

VLCT NEWS

A PUBLICATION OF THE VERMONT LEAGUE OF CITIES & TOWNS

SERVING AND STRENGTHENING VERMONT LOCAL GOVERNMENTS

April 2009

LOCAL GOVERNMENT DAY

Local Government Day in the Legislature 2009 was by all accounts a huge success. With a crowd of nearly 200 local government officials plus more than 50 legislators, the Capitol Plaza Hotel was filled with warm chatter and networking as attendees shared ideas and opinions. For the first time, we offered break-out roundtable sessions for local officials to discuss issues of importance to cities and towns. Topics included infrastructure spending/federal stimulus package, education funding, health care, and town



Montpelier Mayor Mary Hooper welcomes attendees to Local Government Day.

clerk and election issues. Since the economy was on everyone's mind, the stimulus package roundtable was filled to capacity. The day kicked off with a welcome by Montpelier Mayor and State Representative Mary Hooper. Attendees then heard the latest issues from VLCT and VMCTA lobbying staff before heading to the State House to sit in on committee meetings and listen to action on the floor of both the House and Senate.

Governor Jim Douglas was the luncheon speaker; he presented a sobering update of the economy at the state level, while reiterating how Vermonters are ever resilient in hard times. The afternoon was open for local government officials to return to the State House to attend more committee hearings.

We hope that those who attended found the day worthwhile. If you were not able to join us, please tell us why. We welcome any comments or suggestions you may have for future events. You may email me at jhill@vlct.org.

Jessica Hill, Manager
Administrative Services, VLCT

LEAGUE BOARD RENEWS EXISTING OFFICE LEASE

On March 10, the Montpelier Elks Club notified VLCT that it was no longer interested in selling its building to us for our future headquarters. At its March 12 meeting, the VLCT Board of Directors voted unanimously to extend our lease for our existing offices in Montpelier's City Center building. Our current lease expires at the end of February 2010; the new extension will last until August 2012.

The VLCT Board also kicked off the next round of a search for a new facility by appointing a building committee to secure VLCT's future home. Sanford Miller, VLCT Vice President and Milton Town Manager, and VLCT Board members Jared Cadwell, Selectboard Member from Fayston, and Hunter Rieseberg, Town Manager of Hartford, agreed to serve. VLCT will again be looking for a 14,000 to 16,000 sq. ft. office building in the Montpelier area.

ELSIE BEARD RETIRES AFTER 20 YEARS ON PACIF BOARD

Elsie Beard, Assistant Town Clerk/Treasurer of the Town of Orange, recently retired from the PACIF Board of Directors, attending her last meeting in February 2009. She was Vice President of the Board for four years and was particularly valuable and effective in her role as Chair of the Underwriting Committee. Pat Scheidel, PACIF Board Chairman, said of Elsie: "She is a stalwart champion of integrity, providing fairness for all members in all policy decisions. With her historical knowledge and perspective, Elsie has provided invaluable guidance in making important policy decisions. She will be missed."

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PROVIDE FOR YOURSELF TO REDUCE RELIANCE ON HEALTH CARE

To paraphrase a famous U.S. president, *ask not what your health care provider can do for you – ask what you can do to provide for your own health.*

Your action or inaction can have quite an impact on your well being. Swapping unhealthy habits for healthy ones now can reduce your future reliance on medical services and lead to lower health insurance costs for you and your employer.

Research conducted by Dr. Kenneth Cooper, the “father of aerobics” and developer of the Cooper test for fitness, shows that health and longevity fitness translates to a 58 percent reduction in death from all causes and up to a six-year increase in life span. In his book, “Start Strong, Finish Strong – Prescriptions for a Lifetime of Great Health,” Cooper recommends these simple steps to start you on your way to a healthier lifestyle:

1. Walk briskly for 30 minutes *every* day.
2. Don't eat foods that contain trans fats. Use canola oil or olive oil instead of partially hydrogenated vegetable oil or solid fats such as lard, shortening, and butter.
3. Substitute fish or chicken for beef or lamb.
4. Choose leaner cuts of beef such as top round instead of prime rib eye.
5. Eliminate one fatty food item from your diet each week for the next five weeks.
6. Drink water or unsweetened beverages instead of sugar-sweetened soda and soft drinks.
7. Take a slow, deep breath, exhale slowly, and relax. If that felt good, take another.
8. And of course, if you use tobacco, quit!

The VLCT Health Trust's medical insurer, CIGNA, suggests the following ways for employers to facilitate employee wellness:

WEIGHT MANAGEMENT

1. Set up an employee-run weight loss support group.
2. Introduce a healthy recipe exchange at work.
3. Provide a variety of nutritious foods or snacks in the cafeteria. Stock vending machines with healthier options such as popcorn, dried fruit, 100-calorie snacks, and seltzers. Promote healthy foods by selling 15¢ apples as alternatives to \$1

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TIPS FOR CHOOSING THE BEST TYPES OF FAT

Limit fat in your diet, but don't try to cut it out completely. Focus on reducing foods high in saturated fat, trans fat and cholesterol. Select more foods made with unsaturated fats. When making your choices, consider these tips:

- Saute with olive oil instead of butter.
- Use olive oil in salad dressings and marinades; use canola oil when baking.
- Sprinkle slivered nuts or sunflower seeds on salads instead of bacon bits.
- Snack on a small handful of nuts rather than on potato chips or processed crackers. Try peanut butter or other nut-butter spreads (nonhydrogenated) on celery, bananas, or rice or popcorn cakes.
- Add slices of avocado rather than cheese to your sandwich.
- Prepare fish, such as salmon and mackerel, which contain monounsaturated and omega-3 fats, instead of meat one or two times a week.

Monounsaturated and polyunsaturated fats have few adverse effects on blood cholesterol levels, but you still need to consume all fats in moderation. Eating large amounts of any fat adds excess calories. Also make sure that fatty foods don't replace more nutritious options, such as fruits, vegetables, legumes, or whole grains.

From “Dietary fats: Know which types to choose” at www.mayoclinic.com



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LEGAL AND REGULATORY NOTES



ENFORCEMENT ACTIONS

Administrative officers are required to enforce land use regulations. They must take any action to “prevent, restrain, correct, or abate that construction or use, or to

prevent, in or about those premises, any act, conduct, business, or use constituting a violation.” 24 V.S.A. § 4452. When an administrative officer ignores violations, or when a selectboard fails to support the administrative officer’s actions, apathy towards the land use regulations and program may be the consequence.

In any enforcement action brought by the administrative office, the goal is typically compliance with municipal bylaws. In most cases, the enforcement action ends once violations are corrected and compliance is achieved. However, administrative officers spend a portion of their time enforcing violations. In addition, a town may hire an attorney to assist with enforcement. This is a drain on town resources for which the town has a remedy as laid out in the law.

Vermont law authorizes towns to recover expenditures related to enforcement under 24 V.S.A. § 4451. Any person who violates adopted bylaws may be fined \$100 for each offense; each day a violation contin-

ues is a separate offense. After the violation is cured, towns may proceed with an action in court to recover fines for the period of time that a violation existed and recoup costs associated with litigation even after compliance is achieved. This authority is explored in the Environmental Court case *Town of Calais v. Barbara Noordsji* 142-6-06 Vtec.

The Town of Calais brought an enforcement action against the defendant, Barbara Noordsji, for not complying with a setback for construction of a barn as indicated on the issued zoning permit. The administrative officer alerted Noordsji to the possible violation one day after framing began on the barn, December 20, 2005. A notice of violation was sent on December 21, 2005. Noordsji had a seven-day warning to cure the violation, but construction of the barn proceeded contrary to the permit.

