependent Verification forms as well as Annual Student Certification forms in an effort to simplify the process for Health Trust subscribers.

The new Dependent Verification form replaces the monthly letters that were sent to Health Trust subscribers once their covered dependents turned 19.

The new form, which will be mailed once, when a subscriber's covered dependent turns 19, must be completed, signed and returned to the Health Trust. If you are also verifying your dependent's full-time student status, the form must be returned with at least one document that proves this status. Acceptable forms of documentation include certification from the institution's admissions or registrar's office, a tuition bill or statement or student course transcripts. Full-time student status is defined as a minimum of 12 credit hours per semester for undergraduate students and a minimum of nine credit hours per semester for graduate students.

In addition, the Annual Student Certification letters will be mailed to subscribers covering dependents between the ages of 19 and 25. These forms will be mailed in late August and should be completed and returned by September 30. Please note that even if you submitted verification of your dependent's full-time student status when he or she turned 19, an Annual Student Certification form must still be completed and returned along with at least one acceptable form of verifying documentation, as described above, to prove full-time student status.

If you or your employees have any questions regarding the monthly Dependent Verification forms or the Annual Student Certification process, please feel free to contact VLCT Member Relations at 800/649-7915.

### NEW QUARTERLY HEALTH CARE REPORTING PENALTY FEES

VLCT has recently learned that the Vermont Department of Labor is now charging a \$35.00 penalty fee to all employers who submit the quarterly C101 reports (Employer Quarterly Wage & Contribution Report) without completing the Health Care Contributions section of the form.

These contributions are assessed of all Vermont employers each quarter and are used as one source of funding for Vermont's Catamount Health Program. Even if there are no health care contributions due to the State from your group each quarter based on FTE (full-time equivalent) calculations, *be sure to complete this section of the C101. Do not leave it blank!*

The Department is imposing this penalty for *all* quarterly C101s to ensure compliance with the new health care reporting regulations. Be sure to complete this form – on time and in its entirety – each quarter in order to avoid any penalty fees.

This is also a reminder to members that the Health Care reporting exemption will change from eight FTEs to six FTEs effective July 1, 2008. Please factor in this new exemption number when calculating your FTEs and associated health care contributions for the 2008 third quarter C101 report.

If you have any questions regarding the quarterly C101 reports or health care contribution reporting, feel free to contact Kelley Avery at VLCT at 800/649-7915 or the Vermont Department of Labor at 802/828-4344.

## 2007-8 WELLNESS PROGRAMS CONCLUDE

The **Keep It Off Challenge**, a six-month program that began one week before Thanksgiving and ended at the end of April, was a huge success. Five hundred municipal employees signed up for the challenge. In doing so they agreed to be weighed weekly at their municipality, with the goal of avoiding weight gain during the winter months. An impressive 83 percent of participants either maintained their pre-holidays weight or lost weight. Losing weight was a positive side

benefit of the program. *Congratulations to all of you who kept weight off or lost it!*

Some towns still have a scale available for unofficial weighing. Because it was such a success, the program will be repeated in the fall, beginning right before Thanksgiving. Some towns asked for a \$1 weigh contribution and used the funds to reward participants for various successes, something you might consider for the 2008-9 program.

The **On the Ball Adventure** was an

eight-week program that encouraged participants to do stretching and strengthening exercises for 20 minutes, three days per week. Vermont actor and comedian Rusty DeWees was a role model as he demonstrated some of his favorite exercises. (He started using the ball to help prevent his back pain.) About 1000 municipal employees participated in the springtime program, with 59 percent completing the entire eight weeks.

### HEALTH PROMOTION LEADER UPDATE

The Health Trust's **Leader** program is in its third year of awarding municipalities up to 4 percent of their health insurance premium based on their wellness efforts. Each year, final scores have improved over benchmark scores and participation has risen from an initial 53 percent to 67 percent. We are still looking for those municipalities (30 percent) that are not participating.

This year, municipalities will score the highest on the Leader for encouraging their employees to fill out the online Health Risk Assessment (HRA), found at [mycigna.com](http://mycigna.com). Participants receive a wellness score showing a snapshot of their overall health, praise for what they're doing well, suggestions for what they can do better, and access to online coaching and disease management.

Thanks to the Cigna Wellness Grant, Health Trust members who take the online HRA and then mail a postcard to VLCT by September 1 stating they took the assessment will have a chance for a financial reward. We will conduct two random drawings of the names of those participants. On Labor Day we will choose 200 \$25 winners, and at Town Fair on October 2, we will choose five \$50 winners.



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### Unemployment Trust

#### MEMBERSHIP HIGHLIGHTS INCLUDE:

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- Legal and administrative representation at hearings and appeals
- Information on current legislation and representation before the Vermont Legislature
- An effective cost-control program of workshops, seminars and individual technical assistance



# LEGISLATIVE WRAP-UP ADDENDUM

We trust you received your *VLCT Legislative Wrap-Up 2008* and are enjoying reading it in a cool place.

