

# VLCT NEWS

A PUBLICATION OF THE VERMONT LEAGUE OF CITIES & TOWNS

SERVING AND STRENGTHENING VERMONT LOCAL GOVERNMENTS

May 2009

## FLSA CHILD LABOR REGULATIONS REFRESHER

With summer just around the corner, it may be a good time for a little refresher course on the Fair Labor Standards Act (FLSA) regarding child labor regulations.

FLSA establishes restrictions on the number of hours that minors between 14 and 16 years old may be employed, as well as restrictions on the time of day they may be employed.

The regulations (29 C.F.R. §570.35(a)) stipulate that minors who are between 14 and 16 years old are confined to the following periods for employment in any qualified occupation:

- outside school hours

- not more than 40 hours in any one week when school is not in session
- not more than 18 hours in any one week when school is in session
- not more than eight hours in any one day when school is not in session
- not more than three hours in any one day when school is in session, and
- between 7 a.m. and 7 p.m. in any one day, except during the summer (June 1 through Labor Day), when the evening limit is 9 p.m.

A youth 14 and 15 years old *may not* work in the manufacturing or mining

*(continued on page 12)*

## TOWN FAIR TOPICS

If you've ever attended Town Fair (the annual autumn conference of the Vermont League of Cities and Towns), have you thought of a topic that you'd like to see covered in one of the workshops? Let us know, and maybe we can schedule it.



Contact Jessica Hill, Manager of Administrative Services (email, [jhill@vlct.org](mailto:jhill@vlct.org), or telephone, 802-229-9111), *by May 15* with your ideas.

If you are interested in making a presentation yourself, please send Jessica an outline of the presentation along with a brief biography and contact information. Thank you!

## CHANGE CAN BE *VERY* GOOD

What prompted the change? Was it knowing that he had gained a lot of weight in the last few years? No. Was it his chiropractor pointing out that his back problems were caused by being overweight and out of shape? Nope. Was it participating in the VLCT-sponsored fitness challenges? Sorry, no. Was it hearing all the statistics about overweight people being at increased risk of a range of serious illnesses? Not even that. So what finally prompted Mike Mercadante to make the change?

"A guy I work with – he's called Putt – just kept on me, pushing me to join a gym and start working out to get back in shape. Putt works out a lot, and he kept encouraging me until I gave in." In January 2008, Mike signed up for a one-year membership at



*Then (2007) and now: Mike embodies the concept of "less is more".*

a fitness club that's close to where he lives and works in Montpelier. His goal was to get his weight down to 200 pounds.

On his first day at the gym, Mike weighed himself to see how heavy he had gotten. *Two hundred fifty-seven pounds.* In high school, he was a fit, trim athlete. Even a few years

*(continued on next page)*

## INSIDE THIS ISSUE

Legal and Regulatory Notes . . .	4
Ask the League . . . . .	6
VLCT Staff News. . . . .	8
Trivia. . . . .	8
WC Management Strategy. . . .	11
Municipal Marketplace . . . . .	16
Classifieds. . . . .	17
Calendar . . . . .	20



# VLCT NEWS

A PUBLICATION OF THE VERMONT LEAGUE OF CITIES & TOWNS

89 Main Street, Suite 4  
Montpelier, VT 05602-2948  
Tel.: (802) 229-9111 • Fax: (802) 229-2211  
Email: [info@vlct.org](mailto:info@vlct.org)  
Web: [www.vlct.org](http://www.vlct.org)

## VLCT Board

**William Perkins**, President  
*Selectperson, Middlebury*

**Sanford Miller**, Vice President  
*Manager, Milton*

**Bill Shepeluk**, Immediate Past President  
*Municipal Manager, Waterbury*

**Jared Cadwell**  
*Selectperson, Fayston*

**William Fraser**  
*City Manager, Montpelier*

**Sandra Harris**  
*Town Clerk, Vernon*

**Alison Kaiser**  
*Town Clerk, Stowe*

**Honorable Bob Kiss**  
*Mayor, Burlington*

**Honorable Chris Louras**  
*Mayor, Rutland City*

**Eric Osgood**  
*Selectperson, Johnson*

**Hunter Rieseberg**  
*Manager, Hartford*

**Bob Rusten**  
*Manager, Wilmington*

**Roland (Ted) Simmons**  
*Selectboard Chair, Orwell*

**Steven E. Jeffrey**  
*Executive Director*

**Allyson Barrieau**  
*Co-editor/Layout*

**David Gunn**  
*Co-editor*

**Ione L. Minot**  
*Contributing Editor*

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.

## CHANGE

*(continued from previous page)*

after that, he hadn't gained much weight – until he quit smoking and started snacking. His job as a vehicle operator required very little physical activity, and it was easy to eat unhealthy foods on break and at home. He would get home from work, grab a bag of chips and a soda, and hit the couch to watch TV until dinner time. He developed a Diet Coke habit, drinking at least a six-pack every day, and even though it has no calories, something about it seems to have encouraged his weight problem. As the weight accumulated, he lost energy and gained couch time and a round face.

Mike's approach to losing weight and getting fit doesn't involve any fads or gimmicks: with his doctor's support and a using variety of proven principles, Mike has simply replaced unhealthy drinks and snacks with healthy ones, he counts calories to keep them around 2,000 a day, and he exercises frequently. He quit drinking diet soda cold turkey without having the headaches his doctor thought he might experience. Now he drinks mostly unsweetened or diet iced tea. Mid-morning break used to mean eating a donut or a bagel with cream cheese; now he has a banana and yogurt. Lunch is always a salad or a tuna sandwich. When he reaches for an after-work snack, it's an apple instead

“Mike was almost shedding his weight, like taking off thick layers of clothing.”