A year and a half later, the development review board granted approval for the “as

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ANNOUNCING THE PLANNING COMMISSIONERS’ SUMMER RETREAT – CALL FOR APPLICATIONS AND NOMINATIONS

The Land Use Institute of the Vermont Law School, along with a wide range of partners that includes the Vermont League of Cities & Towns, is hosting a planning commissioners’ retreat at the Ohana Camp on Lake Fairlee from 3 p.m. on June 5 to 3 p.m. on June 6, 2009. This is a wonderful opportunity for community leaders who volunteer on their planning commissions to network with colleagues while gaining innovative and inspirational information to take back to their communities. The setting and food will be a treat. Keynote speakers include Tim Duane and Sean Nolon, land use law professors from the Law School. Individuals will be rewarded for their volunteerism and gain advanced training. Space is limited to 45 attendees. Cost per participant: \$100.

For more information, call Peg Elmer, Associate Director of the Land Use Institute at the Vermont Law School, at 802-831-1405. An application and information is available at www.vermontlaw.edu/Academics/Environmental_Law_Center/Institutes_and_Initiatives/Land_Use_Institute/Events.htm. A nomination form is also available for organizations interested in sponsoring a participant.



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LEGAL/REG. NOTES

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built" location of the barn. Even though the property owner achieved compliance with the bylaw, the town pursued penalties that accrued over the 566 days of the violation. The court concluded that "a penalty must be calculated to remove the economic benefit and the avoided costs achieved by the Defendant from the violation, as well as to compensate the enforcement entity generally for the legitimate costs of bringing the enforcement action, and to consider other relevant factors."

The penalty granted was \$24,695. This included the administrative officer's time in enforcing the bylaw (\$695.76) and the attorney's fees and other costs incurred by the town (\$23,999.16). This penalty is not the full amount authorized under state law and represents \$43.63 per day of the 566 days of violation. The court acknowledged that "[t]o fail to impose an appropriate penalty on a defendant who proceeds with a project after being notified of the violation makes a mockery of the great majority of citizens who apply for and abide by zoning permits and other municipal land use approvals."

This case points out that municipalities can prosecute to recoup the costs associated with enforcement of land use regulations. The cost of enforcement, which may deter a town from carrying out meaningful enforcement, does not have to be the burden of taxpayers. The court has placed this burden on the violator, thereby strengthening a town's position to uphold its land use regulations and implementation of a town's development plan.

To read the entire decision, go to <http://www.vermontjudiciary.org/tcdecisions/06-142ze.Noordsij.rcn.pdf>

*Stephanie Smith, Senior Associate
VLCT Municipal Assistance Center*

HERE IS THE LAW!

Updated **Open Meeting** and **Access to Public Records Law** posters are now available. Clear summaries of these two important laws are essential for all municipal offices. To order your copies, visit VLCT's online bookstore at <http://www.vlct.org/marketplace/bookstore/>.

VLCT'S UPCOMING TRAINING OPPORTUNITIES

PRESENTED BY THE MUNICIPAL ASSISTANCE CENTER

Selectboard Institute

Saturday, April 4, Montpelier

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.

Conducting Effective Tax Appeals

Tuesday, April 7, Milton; Wednesday, April 8, Bennington;
and Thursday, April 9, Middlesex

With the property tax under increasing pressure, and the subject of more and more attention, it is essential that the appeals process be properly administered. Come learn what your town can do to conduct effective property tax grievances and appeals.

PRESENTED BY VLCT AND THE VERMONT STATE AUDITOR

Governmental Finance Symposium

Tuesday, June 23, Montpelier

A comprehensive series of educational sessions about governmental accounting and auditing, presented by certified public accountants (CPAs) and state and local government officials. Continuing professional education hours are available for CPAs who attend this annual symposium.



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ASK THE LEAGUE

PETITION FOR RECONSIDERATION; STATE'S EQUALIZATION AND REAPPRAISAL FUNDS; NEW SELECTBOARD MEMBERS

Our town voted to increase the percentage of voters required to sign a petition for reconsideration or rescission on a question considered or voted on at its annual meeting from 5% to 10%. What percentage of voters is needed to sign a petition to reconsider this vote?

Ten percent of the town's registered voters would need to sign a petition requesting reconsideration or rescission in order to force its selectboard to provide a vote within 60 days of its submission at a subsequent special town meeting.

There are two reasons for this opinion.

When interpreting law, courts will give effect to the legislature's intent, which they do by looking to the plain and ordinary meaning of the statute. *Delta Psi Fraternity v. City of Burlington*, 2008 VT 129. The controlling statute here clearly states that once this threshold percentage is changed,

that figure will control all future petitions until it is either revoked or amended by the voters. "Once the voters of a municipality have voted to require a new percentage, that percentage shall remain in effect until the voters of the municipality vote to change the percentage." 17 V.S.A. § 2661(b)(3).

Courts also will not read something into a statute that is not there unless doing so is necessary to make the statute effective. *Weale v. Lund*, 2006 VT 66. The law governing reconsideration or rescission (17 V.S.A. § 2661) is silent with regard to any delay in the taking effect of a new percentage. A comparison with another law may help illustrate this point. When a selectboard adopts an ordinance, it does not take effect immediately. Rather, it takes effect 60 days from the date of its adoption, unless "a petition is filed ..." 24 V.S.A. § 1972(a). No such similar language can be found in 17 V.S.A. § 2661; consequently

we must assume that the legislature intentionally excluded it so as not to delay its implementation. In other words, if the legislature had intended to delay the application of a newly adopted percentage to some time in the future, it would have said so.

Of course, the selectboard can avoid this potential controversy altogether by simply submitting the article for reconsideration or rescission at a subsequent annual or special town meeting on its own motion. Then again, depending on the nature of the article, it may not want to.

*Garrett Baxter, Attorney
VLCT Municipal Assistance Center*

How can a municipality spend its allocation from the state's equalization and re-appraisal account?

The money allocated by the state (\$8.50 per grand list parcel per year) can be spent on a reappraisal or costs associated with reappraisal. It may also be spent on the maintenance of the grand list. 32 V.S.A. § 4041a (a). Maintenance of the grand list includes the work listers do throughout the year and is not necessarily associated with a town-wide or rolling reappraisal. These activities include keeping up with alterations to property, such as new garages or additions, changes in the housing market, and making additions to the grand list due to the creation of new lots.

Besides the money dispersed for grand list maintenance and reappraisal, the state provides additional funds for property assessment education and training, including "property inspection, data collection, valuation methods, mass appraisal techniques, and

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ASK THE LEAGUE

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property tax administration provided by or contracted through the director of Property Valuation and Review.” 32 V.S.A. § 3436.

*Stephanie Smith, Senior Associate
VLCT Municipal Assistance Center*

How are new members added to the selectboard?

The voters must first approve a duly warned article at an annual or special town meeting to add any additional positions to the board. 17 V.S.A. § 2650(b). If the article is approved, the newly created vacancies must be filled either by appointment by the sitting selectboard or by election. 24 V.S.A. § 963.

Each town starts with at least three selectboard members, each of whom serves a three-year staggered term. 17 V.S.A. §§ 2646(4), 2649. A town may elect not more than two additional selectboard members if the voters so choose. 17 V.S.A. §§ 2649, 2650(b). Towns rarely add just one member, however, as doing so dramatically increases the likelihood of deadlocked (2-2) decisions.