The governor has signed a few more bills into law and those now have Act numbers. He has not, as of this writing, signed into law any of the big money bills. See box below right for a list of bills that now have Act numbers. (They did not when we sent out the *Legislative Wrap-Up*.)

## CONSECUTIVE WATER SYSTEMS

We neglected to include in our 2008 *Wrap-Up* a significant bill for those who operate and maintain public water systems. The governor signed H. 806 into law (Act No. 156) on May 20.

In several cases around the state, municipal public water systems sell water to another entity, which then distributes the water through pipes to a group of users, such as a residential subdivision or a mobile home park. Under the statute in place until the passage of H. 806, those entities distributing water to end users had to meet all the same permitting and reporting requirements that the municipal water system providing the water had to meet. Those requirements are costly and time consuming and were, under the previous law, duplicative. For mobile home park residents, the additional cost was particularly difficult to shoulder.

Act 156 provides that a public water system will be exempt from the permitting and reporting requirements mentioned above if it meets all of the following criteria:

1. consists only of distribution and storage facilities;
2. obtains all its water from a public water system, but is not owned or operated by a public water system;
3. does not engage in the "sale" of water to any person;
4. is not a carrier that conveys passengers in interstate commerce;
5. serves fewer than 500 persons;
6. is served by a public water system that certifies that the *receiving system* (distribution system) is responsible for repair and maintenance of its own system unless otherwise agreed to with the municipal public water system; and
7. the municipal public water system includes the receiving distribution entity in its water quality sampling plans, provides consumer confidence reports to the receiving system's users, and issues

notices to users if a violation of a contamination standard occurs or if a risk to public health may be present.

"Sale" in this particular instance would not include circumstances when the rate charged to the consumer by the receiving distribution system is the same as the rate charged by the municipal water system to the receiving system and the uniform disconnect process in Title 24, Chapter 129 is followed. The one caveat is that appeals under the uniform disconnect law would be governed by the Vermont Rules of Civil Procedure, instead of the selectboard process in place now.

Despite this new exemption for distribution systems, the secretary of the Agency of Natural Resources (ANR) is still entitled to address a public health threat at any public water system.

## CURRENT USE

A second bill that did not make it into the *Legislative Wrap-Up* is S. 311, which makes changes to the Use Value (Current Use) Program. A few of these changes affect local governments.

If property enrolled in the Use Value Program is transferred to another property owner, the new owner is entitled to continue to have the eligible property appraised at its use value, provided it remains eligible and the new owner elects to continue enrollment on the property transfer tax return at the time of transfer. The new owner must also apply to the director of Property Valuation and Review (PVR) and pay enrollment fees within 30 days after the municipality receives the property transfer tax return for recording.

The new law also specifies that if the only change in appraised value of a prop-

erty is a new use value set by the state current use advisory board, or an adjustment of that value by the common level of appraisal (CLA), then the listers need not send a notice of change in value pursuant to 32 V.S.A. § 4111(e). At section (g) of this section, it is now clear that no grievance shall be allowed for a change solely to reflect a new use value set by the current use advisory board or the adjustment of that value by the CLA. This section applies to grand lists as of April 1, 2009 and later.

The biggest change that S. 311 makes is to allow a municipality to enroll land that it owns in another municipality in the current use program. A few towns and cities around the state own property such as a town forest or water protection zone in another municipality. If they enroll this property in the use value program, the PVR director will include it in his or her calculation of the amount necessary to cover lost property tax revenues. If the amount paid from the PVR director to a "host" municipality is insufficient to cover the full amount due for enrolled property owned by another municipality, the "host" municipality may assess the other municipality the difference.

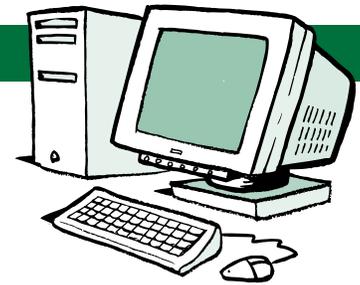
The Department of Information and Innovation, PVR, ANR and VLCT are directed to continue to bring electronic coordination to the use value appraisal program. A report is due to the Legislature by January 25, 2009, which shall include recommendations for electronic coordination by July 1, 2010. As well, several state agencies are to consult with the Lister's Association and VLCT, among other groups, to develop an outreach and education program.

- Karen Horn, Director, VLCT Public Policy and Advocacy

<i>H. 330, Mobile Homes</i>	<i>Act 120</i>
<i>H. 636, Embezzlement by Public Officials</i>	<i>Act 169</i>
<i>H. 641, Express Milk at Employment Place</i>	<i>Act 144</i>
<i>H. 669, Brownfields and Downtown Board</i>	<i>Act 147</i>
<i>H. 859, Justice Reinvestment</i>	<i>Act 179</i>
<i>H. 863, Vermont Neighborhoods</i>	<i>Act 176</i>
<i>H. 889, Transportation Capital Bill</i>	<i>Act 164</i>
<i>S. 45, Right to Attend Town Meeting</i>	<i>Act 124</i>
<i>S. 107, Ancient Roads</i>	<i>Act 158</i>
<i>S. 229, Public Records</i>	<i>Act 110</i>
<i>S. 357, Law Enforcement</i>	<i>Act 174</i>



# Tech Check



## A PRIMER ON WIRELESS INTERNET ACCESS

Many Vermonters are using wireless technologies to access the Internet – especially if they live in a place where cable, digital subscriber lines (DSL) and fiber are unavailable.