– *Todd Law, Director of Public Works, Montpelier*

of chips, and dinner is whatever the family is having – just not too much.

Cutting out most of the junk he used to eat is only half of the solution: Mike also exercises, combining aerobic workouts with strength training. The exercising piece started out small – at first, he could barely walk on a treadmill for a minute. But losing nine pounds of water the first week (likely from giving up the soda) gave him the energy he needed to increase his workouts, and by the second month he was ready to step it up. He got in the habit of going to the gym every other day and spending a half hour on a treadmill or an elliptical trainer, stretching for several minutes, then spending an hour lifting weights (with free weights or machines). Otherwise, he would run or ride his mountain bike, being sure to stretch afterward. (He learned the hard way this is the key to not being in pain the next day!)

*(continued on page 10)*

## CHANGE COMES FROM WITHIN

Mike Mercadante works for the City of Montpelier in the Department of Public Works, and it was at this year's VLCT health screening there that Heidi Joyce (VLCT's wellness guru) noticed how much Mike's weight and body fat had dropped. Praising his efforts, Heidi asked if Mike would be willing to be interviewed for the *VLCT News*. In writing this story, we learned that Montpelier's DPW has plenty of other weight loss success stories.

Mike's second-level manager, Todd Law, says that last year's Hawaiian Pedometer Challenge encouraged a friendly – and intense – competition among several of his employees, who vied to figure out ways to walk more every day. The excitement was high throughout the challenge, but his employees didn't keep walking for exercise after that. “You have to do it for yourself, not just for the contest,” as Todd puts it.

Todd himself got back into shape while losing twenty or so pounds that had crept on while his children were young and he didn't have time to exercise much. When the kids became active in various sports, Todd joined them. As a manager, he has a particularly stressful job, but since he resumed exercising regularly, he says, “My stress is a lot lower. Being fit really helps mentally as well as physically.”

Montpelier DPW's biggest loser might turn out to be Steve Baker. When Steve realized that his weight was impeding his ability to receive medical care, he decided to take control of his weight and health. Fifty pounds later, he is still losing weight, proud of what he has accomplished and aware of how much more lies ahead. His co-workers see his self-esteem growing while his waistline shrinks.



# HELPING YOU HELP YOUR COMMUNITY

At TD Banknorth, our Government Banking Team knows how demanding it is to run local, state, and county municipalities. That's why we're focused exclusively on helping communities make the most of taxpayer dollars. With personal, responsive service, our local team will go above and beyond to meet your banking needs.

Call today for an appointment to learn more about our services.

- |   |  |   |
|---|--|---|
| <ul style="list-style-type: none"> <li>• Deposits</li> <li>• CDs and Savings</li> </ul> | <ul style="list-style-type: none"> <li>• Leasing</li> <li>• Cash Management</li> </ul> | <ul style="list-style-type: none"> <li>• Lending</li> <li>• Financial Advice</li> </ul> |
|---|--|---|



Gene Arnold



Marge Barker



Connie Brennan



Patricia Carlino



John Conte



Nicole Dumais



Jeanie Kelly



Ted May



Wanda Oczechowski



Ted Scontras



Dianne Skerry



Melissa Williams



TDBanknorth.com | 800 747-7000

Insurance products are: not a deposit; not FDIC insured; not insured by any federal government agency; and, not guaranteed by TD Bank, N.A. or any of its affiliates. Insurance products are offered through TD Insurance, Inc. | Bank Deposits FDIC Insured! TD Banknorth is a trade name of TD Bank, N.A. 112-4329



# LEGAL AND REGULATORY NOTES



## JAM GOLF, LLC REVISITED

We reported in the October 2008 *VLCT News* that the Vermont Supreme Court had struck down two sections of a South Burlington zoning ordinance on the grounds that the sections were so vague and delegated such standardless discretion to the City's development review board (DRB) that they violated property owners' due process rights. *In re Appeal of JAM Golf, LLC*, 2008 VT 110. In March, we followed up with an article that explored what the *JAM Golf* case might mean for Vermont's municipal land

use programs and gave some practical guidance on how to deal with issues that may arise from the case.

In that article we pointed out the central message of the *JAM Golf* decision: while zoning bylaws should contain goals that protect a community's important resources against thoughtless development, those goals must be supported by specific standards showing how the goals might be achieved. As we also noted in that article, balance is the key. Zoning ordinances must be general enough to avoid inflexible results, yet specific enough not to leave the door open to unbridled discrimination by local zoning officials.

But how might local zoning officials know when the proper balance has been achieved? Another Vermont Supreme Court decision may provide some insight on this question. *In re Pierce Subdivision Application*, 2008 VT 100 was decided just three weeks before the *JAM Golf* case. *Pierce* involved a proposed planned residential development (PRD) in Ferrisburgh. The applicant pro-

posed to subdivide a 113-acre portion of the subject property into a 21-lot PRD, with 76 percent of the land reserved for common space.

Under the Ferrisburgh zoning bylaw, a qualified PRD that proposes cluster housing and preservation of open space could be authorized by the planning commission by waiver of the standard rules governing single-house lot development. The subject parcel encompassed three different zoning districts, each of which had a different minimum lot size. Because zoning regulations for these districts would effectively prevent the applicant from clustering houses on the parcel, the applicant requested six waivers of the district zoning regulations to reduce the required minimum lot size and acreage per dwelling, along with frontage, width, depth, and setback requirements.

The planning commission approved the proposed PRD, granting the requested waivers. A neighbor appealed the approval to the Environmental Court asserting, among other

*(continued on next page)*

### MUNICIPAL EDUCATION GRANTS DEADLINE

Don't forget that the Department of Housing and Community Affairs (DHCA) is offering the Municipal Education Grant (MEG) program again this year. 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. Learn more about VLCT's Land Use Workshops and fill out a MEG application at <http://www.vlct.org/municipalassistance-center/customworkshops/>. More information about the MEG Program is on the DHCA website, <http://www.dhca.state.vt.us/Planning/MEG.htm>.