If two additional members are added, they must serve for the same term of office, either one or two years. The warning for the addition of the two members must specify

if their terms are to be for two years. If the warning is silent, then both members will only serve for one-year terms. If the terms for the new positions are to be for two years, then after their initial election, one member’s term would be for one year and the other’s would be for two years so that their terms are staggered. In other words, if two additional members are elected for a two-year term, then only one will actually serve out the entirety of the initial two-year term. The other member’s term will expire after one year. Thereafter, however, each will be elected to a full two-year term. The reason for staggering these two positions is to ensure that these offices will not become vacant at the same time. 17 V.S.A. § 2650. When a new member is elected, the warning should clearly indicate the length of the term so there will be no confusion as to which member has the one-year term and which has the two-year term.

How a town fills these positions is a function of the method it utilizes to dispose of public questions and the election of officers at annual and special town meetings. If a town votes from the floor, the article to fill the office can follow the article creating the additional positions. If a town votes either its public questions and/or elects its officers by Australian ballot, it will not be able to fill the newly created offices until the next annual or special town meeting. Until that time, the selectboard will have to appoint to fill these vacancies.

Once these two new positions are created, they will remain in effect until such time as the town votes to eliminate them at an annual or special meeting. 17 V.S.A. § 2650(c).

*Garrett Baxter, Attorney
VLCT Municipal Assistance Center*

2008 MUNICIPAL CENSUS SURVEY DATA PUBLISHED

Wondering what the status is on that survey you filled out last summer? Good news! The *2008 Municipal Census* was made available last month. The *2008 Census* questionnaire, which was sent out to municipalities last summer, collected data from Vermont municipalities in the areas of **municipal operations, positions and boards, cooperation, voting practices, ordinances and planning, finance, professional services, water and/or sewer rates and fees, risk management, and technology**. VLCT will use the collected data to respond to inquiries from members who seek information about how other municipalities conduct their business. The data also help VLCT to educate the public, legislature, state officials, media, and others about local government. The *2008 Census* achieved a 76% response rate, for which we extend a big thank-you to our members.

The information collected from the *2008 Census* was published on March 16th in the *Resource Library* on VLCT’s website (www.vlct.org) as three reports.

- *2008 VLCT Municipal General Census Report*: provides insight into the trends and daily operations of local government.
- *2008 Vermont Municipal Water and Sewer Rate Information*: provides statewide water and sewer information from municipalities with similar population sizes.
- *2008 Vermont Municipal Land Use Regulation Practices and Fees*: compiles planning and zoning related questions from the survey, and has a comparison of various planning and zoning fees from around the state.

VLCT CONSULTING SERVICES

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SUPPORT YOUR LOCAL MEDIA

TAKE CHARGE OF YOUR COMMUNITY'S COMMUNICATIONS FUTURE

Through the miracle of modern air travel, I crossed from the dawn tundra of Burlington, Vermont en route to the afternoon foothills of the Rocky Mountains a few weeks ago. Flying over cities, rivers, farms, highways, parks, lakes, crop circles, schools, truck depots and ball fields you can see that even the most rural people are connected to each other by a network of roads, communications systems, and local institutions. From 30,000 feet, our vast and sprawling country appears as an assembly of thousands of small communities woven, as we know, into an uneven democratic fabric. We connect as a nation through large-scale events – war, deficit, national elections, the Super Bowl. On

the state and local level, we bond through smaller scale activities of common purpose. In Vermont, for example, March Town Meeting is a vital centerpiece of our connection and identity.

By virtue of our size and tradition, Vermonters are used to direct participation in local government. But the requirements of the modern world mean that we depend more and more on local media to inform us. The state is blessed with dozens of locally owned newspapers, locally owned radio stations and the last family owned CBS affiliate in the country – but in many communities, the crux of local government happens on their local cable access channels. Even if

you cannot attend in person, you can tune in to Town Meeting by watching local access TV channels and participating in election forums, live election results and many town meetings themselves.

In Brattleboro, BCTV provides live coverage of election forums organized by the League of Women Voters and other local sponsors. All candidates are welcome to record statements to help voters as they make their decisions. On Channel 17/ Town Meeting TV in Burlington, more than 60 candidates from five Chittenden County communities will appear in more than 25 forums. Many of Vermont's 43 public access channels provide front row seats to the workings of democracy as they expand the reach of local government and spark civic involvement.

Public access cable channels operate on airwaves that are, in effect, public property. The state's many channels are part of a larger package of media and communications services and networks that operate on public airwaves and local rights of way. Local cities, towns and villages have a stake in their planning, development and future. Municipalities must now pay attention to the threats and opportunities to expand emergency services, cell phone towers, high-speed broadband services, open networks and public access. These networks will be (and are being) constructed so that vital services such as education, telemedicine, and economic opportunity can make their way to all corners of the state.

But typical market economics don't always work in favor of rural communities. The federal and state government have to step in to make sure that lines are extended to farmhouses and homes at the end of our many dirt roads (as they did with phone service in the 1930s, 1940s and 1950s). State government (through the Vermont Telecommunications Authority and the Vermont Department of Public Service) is using its resources primarily to stimulate private investment, but this will not ensure that our communications networks remain accessible and affordable for years into the future. It is time for Vermont's cities and towns to take matters into their own hands.

What's a community to do? Consider these specific ways that your community can

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LOCAL MEDIA

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Build Local. Support the development of public broadband projects in your town or city. The public rights of way are given for little or nothing to private companies, which, if they could, would close these “electronic highways” to everyone but their own customers. We need more public highways – affordable and open to all. You can make this happen by organizing for public broadband projects in your community. Find out more about Burlington Telecom (rolling out in Vermont’s Queen City) and EC Fiber (coming soon to 23 rural communities in east-central Vermont). Look out for \$6 billion in federal stimulus money that will be dedicated to rural broadband projects. Figure out how your community can make a community-owned broadband project happen in your town or region. Take the lead! This is the surest way to secure democratic communications and advance local self-sufficiency for years and years.

Watch Local. Buy Local. Support locally owned communications networks. Let your dollars do the talking. Advertise in local media venues first. Subscribe to locally owned phone, video and internet services when you have a choice.

Produce Local. Open Government with Free Media. Citizens aren’t waiting for the news business to evaporate. Millions take media into their own hands with blogs, “tweets”, podcasts and on-the-spot video reporting. You can make local government more open and transparent by using and protecting free public media opportunities. Is there a college or community radio station nearby? Have you appeared on your local cable access channels yet? Tune into your local meetings, cultural events and the free speech soapbox. With Town Meeting approaching, educate yourself by watching any of dozens of candidate forums and check out election results on the air or online (for example: www.channel17.org). Think about how you can use these channels to tell your own stories and promote your good works. Remember, access channels provide free training, equipment and airtime to their communities – take advantage of this vital resource. Check <http://vermontaccess.net> for a complete list of Vermont’s access operations.

Prepare to Fight! Protect public access and open networks! Public electronic real estate is hard to get and harder to keep. Commercially owned media and communications are working *now* to prevent us from keeping and expanding local broadband ownership, public access cable channels, community radio, and universal service. Learn about and fight national policies that promote further consolidation of our nation’s communications resources. Support policies that diversify ownership and, especially, promote local control of public broadband networks. Municipal leaders can play a vital role. You can:

- **Stand tall with local public access channels** as they renegotiate the next round of contracts with Comcast across Vermont. Comcast is actively working to pare down access budgets with a focus on reducing capital expenses (that is the equipment you need to tell and transmit your stories to your neighbors and officials). Pay attention to these fights and join your access center’s efforts to solidify local support for these precious channels.
- **Join forces with national and local efforts** to protect free speech, the fourth estate, public access and municipal rights. Forward thinking communities connect with the National Association of Telecommunications Officers and Advisors (NATOA) at www.natoa.org and TeleCommUnity (the local government telecom alliance) at <http://telecommunityalliance.org>. Monitor www.freepress.net, Benton’s Headlines (www.benton.org), national activists like the Media and Democracy Coalition (www.media-democracy.com), Common Cause (www.commoncause.org), Consumer’s Union and New America Foundation, and local activists like the CCTV Center for Media & Democracy. (Sign up for our newsletters at www.cctv.org.)