The current implementation of WiFi (wireless fidelity) severely restricts its range. Vermonters often use a WiFi signal from a library or other facility that allows public use. The rest areas on the interstate have free WiFi; many hotels offer WiFi in rooms and public areas; and some neighbors (especially those in apartments) use WiFi to share a single Internet connection.

Wireless Internet service providers (WISPs) can connect you to the Internet with various radio technologies that can reach for miles if there are no obstacles. Collectively, the technologies

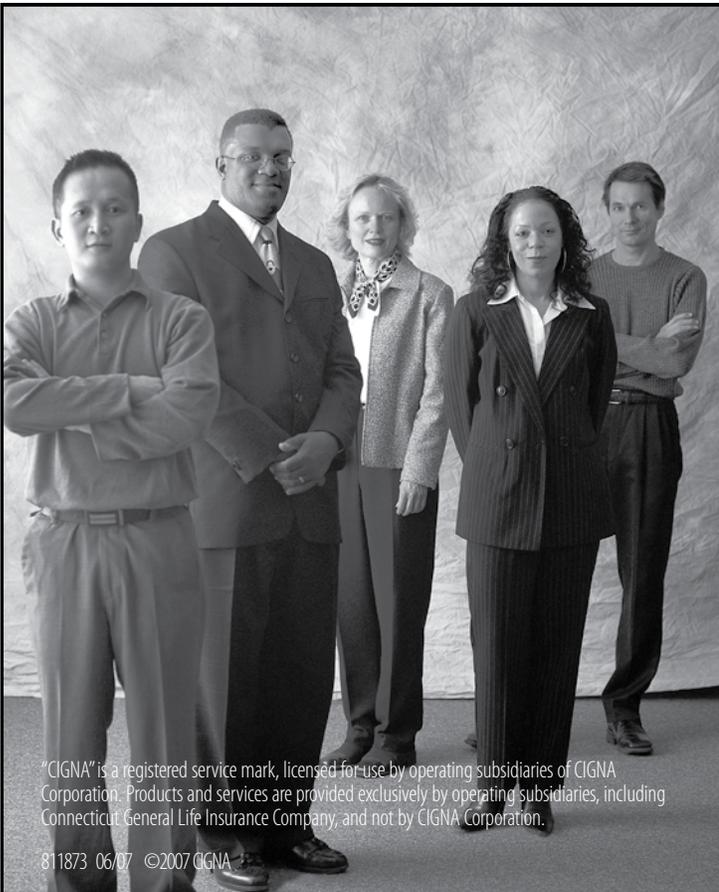
they use are called “fixed wireless” because a small box is attached to your house and aimed at the WISP’s large antenna. The speeds offered on these services range from .6 megabits per second (mbps) to 1.5 mbps (about twice that of basic DSL and 40 times faster than dialup) to 3 mbps (about the same as basic cable for downloading but faster for uploading). Speeds of up to at least 15 mbps are expected to be available soon as the technology continues to improve.

Even if a WISP (or other Internet provider) can connect you at a certain speed, you may not actually get this speed when you are downloading the content you are interested in. The connection from your house goes to a con-

centration point (the antenna in the case of a WISP) and is aggregated with other people’s traffic en route to the Internet backbone. If the “pipe” from the concentration point to the Internet backbone doesn’t have enough capacity, you can be slowed down during peak periods. Although some variation in speed is normal on the Internet, you shouldn’t hesitate to complain to your provider if you are frequently slowed down. The provider may need more capacity to handle the number of families signed up.

A good source for information on where WISP service is available in Vermont can be

*(Continued on next page)*



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*A Business of Caring.*



## TECH CHECK -

(Continued from previous page)

found on [www.telecomVT.org](http://www.telecomVT.org).

Increasingly you can also purchase wireless Internet access from cellular providers. Verizon Wireless has recently upgraded all its facilities in Vermont to provide evolution-data optimized (EVDO) service which has a download speed of over 1.0 megabits most of the time and upload speed of about half that. If your Verizon cellphone works well at your house, Verizon mobile data service probably will as well. This is a fairly expensive option (up to \$60 a month) but it does not require a fixed antenna and it is useful most places where you travel, even while moving in a car. You connect your computer to Verizon either with a card the size of a credit card (usually a PCI-MCIA card), a small USB device, or your cellphone itself. Verizon's interactive coverage map is at <http://www.verizonwireless.com/b2c/CoverageLocatorController?requesttype=NEWREQUEST>.