You can choose from 14 VLCT Land Use training workshops, including five new ones: Adopting Local Act 250 Review; Capital Planning and Budgeting; Local Regulation of Wireless Telecommunications Facilities; Planning for Ancient Roads – What Every Municipality Should Know; and Understanding Homeowners' Associations.



**75% of internal theft goes undetected ... do you have the tools to protect your organization?**

To learn how our Certified Fraud Examiners can help detect and prevent financial fraud in your organization—Call Now!

600 Blair Park Road, Suite 280 Williston, VT 05495  
Phone: 802.828.7197  
[www.dh-cpa.com](http://www.dh-cpa.com)



## JAM GOLF

(continued from previous page)

things, that the bylaws delegated standard-less discretion to the planning commission to grant waivers of the district zoning regulations. The Environmental Court rejected the neighbor's arguments and affirmed the approval of the application. The neighbor then appealed the Environmental Court's decision to the Supreme Court, again arguing that the bylaw's PRD waiver provisions lacked necessary standards, thereby denying adjoining landowners due process and equal protection.

The Supreme Court rejected this argument, noting that while some of the Ferrisburgh bylaw's objectives were general, other provisions imposed specific limits to guide and check the discretion of local officials, including restrictions on the type of units that may be allowed, the percentage of open space required in a PRD, and the timing and form of applications. By providing both general goals and specific standards for PRD review, "the bylaw strikes an appropriate balance between providing guidance to the [Planning] Commission and avoiding inflexible requirements which would defeat the creativity and flexibility required to effectuate the goals of the PRD alternative to traditional development."

So what were these goals and standards? The Court found the following bylaw provisions to be "overall objectives and recommendations, rather than specific standards to be measured and met":

- The PRD is consistent with the municipal plan.
- The PRD is an effective and unified treatment of the development possibilities of the site; and the development plan makes appropriate provision for preservation of streams and stream banks, steep slopes, wet areas, and unique natural and manmade features.
- The development plan is proposed over a reasonable period of time in order that adequate municipal facilities and services may be provided.
- Any open space land will be evaluated as to its agricultural, forestry and ecological quality.

In contrast, the Court found the following bylaw provisions to "contain more specific standards for the approval of a PRD":

(continued on page 9)

## LOCAL TRAINING OPPORTUNITY

The Municipal Assistance Center is currently scheduling spring on-site workshops. Sign up now!

### Sample On-Site Trainings:

- Welcome Aboard: An Orientation for New Selectboard Members
- Conducting Effective Selectboard Meetings
- Field Guide to the Open Meeting Law
- Roles and Responsibilities of Town Officers
- The Selectboard-Town Manager Relationship
- Conducting Effective BCA Hearings
- Conflict of Interest and Ethics Training
- Supervising Municipal Employees
- Developing and Managing the Town Budget
- Financial Reporting and Management

Additional workshops can be scheduled to fit your community's needs.

Call **Abby Friedman** at **1-800-649-7915** for more information or to schedule your workshop.

The cost is \$800 for VLCT members and \$400 for VLCT PACIF members. You can also share the fee with nearby towns.



*Meeting the capital needs of Vermont's municipalities since 1970*

*The VMBB provides Bond Financing to Vermont Municipalities at low interest rates with a very low cost of issue.*

*The VMBB also provides a Municipal Lease Financing Bidding service for any equipment deemed essential to the daily operations of the municipality.*



Northfield Police Station

### For more information contact:

Vermont Municipal Bond Bank  
58 East State Street  
P.O. Box 564  
Montpelier, VT 05602-0564

(802) 223-2717 (phone)  
(802) 229-4709 (fax)  
Bond-bank@vtbondagency.org  
www.vtbondagency.org



# ASK THE LEAGUE

## INFORMAL WORK SESSIONS; INJURED STRAY VET BILLS; OPEN MEETING LAW

*What is the difference between an "informal work session" of the planning commission and a "meeting?"*

Informal work sessions are encouraged as part of the town planning process under 24 V.S.A. § 4384(a). What sets apart a "meeting" as defined in 1 V.S.A. § 310(2) from an "informal work session" is that a quorum of members of the planning commission might not attend an informal work session. One or two members might coordinate and

facilitate at each work session. Only when a quorum of members of the planning commission (or any other public body) attends a work session would it be required to comply with the Open Meeting Law. 1 V.S.A. § 312(c). In addition to lacking a quorum of a public body, informal work sessions might have different rules for public participation; a consultant, not the planning commission chair, could facilitate the discussion; and the location of these workshops might oc-

cur in community gathering places rather than the town hall.

Regardless of whether a quorum is present, the requirements of the Open Meeting Law – such as warnings, minutes, and rules for public participation – are still useful. They aid in publicizing work sessions, encouraging attendance, documenting ideas, and maintaining order. These sessions will drive the formulation of policy and uncover town-wide opinions regarding land use, development, and sustainability. Holding workshops where folks typically congregate (on their own turf), listening to their concerns and aspirations for the future of the town, and using their words in creating policy will foster support for the town plan.

*Stephanie Smith (AICP), Senior Associate  
VLCT Municipal Assistance Center*

*A dog with an injury was left at the local veterinarian's office. The vet called the town animal control officer and asked if the town would pay the dog's medical bill. What responsibility does the town have?*

The town has no responsibility for paying medical bills when someone leaves a dog at a local veterinarian's office. An animal is considered "abandoned" when it is "placed in the custody of a veterinarian, veterinary hospital, boarding kennel, stable or other person or establishment for treatment, board or care[.]" 20 V.S.A. § 3511.