- **Mobilize your personal, professional and civic networks to protect locally controlled media and communications in Vermont.** Ten people can quickly turn into 1,000 if you leverage the “network affect” of your contacts plus the Internet. Each of us can play a vital role in creating the “tipping point” that convinces the public and decision-makers that real votes are at stake if they don’t support free speech in all of its forms.

The promise of democracy is only as strong as the free flow of information. It is not too late for Vermont’s cities, towns and villages to take charge of our communications future, to stand tall with thousands of others in defense of free speech and to secure public access and open networks for the next generation.

Lauren-Glenn Davitian is Executive Director of CCTV Center for Media & Democracy (www.cctv.org), celebrating 25 years of community media in Vermont on June 13, 2009. She is recognized as the “mother of public access TV” in Vermont and works actively in the national arena to protect free speech, public access and open networks. Her email address is davitian@cctv.org.



VEDA Has Interest-Free Commuter Van Financing Available for Eligible Borrowers

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Visit www.veda.org or call 802-828-5627 to learn more.





PROVIDE FOR YOUR HEALTH

(continued from page 2)

candy bars.

4. Encourage enrollment in CIGNA's weight management Lifestyle Management program.

STRESS MANAGEMENT

1. Create a designated relaxation or "down time" area in the workplace.
2. Design a handout that summarizes all stress-related support available to employees and explains how they can access this support.
3. Encourage enrollment in CIGNA's stress management Lifestyle Management program.

PHYSICAL ACTIVITY

1. Provide clean and safe stairwells and encourage employees to use them.
2. Support lunchtime walking and/or running groups.
3. Provide information about safe local walking trails and bike routes.
4. Partner with local gyms to offer discounted memberships.
5. Offer benefit incentives to promote participation in physical fitness activities. Some employers give 15 minutes of paid exercise time per day to employees who match it with at least 15 minutes of additional exercise time (that is, the employer pays for half of a daily brisk walk).

TOBACCO USE

1. Provide information on state and local community smoking cessation programs and/or support groups, or create your own employee support group for quitting tobacco use.
2. Reward those who have successfully completed tobacco cessation programs and quit smoking or chewing.
3. Encourage enrollment in CIGNA's tobacco cessation Lifestyle Management program.

EXISTING MEDICAL CONDITIONS

1. Facilitate employee-run support groups or provide information on local community support groups for various medical conditions to encourage discussion

and proactive management of health.

2. Encourage enrollment in appropriate CIGNA Well Aware for Better Health® disease management programs such as:
 - Asthma
 - Chronic Obstructive Pulmonary Disease
 - Depression
 - Diabetes

- Heart Disease
- Low Back Pain
- Targeted Conditions
- Weight Complications

*Ken Canning, Deputy Director,
Insurance Operations, VLCT Group Services*

THE SKINNY ON FATS

Let's face it, fatty foods have satisfying flavor and texture. Telling people who crave fat to avoid all dietary fats can have a negative impact. They'll consume so much low- and non-fat foods that they'll actually overeat. The result is a diet low in fats but high in calories – it's still unhealthy.

Recent studies show that fats differ in how they affect our bodies. Certain fats actually support essential functions in the body, such as helping the brain and liver to function optimally and assisting in the production of good cholesterol.

The trick is to make good choices about what and how much to eat. In most cases, a *maximum* of one-third of your daily calories should come from fat, including all of the fats hidden in "regular" foods. You should *always* steer clear of certain bad fats.

The table below shows which fats to use (not to excess!) and which to avoid for good health.

Rating	Examples
Best	Certain unsaturated fats which are high in omega-3 fatty acids <ul style="list-style-type: none"> • Fatty cold-water fish such as salmon, mackerel, herring, and tuna • Omega-3 fish oil supplements • Flaxseeds, flaxseed oil • Walnuts
	Monounsaturated fats <ul style="list-style-type: none"> • Nuts including almonds, peanuts, and pistachios • Canola oil, olive oil, peanut oil, avocado oil • Avocados, olives
Okay	Other Polyunsaturated Fats <ul style="list-style-type: none"> • Safflower, sunflower, soy, corn, and cottonseed oils • Nuts and seeds
	Reduced-fat Saturated Fats <ul style="list-style-type: none"> • Non-fat and reduced-fat dairy products • Lean types of meat (buffalo, ostrich) • Trimmed and lean cuts of meat, such as skinless chicken or turkey breast, beef round, chuck, sirloin, or tenderloin (labeled "select" or "choice"), pork tenderloin or loin chops
Bad	Saturated Fats <ul style="list-style-type: none"> • Most meat and poultry • Full-fat dairy products (butter, milk, sour cream, cream, cheeses) • Palm oil and palm kernel oil • Eggs
Really Bad	Trans Fats <ul style="list-style-type: none"> • Hydrogenated or partially hydrogenated anything • Shortening and many margarines • Fried foods (doughnuts, french fries, chicken wings, fried fish) • Fats hidden in processed foods and commercial baked goods



UNEMPLOYMENT REFORM AT FEDERAL AND STATE LEVELS

On February 17, 2009, President Obama signed into law the American Recovery and Reinvestment Act (ARRA). This \$787 billion recovery package includes several provisions that impact unemployment benefits and unemployment claimant eligibility, including the following:

Emergency Unemployment Compensation (EUC) Extension. This extension provides for continuation of the EUC program (which allows for extended benefits beyond the initial 26-week period) initially implemented in July 2008 and then extended in November 2008. This latest extension continues EUC through December 31, 2009. The EUC program continues to be 100 percent federally funded, meaning there is no cost to reimbursing or tax contributing employers.

UI Benefits Increase. This provision allows for an additional \$25 to be added to a claimant's weekly unemployment benefit amount through 2009. Employers will bear no cost for this provision, as federal general revenue will fund these additional benefits 100 percent.

UI Modernization. The new "UI Modernization" makes one-time funding available to states as incentive to implement reforms to expand benefit eligibility to persons not typically covered. States will get a portion of \$7 billion if they have enacted or will enact an "alternate base period" – an alternative to the standard earnings period used to establish a UI claim – as well as two of four other benefit expansions: (1) part-time worker eligibility, (2) compelling family reason to quit eligibility, (3) benefits for dislocated workers in approved training, and (4) dependent allowances. The incentive funding is meant to cover states' administrative costs associated with the expansions. Each state will need to determine whether or not employers will be charged for benefits paid under the new provisions.

The State of Vermont has not yet decided whether it will take part in the UI Modernization changes in return for federal incentive funds. However, it is considering significant changes to unemployment insurance system due to challenges faced with the continuing decline in the trust fund. Unemployment levels ended December 2008 at

6.4 percent and are predicted to rise, so the fund is now paying out more than it is taking in. Therefore the state is considering ways to generate additional revenue. Possibilities include increasing the state unemployment taxes to taxable employers, increasing the taxable wage base, and perhaps imposing an administrative fee on reimbursable employers such as the VLCT Unemployment Trust; however, the state has not yet made any decision in the current legislative session.

The U.S. Department of Labor is currently developing guidance for the states relative to the economic recovery package. Business groups have voiced concerns that ARRA provisions significantly alter some fundamental elements of the unemployment insurance program, but it will ultimately be up to individual state legislatures and UI agencies to decide how the changes will be carried out and to what extent employers may see increased unemployment costs.