Unicel also offers cellular data but at a lower speed. Its Vermont network is being sold, after which it should be upgraded. Many cellular data providers are also planning migrations to long-term evolution (LTE) technologies within a couple of years, which should bring much, much faster speeds.

Technically, satellite Internet access is also "wireless," although it's not usually referred to that way. It is expensive, slow, and subject to interference from weather so it is usually only used by those who have no options other than dialup. It is much better for downloads than uploads.

*(Contributed by the Vermont Telecommunications Authority)*

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## WATER SUPPLY FACILITATION AND MEDIATION PROGRAM

A new program of facilitation and mediation services is being offered by the State of Vermont's Water Supply Division.

The program will provide the services of an impartial facilitator or mediator to help parties develop and negotiate complex interlocal agreements, user fee rates, operation and maintenance schedules, water allocations, consolidation and other matters related to providing drinking water to the public. Its goal will be to develop equitable agreements between willing parties.

The program will serve public drinking water system owners, operators, governing boards and other interested parties, and will be funded by Drinking Water State Revolving Fund monies.

If you are interested in this facilitation or mediation, please contact Ashley Lucht at [Ashley.lucht@state.vt.us](mailto:Ashley.lucht@state.vt.us) or 802/241-3424.

## CONCERNED ABOUT THE IMPACT OF ELECTRICITY COSTS ON YOUR MUNICIPALITY?



Take these steps to save money and energy:

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- When purchasing new office equipment, look for ENERGY STAR® qualified models which use 40-70% less electricity than standard models.

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## EXPANDING BACKYARD COMPOSTING

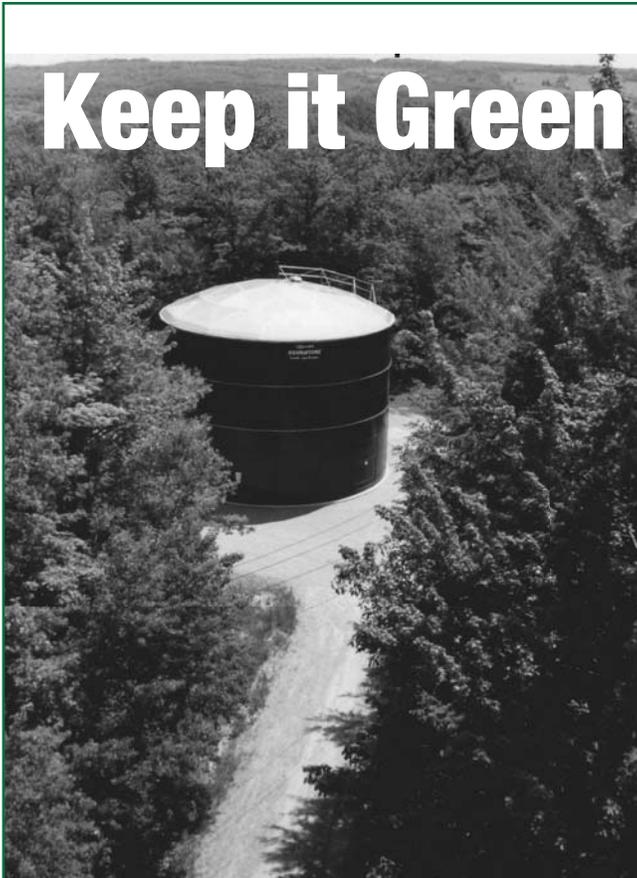
The Central Vermont Solid Waste Management District (CVSWMD) recently initiated a new waste diversion program for its 22 member towns. The District, through a contract with a private non-profit organization, is offering its residents in-ground food scrap digesters that save homeowners money, reduce greenhouse gas emission, and assist Central Vermont communities in meeting the state goal of 50 percent waste diversion.

CVSWMD Executive Director Donna Barlow Casey explained that the District, which has made a commitment to achieving zero waste, sought a sustainable method for dealing with residential food scraps. “Green Cone food waste digesters were the answer to our needs,” said Barlow Casey. “They allow homeowners to put all food scraps – including meat, bones, and dairy products – into the small, in-ground units. This reduces a typical household’s garbage by 20 percent. For those who self-haul, this is a dramatic reduction in the cost of disposal and leaves the residents’ trash free of odors, which can reduce the number of trips to the drop-off.”

The product that the District selected, Green Cone, is installed in the ground and doesn’t require any special materials or turning to work well. Material is digested in place and returned to the soil. The Cones cost \$72.50, plus Vermont sales tax, and will be for sale this summer at community events throughout the District. In addition to reducing the amount of trash residents have to pay to throw away, they also reduce their carbon footprint (by eliminating the methane gas that their scraps would generate at a landfill).

“Cost savings can be over \$200 per household per year,” noted Barlow Casey. “Fewer trips to the drop-off results in less carbon emissions, and a savings on fuel. This is a big benefit for residents feeling the pinch of rising fuel and food costs as well as a dramatic benefit for the environment.”