State law does, however, require the veterinarian to give notice, via registered mail, to the individual who left the dog, asking him or her to remove the animal within ten days of the notice. If this individual does not retrieve the dog, the veterinarian may "sell the animal, the proceeds from the sale to be applied to the contractual liability incurred by

*(continued on next page)*

### Environmental Analysis with Dynamic Service

NELAC Certified in Vermont, New York and New Hampshire

[www.endynelabs.com](http://www.endynelabs.com)

- Wastewater
- Groundwater
- Surface Water
- Soil Samples
- Hazardous Wastes
- Air Samples

#### LABORATORY TESTING FOR:

- Metals, Inorganics
- Nutrients
- Petroleum/Organics
- Pesticides/Herbicides
- Microbiology

WILLISTON, VT  
160 James Brown Drive  
Williston, VT 05495  
(802) 879-4333

RANDOLPH, VT  
1538 VT Route 66  
PO Box 405  
Randolph, VT  
(802) 728-6313

PLATTSBURGH, NY  
315 New York Road,  
Plattsburgh, NY 12903  
(518) 563-1720



Contact us at [info@endynelabs.com](mailto:info@endynelabs.com)

802/879-4333



## ASK THE LEAGUE

(continued from previous page)

the person placing the animal. If the person to whom the animal was abandoned is unable to sell the animal, it may be humanely euthanized by any veterinarian licensed to practice in Vermont.” 20 V.S.A. § 3513.

*Stephanie Smith (AICP), Senior Associate  
VLCT Municipal Assistance Center*

### **Are Work Sessions and Retreats Exempt from the Open Meeting Law?**

No. Vermont’s Open Meeting Law states that “All meetings of a public body are declared to be open to the public at all times, except as provided in section 313 of this title.” 1 V.S.A. § 312. (emphasis added).

A “meeting” is defined as “a gathering of a quorum of the members of a public body for the purpose of discussing the business of the public body or for the purpose of taking action.” 1 V.S.A. § 310(2).

A “public body” is defined as “any board, council or commission of the state or one or more of its political subdivisions ... or any committee of any of the foregoing boards, councils or commissions...” 1 V.S.A. §

310(3) (emphasis added). This definition includes all municipal bodies (e.g. selectboard, appropriate municipal panel, board of civil authority, board of listers, conservation commission, committees, subcommittees, and advisory panels).

Accordingly, so long as a quorum (a majority of the total number of board members) of a municipal body is present to discuss the business of the body or to take action, its meeting must be open to the public.

There are exceptions to the Open Meeting Law. The Open Meeting Law does not “extend to the deliberations of any public body in connection with a quasi-judicial proceeding.” 1 V.S.A. § 312(e). A quasi-judicial proceeding is a hearing in which the legal rights of one or more parties are adjudicated, parties have the right to present evidence and cross-examine witnesses, it results in a written decision, and it is appealable to a higher authority

(such as highway reclassification, tax appeal hearings, appeals of health orders, etc.).

Nor does it extend to a meeting of a municipal body held in executive session. 1 V.S.A. § 313. Executive session is considered an extreme measure, and the Vermont Supreme Court leans heavily in favor of conducting business in the open. A municipal body – most often the local legislative body – may only enter executive session for those reasons specifically enumerated in 1 V.S.A. § 313.

Other exceptions to the Open Meeting Law include “site inspections for the purpose of assessing damage or making tax assessments or abatements, clerical work, or work assignments of staff or other personnel [and] (r)outine day-to-day administrative matters that do not require action by the public body ... provided no money is appropriated, expended, or encumbered.” 1 V.S.A. § 312(g).

Neither work sessions nor retreats fall into any of these categories of limited statutory exceptions to the Open Meeting Law.

Municipal bodies may plan work retreats, but like other meetings, they must comply with all the requirements of the Open Meeting Law. If such meetings do not occur at the same time and place as other regularly scheduled meetings, they must be publicly warned as special meetings. The time, place and purpose of special meetings must be publicly announced at least 24 hours before the meeting. The notices must be posted in or near the town clerk’s office and in at least two other public places in town. Unless waived previously by the board’s members, notice must also be given orally or in writing to each member of the board. 1 V.S.A. § 312(c)(2). Any editor, publisher, or news director of any newspaper or radio or television station serving the area that requests notification of special meetings must also be notified. 1 V.S.A. § 312(c)(5).

*Garrett Baxter, Staff Attorney  
VLCT Municipal Assistance Center*

## SAVE THE DATE | 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. Presented by VLCT and the Vermont State Auditor’s Office.*

## VLCT FINANCIAL CONSULTING AVAILABLE

**VLCT’s Chief Financial Officer, Bill Hall, is available to assist towns and cities on a wide range of financial topics, including:**

- Capital improvement program planning
- GASB 34 implementation
- Financial reporting
- Purchasing, bidding and other financial policies
- Debt management
- Complying with audit recommendations
- Management of cash and investments
- Basic governmental accounting
- Preparing for an outside audit
- Internal fraud risk assessment/internal control review



*Bill Hall*

**FOR MORE INFORMATION ON FINANCIAL CONSULTING AND POSSIBLE DISCOUNTS FOR PACIF MEMBERS, PLEASE CALL ABBY FRIEDMAN AT 1-800-649-7915.**



# VLCT STAFF NEWS AND NOTES

VLCT has reached full staffing with the addition of two new employees, Fred Satink and Peggy Tucker. We'll cover Peggy next month. But for now ...