Kelly Avery, Benefit Program Administrator, VLCT Group Services

MUNICIPAL EDUCATION GRANTS AVAILABLE – APPLY TODAY!

The Department of Housing and Community Affairs (DHCA) is offering the Municipal Education Grant (MEG) program again this year, and we encourage municipal officials to take advantage of this no cost educational opportunity! Municipalities can submit grant applications before May 15, 2009 to bring MAC staff to their offices for a free on-site training. You may view descriptions of VLCT's Land Use Workshops as well as fill out a MEG application by visiting VLCT's website <http://www.vlct.org/municipalassistancecenter/customworkshops/>. If you would like to schedule a land use training, contact Abby Friedman, MAC Director, at 800-649-7915 or Afriedman@vlct.org. There is more information about the MEG Program on the DHCA website (<http://www.dhca.state.vt.us/Planning/MEG.htm>), or you can contact Brenda Greika at the DHCA Planning Division, 802-828-3243 or Brenda.greika@state.vt.us.

There are 14 VLCT Land Use Training Workshops to choose from, including five new topics:

- *Adopting Local Act 250 Review*
- *Capital Planning and Budgeting*
- Conducting Effective Meetings and Hearings
- Effective Zoning Enforcement
- Field Guide to Adopting and Amending the Town Plan and Bylaws
- How to Interpret Development Plans
- How to Make and Write an Effective Land Use Decision
- Is a Development Review Board Right for Our Town?
- *Local Regulation of Wireless Telecommunications Facilities*
- Major Types of Development Review
- *Planning for Ancient Roads – What Every Municipality Should Know*
- Should Our Town Adopt On the Record Review?
- Should Our Town Adopt Zoning?
- *Understanding Homeowner's Associations*



NEWS TO USE

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

FOCUSING ON EMPLOYEES' HEALTH AND WELLNESS

The days are getting longer as spring approaches, but, let's face it, the bleak state of the economy isn't helping anyone's mood. Winter is typically depression's "busy season," and with the added burden of financial fears, the winter blues are likely to be harder to pull out of this year. In fact, it appears that your employees may already be facing the consequences of a stressful year. In November, Aetna reported that between 2007 and 2008 there was a 60 percent increase in employees seeking help for stress from the insurer's employee assistance program (EAP) and a 55 percent increase in those seeking financial assistance.

Depression is, or should be, a major concern for employers and their insurers. According to the *Wall Street Journal*, depression was the cause of 18 percent of employee absences lasting 10 or more days. And, in October 2007, the *Los Angeles Times* reported that depression accounted for 387 million sick days a year in the United States.

In addition to absenteeism, depression is also a major cause of "presenteeism" – being present at work even if one is too sick to be productive. Depressed workers are typically significantly less productive, costing American companies millions of dollars per year. The effect of depression on workers' compensation claims can also be costly. In most cases, workers' compensation would not cover depression even if conditions in the workplace (like a stressful job or nasty coworkers) contribute to the problem. However, depression can increase the risk of workplace injuries.

IMPORTANT NOTICE FOR UNEMPLOYMENT TRUST MEMBERS

The 2008 UI Trust Wage Reports were mailed out to all UI Trust members at the end of March 2009. This report is very important to us so please complete it accurately. The Trust will use this report in determining 2010 UI Trust rates. Please remember to include wages for all full-time, part-time temporary, and seasonal employees. However, wages for any elected officials or volunteer EMTs or firefighters should not be included on this report.

If you prefer an electronic version of the report, you can download the file from the VLCT website, <http://www.vlct.org/insuranceriskservices/programs/unemployment/>. You can also call 800-649-7915 or email Kelley Avery at kavery@vlct.org to request the file. If you prefer filling in a hard copy version, please download it from the website or contact Kelley. Be sure to complete and return the report to her **by June 1, 2009**. UI Trust members can call Kelley with any questions.

The inability to concentrate, memory problems, and fatigue are all common symptoms of depression, any one of which could be a safety hazard. If an employee is working with dangerous equipment or shingling a roof or cutting down trees, you want him or her to be able to focus. Even a fight of stairs can be hazardous to somebody who can't concentrate.

On the flip side, it is fairly common to become depressed after a serious workplace injury, which can also increase your workers' compensation costs. A depressed worker can take longer to heal, leading to higher medical costs and more time away from work. In some cases, depression can lead injured workers to abuse prescription painkillers or alcohol, slowing recovery and creating an entirely new problem that needs to be addressed.

The good news is that depression is treatable, but you need to learn how to spot it in order to get workers the help that they need. Obviously, there's no way to tell what an employee is thinking or feeling, but there are usually some physical manifestations of depression. An inability to concentrate could result in an employee making more mistakes than usual. Depressed employees may sleep

late or call in sick often. They might lose or gain weight. They may also be more irritable than usual, overreacting to small problems. Frequent headaches and nausea can also be a sign of depression.

Of course, we all have days or weeks when we're sleepier or grumpier than usual, so employers may find it difficult to determine when to reach out to an employee. A good start is establishing a workplace culture where depression is not stigmatized. Employees should feel comfortable asking for help or taking time off to seek help on their own. EAPs have been shown to be effective in reducing the duration of disability claims.

Businesses should stay in touch with their employees on disability leave and make sure that the employees know they can get the help that they need. If an employee is taking longer than expected to recover from an injury or if an unusual number or strength of narcotics has been prescribed, it may be a sign that intervention is needed.

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NEW FEDERAL POOL AND SPA SAFETY REQUIREMENTS

The federal Virginia Graeme Baker (VGB) Pool and Spa Safety Act requires that **every public pool and spa be equipped with anti-entrapment drain covers and other layers of protection, such as safety vacuum release systems.** These requirements became effective on December 19, 2008, though the federal enforcement agency, the Consumer Product Safety Commission (CPSC), has announced that it will not enforce the law against pools or spas that are closed on December 19, 2008, until they reopen in the spring or summer of 2009.

The law is named for the granddaughter of former Secretary of State James Baker, III, who died in 2002 at the age of seven after the powerful suction of a drain trapped her under water.

Specifically, the Pool and Spa Safety Act requires:

- **Public Pool Drain Covers:** Every new and existing public pool and spa must

be equipped with drain covers conforming to the ASME/ANSI A112.19.8 performance standard, or any successor standard.

- **Public Pool Drain Systems:** Every public pool and spa with a single main drain, other than an unblockable drain, must either have the drain disabled or be equipped with one or more additional devices or systems designed to prevent suction entrapment that conforms to any applicable ASME/ANSI standard or applicable consumer product safety rule. These devices or systems include a safety vacuum release, suction-limiting vent, gravity drainage, and automatic pump shutoff, or other system determined by the CPSC to be equally effective in preventing suction entrapment.

Any pool or spa that already complies with ANSI/APSP-7 American National Standard for Suction Entrapment Avoid-

ance in Swimming Pools, Wading Pools, Spas, Hot Tubs, and Catch Basins will comply with the new federal requirements. That is, the existing standard exceeds the requirements of the VGB Pool and Spa Safety Act.

DEFINITIONS

Under the act, “swimming pools” and “spas” include any outdoor or indoor, in-ground or above-ground structure intended for swimming or recreational bathing, including hot tubs, spas, portable spas, and non-portable wading pools.

“Public pool and spa” means a swimming pool or spa that is (1) open to the public generally, whether for a fee or free of charge; (2) open exclusively to members of an organization and their guests, patrons of a hotel or other public accommodations facility, or residents of a multi-unit apartment building, apartment complex, residential real estate development, or other multi-family res-

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EMPLOYERS: NOTIFY ALL QUALIFYING EMPLOYEES OF NEW COBRA LEGISLATION BEFORE APRIL 18, 2009

On February 17, 2009, President Obama signed the American Recovery and Reinvestment Act of 2009 (ARRA). This federal economic stimulus package includes a new COBRA premium assistance law which makes significant changes to COBRA coverage and requires employers to notify affected individuals of these changes.