Other Districts and communities in Vermont can provide the same benefits to their residents. Green Cone sales events can be scheduled anywhere in the state! For more information about Green Cones and the vendor the District chose to sell them, Zero Waste, Inc., please visit [www.zwinc.org](http://www.zwinc.org).



## Keep it Green with Aquastore

### Small Footprint

Manufacturing at the ISO factory means you won’t need to clear the forest to create manufacturing space on site.

### Low Cost Site Development

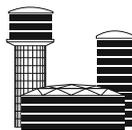
If you’re not clearing large spaces, then you’re not paying for them either.

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# VLCT STAFF NEWS AND NOTES

## WELCOME

Spring was indeed a season of change for two new VLCT staff members: in April, **John Condon**, CPCU, AU, CIC, AAI, and **Katie Walsh** joined the staff. John stepped into the vacant Underwriting Manager position and Katie took over the Deputy Chief Financial Officer position that opened up when **Bill Hall** was promoted to Chief Financial Officer.



*John Condon*

John came to VLCT from the Vermont Mutual Insurance Company, where he was a Commercial Lines Underwriting Supervisor for six years. He began his career as a claims representative before moving into underwriting, marketing and management positions at several insurance companies in New Hamp-

shire. He extensive insurance experience and professional CPCU, CIC, AU, AAI, and INS certifications will be a valuable asset to VLCT Group Services, where he will lead the VLCT PACIF underwriting team that includes **Vicky Abare**, Senior Underwriting Assistant, **Dan Roda**, Associate Underwriter, and **Kathy Soler**, Senior Underwriter.

John graduated from the University of New Hampshire with a Bachelor of Science in Administration. He lives in Stowe with his wife and two daughters.

Katie came to VLCT with 18 years of accounting experience, most recently running her own accounting services consulting business. Prior to that, she worked for five years for Waitsfield's Northern Power Systems as Assistant Controller, Accounting Manager and Senior Cost Analyst, as well as in accounts payable. Katie's other Vermont experience includes finance and human resources positions with Williston's Shipcommerce, Inc. and as a Customer Service Representative for Karl Suss America.

Katie joins the VLCT finance team that is lead by Bill Hall, Chief Financial Officer, and includes **Aggie Elwell**, Accounting Specialist, **Tracy Hatch**, Accounting Clerk, and **Pam Knapp**, Trust Accounting Specialist.

One of her first projects is to help her team migrate VLCT's July 1 fiscal year to a calendar year. Nothing like jumping in feet first!

Katie graduated from Rhode Island's Providence College with a Bachelor of Science in Business Administration – Accounting. She lives with her husband in Waterbury.



*Katie Walsh*

## CLAIMS CHANGES

**Ken Canning**, VLCT Deputy Director, Insurance Operations, recently announced several “infrastructure” changes in the VLCT PACIF Claims Department. These changes will promote efficiencies within the Claims Department, as well as develop each staff member's individual talents and expertise.

Claims Supervisor **Darlene Bresett** is now Manager, Workers' Compensation Claims, and Assistant Claims Supervisor **Kelly Kindestin** is now Manager, Property and Casualty Claims. Senior Claims Representative **Kathi Chaloux** and Claims Representative **Patricia Boyle** will specialize in workers' compensation claims and report to Darlene, as will Claims Administrative Assistant **Trisha Clark**. Senior Claims Representative **Terri McAdams** and Claims Representative **Ernest Maestas**, who specialize in property and casualty claims, will report to Kelly.

## GOODBYE AND GOOD LUCK

VLCT recently bid goodbye to Chief Financial Officer **Michael Gilbar**. Mike is the new Chief Financial Officer for the City of Nashua, New Hampshire. While we miss him and his particularly dry sense of humor, we wish him and his family good luck in the Granite State.

### Vermont State Infrastructure Bank (SIB) Loan Funds are Available

The Vermont State Infrastructure Bank (SIB) is a low-interest loan program operated by the Vermont Economic Development Authority (VEDA) and the Vermont Agency of Transportation (VTrans).

**Eligible Borrowers** include municipalities, regional development corporations, and certain private sector companies.

**Eligible Projects** must be transportation-related, enhance economic opportunity, and help create jobs. Examples are road construction or reconstruction, certain facilities related to rail transit, and bridges and intermodal transportation facilities.

*Funds are also available to help eligible groups and individuals purchase 7-15 passenger commuter vans.*

To learn more, visit [www.veda.org](http://www.veda.org) or call: 802-828-5627.





# 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.

## 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 \$41 per ad.

Ads are generally limited to 150 words and run for one issue. Ads are also placed on the VLCT Web site for up to one month.

The *VLCT News* is published eleven times per year and reaches readers by the third week of the month. (The August/September issues are combined.)

The copy deadline for advertisements is the first Friday of the month for the next month's issue. However, space is often available for late additions. Please feel free to check with the editor for availability.