East Montpelierian Fred Satink is VLCT's new Loss Control Specialist, which means he'll be analyzing hazards and determining courses of action to reduce the risk of loss to PACIF members in central and northeastern Vermont. He'll also offer his expertise in workers' compensation throughout the state.

Fred has spent 24 years in the safety and health field. "I've learned that it takes a lot of patience when working with clients and that each is a work in progress, in varying stages

of evolution," he says. "Yet at the end of the day, I hope that the work that I do helps an employee somewhere get home safely, in one piece, no worse for the wear and tear. That is the satisfaction of the job."

Equally satisfying to Fred is his band, "The Melonheads," which covers classic rock tunes and also plays some originals. "If I had my choice, that is what I'd be doing in life, if it would pay the bills," he says. "I also have a 24-track recording studio and can spend hour after effortless hour in mixdown and mastering of just one song. It is my form of meditation, I suppose." (For your own meditative moments, visit the band's website, [www.melonheadsrock.com](http://www.melonheadsrock.com).)



There's one more "24" in Fred's life, which is the number of years he's been married. To the same woman, too!

Fred also enjoys dabbling in stocks and investments. It "satisfies the apparent sick need for numbers that I have," he explains. Also on his radar screen is the Lake Champlain International fishing derby, in which he's participated every year but one since its inception. "Like deer hunting," he says, "the real joy is just being out there."

Normally, we'd conclude this article with a "Welkom, Mijnheer Satink." (He's Dutch, after all.) However, given the importance of music in his life, we think a more appropriate salutation is "ah one, two, three, *fo!*"

*David Gunn, Co-editor  
VLCT News*

## Make the Best Choice in Banking.

Merchants Bank—Vermont's largest independent bank—provides expertise ideally suited for Vermont's municipalities.

*"We pledge to improve your municipality's banking through dedicated professionals and specialized products that align with your municipality's specific needs."*



Our Government Banking Division—Geoffrey Hesslink, Anita Bourgeois and Shelley Quinn—focus solely on Vermont.

**Our commitment**, as the Government Banking Division of Vermont's 160-year-old, independent statewide bank, is to offer the depth of knowledge required by Vermont's cities, towns and school districts, supported by strong products and services.

**Products include:**

- Collateralized Sweep Accounts
- Premium Money Market Accounts
- Municipal Interest Checking Accounts
- Online Banking
- Remote Deposit
- Flexible Certificate of Deposit
- Loans

**Start gaining from our expertise by calling or emailing today.**



Anita: 802-865-1641; [abourgeois@mbvt.com](mailto:abourgeois@mbvt.com)  
Shelley: 802-865-1644; [squinn@mbvt.com](mailto:squinn@mbvt.com)  
Member FDIC Equal Housing Lender

## TRIVIA IS BACK!

It's been *way* too long since we tried to pick the brains of our faithful readers, but *Trivia is back!* We'll start easy and work our way up from there.

**What is the highest village in the state (we're not talking hallucinogens here), and what is its elevation?**

**Tiebreaker: In what town did the Runaway Pond run away?**

Contact us with your answer: VLCT, 89 Main Street, Suite 4, Montpelier, VT 05602, or email your answers to [dgunn@vlct.org](mailto:dgunn@vlct.org). Then watch this space in the fabulous June issue for the name of the first responder with the correct answers.



# JAM GOLF

(continued from page 5)

- The overall density of the project does not exceed the number of dwelling units which could be permitted, in the planning commission's judgment, if the land (excluding the area within the boundaries of any proposed road) were subdivided into lots in accordance with the district regulations and other relevant provisions of these bylaws.
- The uses proposed for the project are residential; dwelling units may be of varied types, including one-family, two-family, or multi-family construction.
- Any modification of the zoning regulations approved under this section shall be specifically set forth in terms of standards and criteria for the design, bulk, and spacing of buildings, and the sizes of lots and open spaces that shall be noted on or appended to the application.
- District regulations on height and spacing between main buildings shall be met.
- To ensure adequate privacy for existing or proposed uses adjacent to the PRD, structures on the perimeter of the PRD shall be set back 50 feet and screening may be required.
- Adequate water supply and sewage disposal facilities shall be provided.
- Each dwelling unit shall have a minimum two-acre lot exclusively associated with it and must comply with the specific standards set forth in Section 4.1 and 4.2 of these bylaws, excluding the lot depth requirement.
- The minimum acreage for a PRD shall be 25 acres; a minimum of 60 percent of the total parcel shall remain undeveloped.

With regard to these provisions, the Court stated:

[W]hile some of the bylaws' objectives are general, other provisions impose specific limits to guide and check the Commission's discretion. These requirements provide restrictions on the type of units which may be allowed, the percentage of open space required in a PRD, and the timing and form of applications.... By providing both general and specific standards for PRD review, the bylaw strikes an appropriate balance between providing guidance to the Commission and avoiding inflexible requirements which would defeat the creativity and flexibility required to

effectuate the goals of the PRD alternative to traditional development. The list of particular requirements ... provides sufficient standards for the Commission, and for the court upon review, to evaluate a proposed project's compliance with the bylaws....

How does this compare with the South Burlington bylaw provisions at issue in *JAM Golf*? Remember, section 26.151(g) of the South Burlington zoning ordinance required PRDs to "protect important natural resources including ... scenic views" and "wildlife habitats," and section 26.151(l) of the zoning ordinance required PRDs to conform to a City plan requirement that residential developments "protect" wildlife habitat. With regard to section 26.151(g), the Court opined that it provided "no guidance as to what may be fairly expected from landowners who own a parcel containing wildlife habitat or scenic views – both common situations in Vermont – and who wish to develop their property into a PRD." Thus, it violated the property owners' due process rights. Likewise, the City plan requirement for "protection" of wildlife habitat and scenic views was considered by the Court to be too ambiguous to be enforceable without more specific standards for how protection could be accomplished.