NOTE: These changes will affect you if you have any **COBRA-eligible employees between September 2008 and December 2009. Consequences of noncompliance may include ERISA** (the Employee Retirement Income Security Act of 1974) **and code fines.**

All employees who experienced a qualifying event on or after September 1, 2008 must receive a notice of the new COBRA legislation even if he or she was not involuntarily terminated. In addition, new legislation requires that employees who were involuntarily terminated as of September 1, 2008 be sent a separate notice that describes how the stimulus program works and their rights under this new program. All these notifications must be completed by April 18, 2009.

Participants of Payflex COBRA Administration have already received email notices of the new regulations outlining the Payflex responsibility as well as the municipality's (i.e., the employer's) responsibilities. Your contact at Payflex is Justin Jacobsen, Client Service Manager, 402-884-7033.

WHERE TO GO FOR INFORMATION

All PACIF members should have received email newsletters, notices, and webinar invitations from HR Sentry on the new COBRA regulations. You may also consult with HR Sentry by phone at 800-504-4240 or go to www.HRSentry.com.

The U.S. Department of Labor has set up a website dedicated to providing guidance on COBRA premium assistance. This site is www.dol.gov/ebsa/COBRA.html.

If you need help beyond these resources, call VLCT Member Relations or the Municipal Assistance Center at 800-649-7915.

Larry Smith, Manager, Member Relations, VLCT Group Services

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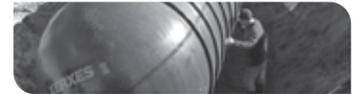


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POOL SAFETY

(continued from page 13)

idential area; or (3) operated by the federal government (or by a concessionaire for the federal government) for the benefit of members of the armed forces and their dependents or employees of any agency and their dependents.

An “unblockable drain” is a drain of any size and shape that a human body cannot sufficiently block to create a suction entrapment hazard. According to the CPSC, an unblockable drain meets the following dimension requirements: (1) a large aspect cover measuring 18" x 23"; (2) large outlet grate with a diagonal measurement of 29" or more; or (3) circulation designs that do not include fully submerged suction outlets. In general, unblockable drains are not off-the-shelf items or manufactured products. As field fabricated drains, they will have to be designed and certified by a licensed professional engineer.

The CPSC is responsible for primary enforcement of the Pool and Spa Safety Act, and state attorneys general are responsible for secondary enforcement. The federal Pool and Spa Safety Act supersedes weaker state or local regulations that apply to public pools. The CPSC gives detailed explanations of federal compliance in the answers to Frequently Asked Questions on its website at <http://www.cpsc.gov/businfo/vgb/poolspa-faq.pdf>. That webpage also contains a link to a list of manufacturers who claim to be selling compliant drain covers.

*Joe Damiata, Manager,
Safety and Health Promotion,
VLCT Group Services*



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VLCT + CFO = GFOA’s CPFO

William Hall, VLCT’s Chief Financial Officer, was recently awarded the Certified Public Finance Officer (CPFO) designation from the Government Finance Officers Association (GFOA). Since the inception of the CPFO program, 400 individuals have received this designation.

To earn the CPFO designation, candidates must demonstrate their knowledge of public finance by passing five examinations that represent five core disciplines:

- Governmental accounting, auditing and financial reporting
- Cash management and investments
- Debt management
- Operating and capital budgeting
- Pension and benefits, risk management and procurement

Said GFOA Executive Director Jeffrey Esser, “This is an outstanding achievement in the career of any public finance officer. The motivation, time, and discipline it took to complete the program is indicative of their dedication to the profession and to public service.”

The GFOA is the professional association of state/provincial and local finance officers in the United States and Canada, and has served the public finance profession since 1906. GFOA members are dedicated to the sound management of governmental financial resources.

Bill joined the staff of the League in November 2007. In addition to his other duties, he designs workshops for finance officers and treasurers and is available for consultations with towns on a wide range of finance topics.



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LOW IMPACT DEVELOPMENT (LID) – IT JUST MAKES SENSE

This past February, in the midst of a blowing snowstorm, a group of about 35 planners, engineers, landscape architects, state and town officials, and stormwater aficionados gathered in the LEED (Leadership in Energy and Environmental Design)-certified community room at NRG Systems in Hinesburg to learn about low impact development (LID). LID is an approach to land development or redevelopment that works

with nature to manage stormwater as close to its source as possible.

The evening began with an overview of LID planning principles that use or mimic natural processes to infiltrate, evaporate, or reuse stormwater on the site where it is generated. The session's presenter, Emma Melvin, Lake Champlain Sea Grant Water Quality Educator, described LID systems and practices used to preserve and recreate natural landscape features, minimize the effect of impervious surfaces (e.g. roads, parking lots, driveways, and roofs), create functional and appealing site drainage, and treat stormwater as a resource rather than a waste product.

During the second half of the workshop, the participants divided into five teams to try their hands at using LID practices in an interactive design exercise. Armed with Mylar paper, orthophotos (aerial photographs), engineering scale rulers and multicolored

markers, the participants designed a hypothetical development in Hinesburg's Geprags Park using LID site planning and management practices. (See sidebar.) The teams were directed to choose an appropriate spot for a subdivision consisting of ten 1,500-square-foot units of independent living elderly housing, a 2000-square foot common building, and parking and roads. The orthophotos identified site restrictions including large forested tracts, steep slopes, streams, wetlands, and food hazard areas.

The teams had an hour to complete their designs, after which they took turns presenting them to the group. Although there were variations, each group used a variety of LID systems to create attractive and effective designs. Plan proposals included an assortment of LID practices including rain gardens and bioretention, sub-surface gravel wetlands,

(continued on next page)

“It was excellent to see so many engineers at this workshop! Given the level of interest, I'm optimistic that we'll see more and more LID practices in stormwater plans for new development here in Hinesburg.”

—Alex Weinbagen, Director of Planning and Zoning, Hinesburg

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LOW IMPACT

(continued from previous page)

vegetated swales and buffers, limited vegetation clearing, rain barrels and cisterns, permeable pavement, and reduced impervious surfaces. Ryan McCall, State Watershed Coordinator for the Winooski River basin, commented that one of the things he kept hearing from participants throughout the design exercise was, "This makes sense."

For comparison, Kevin Worden of Engineering Ventures of Burlington showed a so-called "conventional design" of the same dimensions, which used a stormwater detention pond to capture and store the increased stormwater runoff generated from a development with less vegetation and more impervious surfaces.

Alex Weinhausen, Director of Planning and Zoning for the Town of Hinesburg, was encouraged by the gathering. "It was excellent to see so many engineers at this workshop," he said. "Given the level of interest, I'm optimistic that we'll see more and more LID practices in stormwater plans for new development here in Hinesburg."

Dean Grover of Grover Engineering in Huntington summed it up this way: "I en-

joyed rubbing elbows with mostly familiar faces – other engineers, landscape architects and other consultants, planners and state and town personnel – to brainstorm a hypothetical LID subdivision in Hinesburg. Part of the enjoyment was in sharing the difficulty we're all having with the current stormwater rules. The exercise reinforced my impressions that the next set of state stormwater rules needs fundamental revisions. We have to stop collecting stormwater, treating and detaining it in centralized structures, then trying to spread it out again in a way that does not cause erosion problems. Alternatively, using concepts from LID design, stormwater treatment needs to happen at the source – at the margins of impervious roads, driveways and buildings. I believe that by incorporation of LID concepts, new state stormwater rules can be much simpler to administer and to adhere to during land development, with water quality results that are as good (as) or better than (those) provided by the current rules."