For more information on classified and display advertising in the *VLCT News*, please contact Katherine Roe, Editor, VLCT News, 89 Main Street, Suite 4, Montpelier, VT 05602, tel. 800/649-7915, fax 802/229-2211, e-mail [kroe@vlct.org](mailto:kroe@vlct.org).

## HELP WANTED

**Executive Director.** The Chittenden County Metropolitan Planning Organization (CCMPO), the transportation planning and policy authority for the Burlington, Vt. metro region, seeks an Executive Director to lead county transportation planning and policy development. Requires 10 years directly related experience, including 3 years managing professional staff. A Master's degree in a relevant field is desirable, as is work-

ing knowledge of current transportation planning and MPO laws and rules. Salary commensurate with experience. Full benefits package. Visit [www.ccmppo.org](http://www.ccmppo.org) for a full job description and more information about CCMPO. To apply, send a letter of interest, resume, three references and salary history **by July 15, 2008** to Search Committee, CCMPO, 30 Kimball Avenue, Suite 206, South Burlington, VT 05403. E-mail or fax submissions will **not** be considered, nor will applications received after the deadline or that do not contain all requested information. AA/EOE. (6-13)

**Town Manager.** The Town of Ogunquit, Maine is currently seeking qualified candidates for the position of Town Manager. Ogunquit, a vibrant and attractive coastal resort community in southern Maine, has a year-round population of 1,400 that experiences a very significant seasonal increase. The Town has a municipal operating budget (excluding schools and county) of \$4 million. Ogunquit has a Selectmen/Town Manager/Town Meeting form of government with a five-member Board of Selectmen and 50 full-time employees. The Board seeks an individual with strong financial, managerial and leadership skills. Excellent communica-

tion, public relations and computer skills would be assets. Preferred candidates will have experience as a Town Manager, and relevant college degree, but candidates with comparable backgrounds are encouraged to apply. Salary negotiable based on experience and qualifications. To apply, send resume and cover letter with salary requirements **by July 8, 2008** to Director of Personnel Services, Maine Municipal Association, 60 Community Drive, Augusta, ME 04330, or by e-mail to [HumanResource@memun.org](mailto:HumanResource@memun.org). You may also fax it to 207/626-5947. Ogunquit is an Equal Opportunity Employer. (6-10)

**Director of Economic Development and Tourism.** Killington, Vt. seeks its first Director of Economic Development and Tourism. A new department will be created to generate additional four-season business activity while stimulating the local economy through diversification and expansion of entertainment, special events and infrastructure to ensure that Killington remains a dynamic and vibrant destination. The ideal candidate should be committed to providing the highest quality of service with

*(Continued on next page)*

## Water Supply

Otter Creek Engineering provides solutions for public and private clients' Water Supply needs with skills in the planning, design, permitting and construction engineering of many types of projects, including:

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## CLASSIFIEDS -

(Continued from previous page)

honesty and integrity. He or she should be a highly responsible, high-energy individual, able to coordinate department activities and functions within the policies, philosophy and long-range plans established by the Economic Development and Tourism Commission, the Town Manager and the Board of Selectmen. The Director will plan, market, manage and direct economic development, events and tourism activities, and plan programs and services for the Town. The Department of Economic Development and Tourism's annual \$650,000 budget will be generated by a new 1% local option tax on sales, rooms, meals and alcohol effective October 1, 2008. Killington has a year-round population of 1,500, with seasonal increases to 20,000. In addition to normal municipal departments, the Town also owns and operates a four-star resort golf course. Requirements: Bachelor's degree in a relevant field, or equivalent combination of education and experience, and three years of upper level management experience in tourism, special events, marketing and/or economic development. Starting salary, \$55,000 to \$70,000, DOE/Q and salary history. Excellent benefits package, including full family medical and dental insurance and an excellent retirement plan. For more information, visit [www.killingtontown.com](http://www.killingtontown.com). To apply, send resume in confidence **by August 1, 2008** to Killington Town

Manager, P.O. Box 429, Killington, VT 05751. (6-4)

**Police Officer.** The Littleton, NH Police Department is accepting applications for the full-time position of police officer. Applicants should have at least a two-year college degree and must be at least 21 years of age to qualify. Full time certification is preferred, but not required. Training and experience other than post secondary education will be considered. Benefits include New Hampshire Retirement System, medical coverage, accrual of annual leave time and holiday pay. Selection process will include written exam, psychological testing, polygraph examination, extensive background investigation as well as medical and physical agility testing. Minimum salary range is \$39,846 to \$43,846. For more information about the Littleton Police Department, please visit its website, [www.littletonpd.org/](http://www.littletonpd.org/). To apply, send a cover letter and resume to Littleton Police Department, Attn: Human Resources, 264 Cottage Street, Littleton, NH 03561. **Position open until filled.** Equal Opportunity Employer. (6-3)