While both cases involved PRDs, in the eyes of the Vermont Supreme Court, the South Burlington bylaw clearly lacked the more specific standards found in the Ferrisburgh bylaw. Though the *Pierce* case did not directly involve the resource protection issues at play in *JAM Golf*, the case indicates that general resource protection goals, coupled with more specific protection standards, will likely strike the appropriate balance between

providing guidance to zoning officials, applicants, and courts while avoiding inflexible requirements that would defeat the goals of PRD development. Such resource protection standards might address habitat restoration requirements, minimum habitat protection percentages, or limits on tree and vegetation removal. Standards for protection of scenic views could address building size, bulk, location, height restrictions, and landscaping requirements. Municipalities might consider the use of covenants or easements for the provision of open space, as was required in *Pierce*, especially if the zoning or subdivision ordinance includes criteria stating a preference for particular natural areas or habitats that occur on a development site.

*Jim Barlow, Senior Staff Attorney  
VLCT Municipal Assistance Center*

## THERE IS STILL TIME

Enter VLCT's drawing to win 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 takes place on Monday and Tuesday, June 8 and 9, at the Radisson Hotel Manchester.

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 or emailing [vlctnews@vlct.org](mailto:vlctnews@vlct.org). Winners will be notified soon after the drawing, and they can choose which day to attend.

For more information on the conference and expo, go to [nrra.net](http://nrra.net) and click in the conference box.



### VERMONT STATE INFRASTRUCTURE BANK LOAN FUNDS ARE AVAILABLE THROUGH VEDA

The Vermont State Infrastructure Bank, a loan program operated by VEDA and VTrans, has low-interest loan funds available for transportation-related projects that enhance economic opportunity and help create jobs. Municipalities, RDCs, and certain private sector companies may qualify for SIB financing to construct or reconstruct roads, certain facilities related to rail transit, and bridges and intermodal transportation facilities.

**LEARN MORE AT [WWW.VEDA.ORG](http://WWW.VEDA.ORG)  
OR BY CALLING 802-828-5627.**

## CHANGE

(continued from page 2)

He clearly enjoys the exercise – he ran in the Montpelier Mile race last July, and, if he goes to a party and exceeds his daily 2,000 calories, he's happy to work out for longer the next day to get back on track.

Mike weighed himself on the last day of his gym membership: **one hundred ninety-eight pounds!** He hasn't renewed at the gym because of the expense, and he has regained a few pounds this winter, but he's determined not to slip back to his old ways. He runs outside every other day (even in the snow, with his dog at his side) and recently got his mountain bike out for the riding season. He likes variety, so he's hoping to learn about more places to run or ride, and find more people to exercise with. He feels a lot better in general – energetic instead of tired most of the time, and proud to be down three pants sizes. People who see pictures of him at his heaviest can't believe he's the same man, and, in many ways, he's not.

*Ione Minot, Contributing Editor,  
VLCT News*

Does your workplace have a wellness success story you'd like to share? Are you willing to boast a little about particular ways you've implemented health or safety initiatives? Please email [vlctnews@vlct.org](mailto:vlctnews@vlct.org) and perhaps we can write about your achievements in a future *VLCT News*.

**Nationally Recognized ...  
One Hour North of Boston!**



## **NRRA's 28th Annual Recycling Conference & Expo June 8th & 9th, 2009**

Platinum Sponsors



**Radisson Hotel, Manchester ~  
The Center of New Hampshire**

## **Green Innovations: Taking Recycling to New Heights**

- **EXPLORE** ways to improve your recycling program
- **SEE** the newest products and services from our exhibitors and vendors
- **ATTEND** sessions on the latest trends and technologies
- **MONDAY NIGHT** after hours social with the exhibitors
- **PREVIEW** all the items and bid high at our ever popular Silent Auction



### **A MUST SEE KEYNOTE!**

**The Great Recycling Crash of 2008**

by **Jerry Powell**, *Editor & Publisher, Resource Recycling Inc.*

**For Conference Details, visit [www.nrra.net](http://www.nrra.net)**

Partnering with



**Northeast Resource Recovery Association (NRRA):**  
a Non-Profit Recycling Cooperative - 501(c)(3)  
2101 Dover Road, Epsom, NH 03234  
603-736-4401 / Email: [info@nrra.net](mailto:info@nrra.net)

## WC MANAGEMENT STRATEGY FOR “LOW FREQUENCY” TOWNS

Do you hail from a town that rarely experiences a workers' compensation claim? If so, you can greatly reduce your workers' compensation claim costs and obtain the best result for the town and the injured worker by following a few simple measures. These measures are provided in the general order that they would occur, but they may vary on occasion.

Do some basic planning *before* an injury occurs. Consider:

1. What *medical provider* will you use for non-emergency work-related injuries? If you don't know of a good one, contact your VLCT adjuster, or ask local businesses to identify “good quality” providers.
2. Establish a simple *injury reporting process*. This can be as simple as a statement in your hiring and employment policies that requires all employees to report any injury to their supervisor or other key town official as appropriate. An incident reporting form may help capture this information. Your VLCT loss control consultant can assist you with this process.
3. After an injured worker has received medical treatment, the provider will often release him to “*modified duty*,” which typically restricts him from his full duties (especially if his normal duty requires significant physical activity). Consider what types of injury might occur (and has occurred in the past) and what body parts tend to get injured. This will help you identify tasks that “avoid” the injured body part. These tasks can be used to provide an injured worker with *temporary “modified duty.”* *Providing modified duty to employees who are injured at work is the single most cost-effective method of claims management.*