Thanks to Alex Weinhausen and Emma Melvin, Kevin Worden, Paul Boisvert and Sarah Thyng of Engineering Ventures, and Marty Illick of the Lewis Creek Association for making this workshop happen. Special thanks also to NRG Systems for providing the comfortable accommodations.

If your town or board is interested in hosting a Low Impact Development workshop, please contact Milly Archer, Water Quality Coordinator, VLCT Municipal Assistance Center, at marcher@vlct.org or (800) 649-7915.

LID SITE PLANNING AND MANAGEMENT PRACTICES

CONSTRUCTION SITE PRACTICES

- Minimize land disturbance
- Preserve natural areas (wetlands, streams, lakes, steep slopes, floodplains, vegetated riparian buffers, large forested tracts)
- Avoid compacting heavy soils
- Prevent erosion and control sediment

DESIGN CONSIDERATIONS

- Narrow roads
- Shorter driveways
- Mixed-use parking
- Reduced building footprint

STORMWATER MANAGEMENT PRACTICES

- Bioretention/infiltration – rain gardens
- Vegetated swales
- Sub-surface gravel wetlands
- Permeable pavement
- Cisterns and rain barrels

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ELSIE BEARD

(continued from page 1)

The esteem for Elsie throughout VLCT is palpable. Her dedication and years of service have already earned her the distinguished VLCT Lifetime Achievement Award (2002). She doesn't talk about herself much, so as Elsie steps down from the PACIF Board, we take this opportunity to share some information about her with VLCT News readers. We deeply appreciate her contributions to our work and lives.

Elsie has spent a significant part of her life helping to keep the Town of Orange running smoothly – in various capacities, sometimes leading and sometimes assisting, but always with a commitment that goes far beyond the “just a job” mentality and exemplifies the true value of community ties and public service. She comes by it naturally: “I was just brought up to hold town office,” as she puts it. Her father, Frank K. Beard, was Town Clerk of Orange for 39 years – starting when Elsie was an infant – and Treasurer for 24 years, while her mother assisted with both roles as necessary. The Orange Town Clerk's office was a room that the town built in the woodshed off the Beards' kitchen. As Elsie

grew, she got the hang of helping her parents fulfill the clerk's duties, such as issuing hunting or fishing licenses. “Whether it was midnight or 4 a.m., whenever they came, whoever [of the Beards] was there wrote 'em. Times were different then,” Elsie explains matter-of-factly. Indeed, the Town of Orange didn't need to build its own Town Clerk's office until Elsie's father retired from the job in 1974.

Elsie's official service to Orange has spanned decades, but while she is careful in keeping the town's records straight, she is far less concerned with recording her own route through public service. She started as Library Trustee (1958-68), then served as Treasurer alongside her father during his last two years as Town Clerk (1972-74). She served six years as Auditor, followed by nine as Selectboard Member, another six as Auditor, and another six on the Selectboard. Moreover, she served on the Recreation Committee for five years, the Planning Commission for eight, and as a Justice of the Peace and the Agent to Deed Land (in which capacity she signed three new deeds, truly guaranteeing her name a place in town history) for more than 15 years each. And, oh, by the way, she has at least 20 years under her belt

as Assistant Town Clerk and Treasurer – even now, filling in when the current Clerk takes a vacation.

To earn a living, Elsie spent 37 years employed by the State of Vermont. Starting as an account clerk and advancing to Director of Administration, she worked in a variety of departments: Highway, Auditor of Accounts, Finance, Mental Health, Budget & Management, and Natural Resources. What, if anything, did she enjoy about her work? “Oh, it used to be fun to work for state government,” she says, emphasizing the word fun. For example, she was with the Agency of Natural Resources (ANR) when it moved from River Street in Montpelier to Waterbury. “State Buildings and ANR were allocated money, which was very unusual for state government, to really renovate the old hospital, so moving in there was fun. It was a lot nicer than River Street – we had real offices with windows and walls, not just half partitions.”

In addition to her office work, Elsie has been active in a variety of organizations, three of which she mentioned when interviewed for this article. While she was with

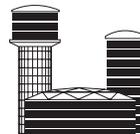
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ELSIE BEARD

(continued from previous page)

ANR, she was the Representative of the Secretary on the Vermont Natural Resources Conservation Board. This reinforced the conservation-mindedness that she picked up from her father, and she went on to become an associate member of the Winooski [River watershed area] Conservation District. As an offshoot of her work for Orange, she applied for and later earned a place on the VLCT PACIF Board of Directors, where she served for about 20 years, until late in 2008. At first, she says, "I didn't know beans about insurance. I got on the Board to see what was going on. I learned a lot." She misses being on the PACIF Board, even though "it got difficult when times were soft, and commercial companies were fighting hard for business." Despite this, Board members worked well together. Elsie points out that when someone left the Board it was always because he or she became ineligible to serve – not because of any disagreement. Moreover, she says, "being on the Board was an opportunity to see what other towns had going on, just sharing in general, which was always helpful."

Elsie certainly cares about what goes on in Orange. She has deep roots in the community, on both her mother's and father's sides. Elsie's paternal great-great grandfather settled in Orange around 1800, when the town, barely 20 years old, was in the midst of a population boom. Within a few years, a public meetinghouse/church was built and the first generation of native Vermont Beards was established. Elsie apparently inherited the social values of not only her parents but also her aunt, Edna Louisa Beard, who was the first woman elected to the Vermont House of Representatives (in 1920) and the Vermont Senate (in 1922). When Elsie was in high school, she researched and wrote a short history of the town, which she updated for the state Bicentennial. (It's posted on the Internet now.) Over the years, Elsie has been active in the Orange Grange, the Orange Center Community Association, the Orange Center School, and the Orange Alliance Church. As more people move to Orange because of its short commute to Barre, Elsie hopes that folks will learn to appreciate Orange for its own merits: its beauty, its serenity, and, most of all, its people.

*Ione L. Minot, Contributing Editor,
VLCT News*

VLCT NEWS ONLINE

We still encourage all subscribers, especially single-use readers, to seriously consider switching from paper prints to online viewing of the *VLCT News*. The benefits are many: a smaller carbon footprint, lower printing and postage costs, less paper used, full-color rendering of color photographs, and immediate access to web links.

Of course, we understand that some people simply prefer the portability, look and feel of a paper print, and we won't take that away from you. In fact, we love it when a print is passed around and many readers can benefit from it. So if you want to keep getting the *VLCT News* on paper, we hope you will make it available for others to read.

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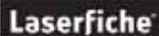
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VLCT News has started a new advertising format called "Municipal Marketplace", with two options:

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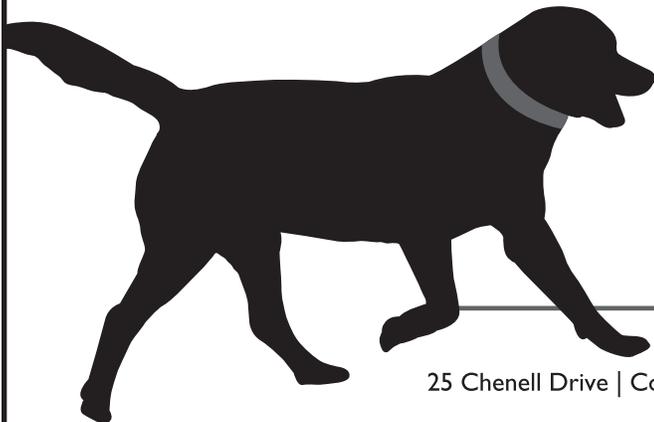
All ads will be output in black and white.