**Town Manager.** Plaistow, NH (pop. 8,000) is located in southeastern New Hampshire on the Massachusetts border, equidistant from Concord, NH and Boston, Mass. The Town has had five managers since the position was created in 1988. Five-member board of selectmen/town manager/town meeting form of govern-

ment. 40 full-time employees, 11 part-time employees and an on-call fire department. \$7.5 million municipal budget exclusive of schools. Requirements: BA in PA (MA preferred) or related field plus two years municipal management; strongly prefer town manager or town administrator experience; strong communication, interpersonal relations, leadership and management skills; well-rounded municipal management abilities; familiarity with unions, contracts and risk management. Salary, \$84 to 95 K DOQ/E plus excellent benefits. For further information, call 603/456-2677, or visit [www.jacquesper.com](http://www.jacquesper.com). To apply, submit resume, cover letter and three professional references **by July 7, 2008** to Plaistow Search, c/o Jacques Personnel, P.O. Box 300, Warner, NH 03278. E.O.E. (6-3)

**Zoning Administrator.** Wallingford, Vt. is seeking a part-time Zoning Administrator to work 10 hours weekly, day or evening, plus at least two evening meetings per month. Duties include enforcing the Town's zoning codes and its bylaws; serving as staff to the Planning Commission and Development Review Board; preparing minutes and warning meetings; receiving and responding to correspondence; answering questions concerning zoning regulations, permit requirements, etc.; maintaining records, scanning and recording inspected septic systems, and zoning and driveway permits. Acts impartially and without coercion on zoning requests according to Town Zoning Regulations and refers requests for zoning variances and conditional uses to the Development Review Board. Experience with Word and Excel needed. Hourly wage. For more information, call 802/446-2872. To apply, send resume and cover letter to Town of Wallingford, P.O. Box 327, Wallingford, VT 05773. E.O.E. **Position open until filled.** (6-3)

**Town Manager.** Norwich, Vt. seeks a responsible, high-energy town manager. Norwich (pop. 3,600) is a charming New England community located across the Connecticut River from Dartmouth College and is two hours north of Boston. Many cultural activities are available. The Town has a strong tradition of community involvement, from serving on town

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(Continued on next page)



## CLASSIFIEDS -

(Continued from previous page)

committees to volunteerism. Children attend an excellent elementary school, and an equally excellent interstate 7-12 school district. The manager reports to a five-member selectboard and is responsible for day-to-day operations of the town. The manager supervises public works, police, recreation, fire, solid-waste and finance departments with 17 full-time employees. The town's annual budget is \$3.8 million. Salary range is \$65,000 to \$85,000, with excellent benefits. A Bachelor's degree is required; a Master's in public administration, business management, engineering or other relevant field is desirable. Previous experience as a town manager or assistant manager is a plus. See [www.vlct.org/marketplace/classifiedads/](http://www.vlct.org/marketplace/classifiedads/) for a detailed job description. To apply, please send a confidential cover letter and resume to Norwich Town Manager Search, c/o VLCT, 89 Main Street, Montpelier, VT 05602, or e-mail to [gperson@vlct.org](mailto:gperson@vlct.org) with Norwich in the subject line. **Resume review begins July 1.** (5-30)

**Police Chief.** Windsor, Vt. (pop. 3,700) seeks a Police Chief to perform highly responsible professional and administrative functions. He or she develops and follows police management policies and procedures, state law, rules and regulations pertaining to department administration, establishes short- and long-range plans and objectives for the department, establishes own performance standards and assumes direct accountability for department results. The Chief seeks advice and counsel of the Town Manager on matters that the employee does not have the authority to resolve, and has access to confidential departmental personnel files, driving and criminal records, in accordance with state law. Responsibilities: supervises all police department personnel; carries out all supervisory functions in accordance with the organization's rules, policies and applicable laws; interviews, hires, trains; plans, assigns and directs work; appraises performance; rewards and disciplines employees; addresses complaints and resolves problems. Requirements: Bachelor's degree in Criminal Justice Administration, Public or Business Administration or field related to law enforcement (significant ex-

perience as Chief or other high rank with another agency may be substituted for the formal education requirement); demonstrated executive potential with at least five years of experience in a command position in a law enforcement agency. Salary range \$50,000 to \$60,000, DOQ. To apply, send cover letter and resume **by June 30, 2008** to Lynn Grace, Town of Windsor, P.O. Box 47, Windsor, VT 05089, or by e-mail to [lgrace@windsor-vt.gov](mailto:lgrace@windsor-vt.gov). (5-30)

**Director of Public Works.** Experienced professional sought to manage Windsor, Vt. Department of Public Works. The director will direct and control all aspects of public works activities including water, sewer, highway, public property, solid waste and equipment maintenance. The director supervises a unionized staff of 10. Qualifications: Bachelor's degree (preferred) in engineering, project management, public works, construction or a closely related field from an accredited college or university; eight years of experience in public works, highway maintenance and/or utilities operations, with at least four years in a management or supervisory position; or any combination of education and experience that demonstrate the attainment of the required knowledge, skills and abilities. The candidate must have demonstrable supervisory ability and excellent organizational, communication and customer service skills. Salary range, \$50,000 to \$65,000. Qualified applicants should submit resumes to Lynn Grace, Town of Windsor, P.O. Box 47, Windsor, VT 05089. Electronic submissions preferred to [lgrace@windsor-vt.gov](mailto:lgrace@windsor-vt.gov). E.O.E. (5-22)