### A GROUP SERVICES PROGRAM

*Meeting Vermont's  
Municipal Insurance and  
Risk Management Needs*

*Operating since 1986*

### VLCT PACIF

89 Main Street, Suite 4  
Montpelier, VT 05602  
800.649.7915  
802.229.9111  
fax 802.229.2211  
[www.vlct.org](http://www.vlct.org)



### VLCT Property and Casualty Intermunicipal Fund (VLCT PACIF)

#### MEMBERSHIP INCLUDES:

##### Extensive Coverage

Comprehensive General Liability  
Property  
Auto Liability  
Auto Physical Damage  
Workers' Compensation  
Boiler & Machinery  
Law Enforcement Liability  
Specialized Coverages  
Public Officials' Liability  
Employment Practices Liability  
Public Officials' Bonds

#### SAFETY AND HEALTH PROMOTION PROGRAMS

DEDICATED CLAIMS DEPARTMENT

It is extremely important to advise VLCT claims staff *promptly* whenever a claim (WC or otherwise) occurs. If you report a WC claim *within 24 hours* of its occurrence, the adjuster can better manage the medical, benefit, and overall handling of the claim. Whenever possible, report WC claims online at <http://www.vlct.org/insuranceriskservices/programs/workerscompensation/>.



## FLSA CHILD LABOR REGS.

(continued from page 1)

industries or in any hazardous job. (See the list of hazardous occupations at the end of the article.) In addition, a 14- or 15-year-old **may not** work in the following occupations:

- Communications or public utilities jobs
- Construction or repair jobs
- Driving a motor vehicle or helping a driver
- Manufacturing and mining occupations
- Power-driven machinery or hoisting apparatus other than typical office machines

- Processing occupations
- Public messenger jobs
- Transporting of persons or property
- Workrooms where products are manufactured, mined, or processed
- Warehousing and storage

A 14- or 15-year-old **may** work in retail stores, food service establishments and gasoline service stations. However, a 14- or 15-year-old **may not** perform the following jobs in the retail and service industries:

- Baking
- Boiler or engine room work, whether in or about
- Cooking, except with gas or electric grills that do not involve cooking over an open flame and with deep fat fryers

that are equipped with and utilize devices that automatically lower and raise the baskets in and out of the hot grease or oil

- Freezers or meat coolers work
- Loading or unloading goods on or off trucks, railcars or conveyors
- Meat processing area work
- Maintenance or repair of a building or its equipment
- Operating, setting up, adjusting, cleaning, oiling, or repairing power-driven food slicers, grinders, choppers or cutters and bakery mixers
- Outside window washing, or work standing on a window sill, ladder, scaffold or similar equipment
- Warehouse work, except office and clerical work

The jobs a 14- or 15-year old **may** do in the retail and service industries include:

- Bagging and carrying out customer's orders
- Cashiering, selling, modeling, art work, advertising, window trimming or comparative shopping

(continued on next page)

### Efficiency Vermont

### SAVE ENERGY, SAVE MONEY



To help your community save money, reduce energy use, and be more comfortable, call Efficiency Vermont.

Financial incentives may also be available.

[www.encyvermont.com](http://www.encyvermont.com) | 888-921-5990

water supply



wastewater



environmental



renewable energy



**Weston&Sampson**  
environmental/infrastructure consultants

contact: Ken Bisceglia, P.E., CHMM



802-244-5051  
[westonandsampson.com](http://westonandsampson.com)

98 South Main Street, Waterbury, VT 05676  
offices in: VT, MA, CT, RI, NH, ME, NY & FL



## FLSA CHILD LABOR REGS.

(continued from previous page)

- Cleaning fruits and vegetables
- Clean-up work and grounds maintenance (the young worker may use vacuums and floor waxers, but he or she cannot use power-driven mowers cutters, and trimmers)
- Clean cooking equipment, including the filtering, transporting and dispensing of oil and grease, but only when the surfaces of the equipment and liquids do not exceed 100° F
- Delivery work by foot, bicycle, or public transportation
- Kitchen and other work in preparing and serving food and drinks, but not cooking or baking (see hazardous jobs)
- Office and clerical work
- Pricing and tagging goods, assembling orders, packing or shelving
- Pumping gas, cleaning and polishing cars and trucks (but the young worker cannot repair cars, use garage lifting rack or work in pits)
- Wrapping, weighing, pricing, stocking and goods as long as the young worker does not work where meat is being prepared and does not work in freezers or meat coolers

[Note: Be sure you keep accurate and complete time records for minor employees. One employer learned this lesson the hard way, when the Department of Labor (DOL) came to check out an injury claim for a minor. The DOL checked the employee's timecard, which only showed that he had worked X hours a day. With no time in/time out records, the employer could not prove the minor had worked only during FLSA-specified timeframes – and so was fined \$4,000 for improper recordkeeping.]

The FLSA, as amended by the Drive for Teen Employment Act (Pub. L. 105-334), prohibits workers under 17 years of age from driving on public roads as part of employment. It further prohibits minors between the ages of 14 and 16 from performing work that involves “the transportation of people or property by rail, highway, air, water, pipeline or other means.”