For more details, please visit <http://www.vlct.org/about/vlct/vlctnewsletter/advertisinginformation/>, or call (800) 649-7915.

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Classifieds

Please visit the VLCT website 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 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.

Classified ads are generally limited to 150 words and run for one issue. These ads are also placed on the VLCT website for up to one month.

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

The copy deadline for advertisements is the first Friday of the month prior to the issue date. Space is sometimes available for late additions; please feel free to check with the editor for availability.

For more information on placing classified ads in the *VLCT News*, contact classifieds@vlct.org. For details on display or municipal marketplace advertising, email vlctnews@vlct.org. Instructions for ad requirements may also be downloaded at <http://www.vlct.org/aboutvlct/vlctnewsletter/advertisinginformation/>.

HELP WANTED

Economic Development Specialist. The Town of Dover, Vermont has reopened the search for a dynamic and collaborative Economic Development Specialist. Dover (pop. 1,444) is a vibrant community located in southern Vermont's Deerfield Valley. Area attractions include the Mount Snow Ski Resort as well as many other year-round recreational and leisure activities. The town has a strong sense of community heritage and civic engagement. The specialist will take a leading role in promoting economic development for the town by working closely with the Dover Economic Development Committee to plan, market,

and direct new and existing development projects. Salary range, \$35,000 to \$42,000 with excellent benefits. A minimum of three years experience is required in the areas of economic development, special events, marketing, and/or tourism, as well as knowledge of the principles and practices of public relations and budget development. A Bachelor's degree, contract negotiation skills as well as an ability to write and administer grants are preferred. A detailed job description is available at www.doververmont.com. To apply, please send a cover letter, resume and three references **by April 13** to: Dover Economic Development Specialist Search, c/o VLCT, 89 Main Street, Montpelier, VT 05602, or email gperson@vlct.org with Dover EDS in the subject line. (3-21)

REQUEST FOR BIDS

Refuse Compactor. The Town of Fair Haven is seeking bids from contractors to replace the electric/hydraulic stationary refuse compactor at the Town's transfer station. The Town would like to replace the existing 3-yard compactor or to upgrade to a 4-yard compactor. Specs for both compactors can be picked up at the Town Office or sent to you by calling the number below. The contractor must provide proof of liability and workers' compensation insurance with the bid. Mark proposals "Fair Haven Town Compactor" and submit **by April 21, 2009** to Fair Haven Town Office, 3 North Park Place, Fair Haven, VT

05743. Bids will be opened at the selectmen's meeting on April 21, 2009. This project is governed by the terms and conditions of the Town of Fair Haven Municipal Purchasing Ordinance. The Town reserves the right to reject any and all proposals deemed to be in its best interest. For additional information, please call Serena Williams, Town Manager, at (802) 265-3010, ext. 5. (3-12)

FOR SALE

1980 Ford Tanker: 3-man cab, 250-gallon per minute pump, 1500-gallon tank, 5-speed with a 2-speed rear end. Minimum bid, \$1,500. **1986 F250 Forestry Truck:** 7.3 diesel, 4-wheel drive, 4-speed manual transmission. Will *not* pass Vermont State Inspection. Minimum bid, \$500. These vehicles are decommissioned fire apparatus from the Wallingford Volunteer Fire Department. For more information, please call the Fire Department at 802-446-2295. To place a bid, please mail in a sealed envelope **by April 3, 2009** to Wallingford Fire District #1, PO Box 87, Wallingford, VT 05773. The winning bidder will be contacted by April 16, 2009. Trucks must be picked up by May 1, 2009. (3-3)

2000 Ford F550 truck, 7.3 diesel, 2-3 cubic yard dump body, many new parts plus snow plow. Sold in as-is condition. Minimum bid, \$4,900. For more information, call Don Preuss, Chairman of the Wells Selectboard, at 802-645-0486, ext. 12. (2-26)



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RECYCLERS UNITE!

VLCT is pleased to be able to give away a pair of one-day passes to the Northeast Resource Recovery Association (NRRRA)'s 28th Annual Recycling Conference & Expo in Manchester, New Hampshire. The event, whose theme is "Green Innovations: Taking Recycling to New Heights," takes place on Monday and Tuesday, June 8 and 9, at the Radisson Hotel Manchester. The conference offers workshops on all aspects of the recycling and solid waste industry. The Expo will host over 60 vendors such as equipment manufacturers, recycling facilities, end mills, environmental consultants, engineering firms, recycling suppliers, and other industry-specific non-profits.

Two separate winners' names will be drawn from all names submitted to VLCT before noon on Wednesday, May 20. Enter by mailing a request to VLCT (attn: VLCT News, 89 Main Street Suite 4, Montpelier, VT 05602-2948) or emailing vlctnews@vlct.org. Please submit only one entry per person. Winners will be notified soon after the draw-

NEW PAYROLL TAX WITHHOLDING

The American Recovery and Reinvestment Act of 2009 (a.k.a. the "Stimulus Package") includes tax changes that affect all VLCT members. On February 21, 2009, the Internal Revenue Service (IRS) issued Notice 1036 (Rev. 2-09), which includes an early release of the new 2009 Federal Income Tax Withholding Tables and the advance earned income credit payment tables. The notice can be found on the IRS website at www.irs.gov/pub/irs-pdf/n1036.pdf.

These new tables implement withholding changes for all employees, although employees do not need to fill out a new W-4 form. The IRS asks that employers begin using these tables in lieu of the previous ones as soon as possible, but no later than April 1, 2009.

Any municipality that uses payroll software to process its payroll checks should check with its vendor to see when it will be receiving payroll tax updates for its system.

Municipalities that process their payroll checks manually can immediately use the tables in Notice 1036, instead of waiting to receive Publication 15-T in the mail. Publication 15-T will also be available soon on the IRS website at www.irs.gov/app/picklist/list/publicationsNoticesPdf.html.

ing. They can choose which day to attend and may go to any of the workshops being held that day.

For more information on the conference and expo, go to nrra.net and click in the

conference box. For more information on VLCT's drawing, email questions to vlct-news@vlct.org.

*Ione L. Minot, Contributing Editor,
VLCT News*



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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 jbill@vlct.org. Or visit www.vlct.org's Events Calendar and select a workshop for more information or to register online. For non-VLCT events listed below, please contact the individuals directly. (The online registration option is available for VLCT workshops and events only.)

Selectboard Institute. Saturday, April 4. Capitol Plaza Hotel, Montpelier. 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.

Conducting Effective Tax Appeals. Tuesday, Wednesday, or Thursday April 7, 8, or 9. This training will be held at the Mil-

ton Town Office, Bennington Fire Station, and Middlesex Town Hall, respectively, to better serve VLCT members. Sponsored by the VLCT Municipal Assistance Center. Please note this half-day workshop will start at 1:00 p.m. With the property tax under increasing pressure, and the subject of more and more attention, it is essential that the appeals process be properly administered. Come learn what your town can do to conduct effective property tax grievances and appeals.

Governmental Finance Symposium. Tuesday, June 23. Capitol Plaza Hotel, Montpelier. Sponsored by VLCT and the Office of the Vermont State Auditor. A comprehensive series of educational sessions about governmental accounting and auditing, presented by certified public accountants (CPAs) and state and local government officials. Continuing professional education hours are available for CPAs who attend this annual symposium.

Town Fair 2009. Mark your calendar for Thursday, October 1! This year's Town Fair returns to the Barre Municipal Civic Center. Registration materials will be coming your way in late July.

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