**Office/Utility Manager.** Hyde Park Village, Vt. seeks a qualified person to fill the position of Office/Utility Manager. The Village of Hyde Park includes the electric, general, water and sewer departments. The manager would be responsible for and must possess knowledge in the following areas: company-wide accounting for four village funds (knowledge of FERC accounting preferred); management of company financials; annual budget for four village funds; responsible for: annual audit; annual report; monthly, quarterly and annual reporting to regulatory bodies for utility functions; accounts payable; human resources (bene-

fits administration, weekly payroll); office management; computer knowledge (MS Word, Excel and Access); general computer maintenance; oversees utility billing and customer service; represent the Village of Hyde Park on the Vermont Public Power Supply Association Board of Directors. The manager must be able to work independently, take on multiple tasks and possess a critical eye for detail. He or she will represent the Village on various boards, attend meetings relating to the operations of the Village and report to the Village Board of Trustees. To apply, send a resume and cover letter to The Village of Hyde Park, Inc., P.O. Box 400, Hyde Park, VT 05655. (5-20)

**Director of Public Works.** Warren, Vt. seeks an experienced professional to manage its Department of Public Works. This individual will direct and control all aspects of public works including roads and bridges, public properties and buildings, equipment maintenance, parks and recreation facilities. The position requires supervision of a unionized staff of four. Qualifications: valid driver's license (CDL preferred), demonstrable supervisory ability, and excellent organizational, communication and customer service skills. This is a full-time position with excellent benefits. To apply, submit a resume and salary requirements to Cindi Jones, Town Administrator, P.O. Box 337, Warren, VT 05674. Electronic submissions preferred to [cjones@warrenvt.org](mailto:cjones@warrenvt.org). (5-19)

## FOR SALE

**Fire Truck.** The City of St. Albans, Vt. Fire Department has a 1970 open cab Peter-Pirsch 1000/750 pumper for sale in as-is condition with no expressed warranties. Not recommended for firefighting activities, but would make a great collector piece. Motor, five-speed manual transmission and pump all in working order. Body is solid but does need some cosmetic attention. Asking \$4,000 or best offer. To see a photo of this unique vehicle, visit [www.stalbansvt.com](http://www.stalbansvt.com), click on "Fire Department," and then on "Fire Truck for Sale." For more information, or to see the truck in person, please contact Chief Joe Beaudry at 802/524-2132. (5-23)



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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](mailto:jhill@vlct.org). Or visit [www.vlct.org](http://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.)*

**Bridge Maintenance and Preservation Workshops.** Tuesday, July 1, 2008, Burlington or Thursday, September 11, 2008, Rutland. Sponsored by Vermont Local Roads and the UVM Transportation Research Center, this day-long workshop is designed for state and local officials, including those responsible for inspecting, maintaining, and reporting on bridges and those responsible for funding the work. Find out more and register online

at [www.uvm.edu/transportationcenter](http://www.uvm.edu/transportationcenter) or call 802/656-1312.

**Introduction to GIS Training.** July 9, 16 and 23, 2008, Rutland, or August 6, 13 and 20, 2008, Montpelier. This 12-hour course over three days is sponsored by the Vermont Center for Geographic Information. For complete details visit [http://www.vcgi.org/commres/?page=../events/training/default\\_content.cfm#intro](http://www.vcgi.org/commres/?page=../events/training/default_content.cfm#intro) or contact Leslie Pelch at 802/882-3002 or [lesliep@vcgi.org](mailto:lesliep@vcgi.org).

**2008 NNECAPA Conference.** Thursday, September 4 through Saturday, September 6, 2008, Woodstock Inn and Resort, Woodstock, Vt. Sponsored by the Northern New England Chapter of the American Planning Association and the Vermont Planners Association. For complete details visit <http://nnecapa.org/calendar/> or e-mail Jessica Hill at [jhill@vlct.org](mailto:jhill@vlct.org).

**2008 Green Mountain Payroll Conference.** Thursday, September 18, 2008, Capitol Plaza Hotel, Montpelier. Sponsored by the Green Mountain Payroll Association. A day-long conference with sessions on payroll and human resources. For more information visit [www.greenmountainpayroll/netfirms.com/](http://www.greenmountainpayroll/netfirms.com/) or contact Janis Blais at 802/229-3457 or [jblais@nationallife.com](mailto:jblais@nationallife.com).

**2008 VLCT Town Fair and Municipal Golf Tournament.** The Golf Tournament is back! Golf will take place on Wednesday, October 1 at the Green Mountain National Golf Course in Killington. The next day, Town Fair kicks off with the Conversation Café and Gubernatorial Debates followed by workshops, discussions, the Annual Turkey Dinner and the VLCT Annual Meeting. Watch your mail in late July for registration materials or visit our website. Save these dates!