The act (29 U.S.C. §213(c)(6)) states that employees who are under 17 years of

age may not drive automobiles or trucks on public roadways. Employees who are 17 years of age may drive automobiles or trucks on public roadways *only if*:

- Such driving is restricted to daylight hours
- The employee holds a state license valid for the type of driving involved in the job performed and has no records of any moving violation at the time of hire
- The employee has successfully completed a state approved driver education course
- The automobile or truck is equipped with a seatbelt for the driver and any passengers and the employee's employer has instructed the employee that the seatbelts must be used when driving the automobile or truck
- The automobile or truck does not exceed 6000 pounds of gross vehicle weight
- Such driving does not involve:
  1. The towing of vehicles
  2. Route deliveries or route sales
  3. The transportation for hire of property, goods, or passengers

4. Urgent, time-sensitive deliveries
5. More than two trips away from the primary place of employment in any single day for the purpose of delivering goods of the employee's employer to a customer (other than urgent, time-sensitive deliveries)
6. More than two trips away from the primary place of employment in any single day for the purpose of transporting passengers (other than employees of the employer)
7. Transporting more than three passengers (including employees of the employer.)
8. Driving beyond a 30 mile radius from the employee's place of employment

### HAZARDOUS OCCUPATIONS

Eighteen is the minimum age for employment in non-agricultural occupations declared hazardous by the Secretary of Labor. The rules that prohibit working in hazardous occupations apply either on an industry

(continued on next page)



**DELTA DENTAL®**

Through Northeast Delta Dental, the Vermont League of Cities & Towns offers dental plans designed to meet the needs of your municipality.

---

For more information, call  
Delta Dental Plan of Vermont  
135 College Street  
Burlington, VT 05401-8384  
800-329-2011  
www.nedelta.com



## FLSA CHILD LABOR REGS.

(continued from previous page)

basis or on an occupational basis, no matter what the job is in. Parents who employ their own children are subject to these same rules. Some of these hazardous occupations have definitive exemptions. In addition, limited apprentice/student-learner exemptions apply to those occupations marked with an asterisk.

These rules prohibit work in or with the following:

1. Manufacturing and storing of explosives
2. Driving a motor vehicle and being an outside helper on a motor vehicle
3. Coal mining
4. Logging and sawmilling
5. Power-driven woodworking machines\*
6. Exposure to radioactive substances
7. Power-driven hoisting apparatus
8. Power-driven metal-forming, punching and shearing machines\*
9. Mining, other than coal mining
10. Meat packing or processing (including the use of power-driven meat slicing machines)
11. Power-driven bakery machines
12. Power-driven paper product machines, including scrap paper balers and paper box compactors\*
13. Manufacturing brick, tile, and related products
14. Power-driven circular saws, band saws, and guillotine shears\*
15. Wrecking, demolition, and ship-breaking operations
16. Roofing operations and all work on or about a roof

### 17. Excavation operations

[Note: Vermont law **does not** prohibit lawnmower use for minors under the age of 18. Vermont-specific information is available from [http://labor.vermont.gov/Portals/0/Wage%20Hour/child\\_labor\\_pamphlet.pdf](http://labor.vermont.gov/Portals/0/Wage%20Hour/child_labor_pamphlet.pdf).]

**Penalties:** Under federal law, an employer who violates the child labor provisions or any regulation issued under them may be subject to a civil money penalty of up to \$10,000 for each violation.

This is just a tip of the iceberg. For more information, visit the U.S. Department of Labor's website, [www.dol.gov](http://www.dol.gov).

Information for this article was gathered from the [www.youthrules.gov](http://www.youthrules.gov) site and notes were contributed by Al Ruhlman, Human Resource Director, City of Aberdeen, SD.

*Reprinted with permission from the March 2009 issue of South Dakota Municipalities, the magazine of the South Dakota Municipal League.*

# it's time



*to make it better for them.*

Serving our communities is a privilege and a responsibility.

We know that. That's why we believe it's time to simplify. To clarify. To speak plainly. It's time to make the process less painful, and more healthy.

As a premier health care provider, CIGNA offers health benefits designed to help members of the Vermont League of Cities and Towns Health Trust lead better, more fulfilling lives. To learn more about us, visit [www.cigna.com](http://www.cigna.com).



"CIGNA" and the "Tree of Life" logo are registered service marks of CIGNA Intellectual Property, Inc., licensed for use by CIGNA Corporation and its operating subsidiaries.

821455 06/08 © 2008 CIGNA



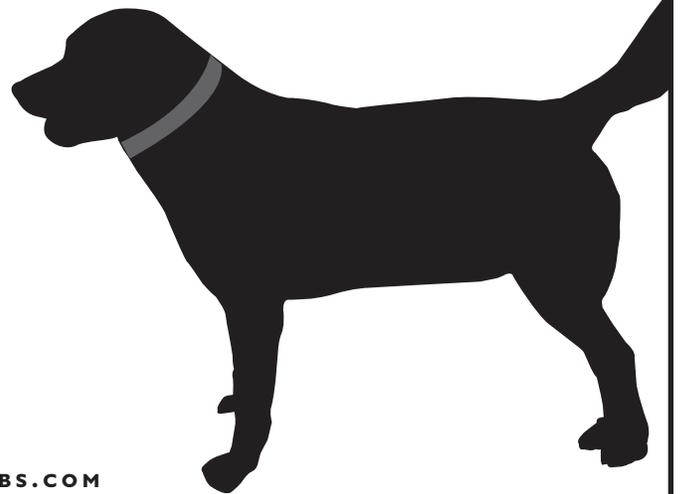
# Quality

this lab aims for **EXCELLENCE**

- drinking water
- wastewater & sludge
- groundwater & landfills
- soil & storm water



25 Chenell Drive | Concord, NH 03301 | 603.228.0525 | [WWW.EAILABS.COM](http://WWW.EAILABS.COM)



**PRIMMER PIPER**

**EGGLESTON & CRAMER PC**

Attorneys at Law

## Permits for Municipal Infrastructure and Development



**Stephen A. Reynes**  
Principal

**Stephen Reynes**  
**Jesse Moorman · Joslyn Wilschek**  
**Linda Paskiewicz, Paralegal · Jonathan Wolff, Specialist**

Municipal infrastructure projects can present complex multi-permit situations. We can provide practical and efficient legal advice to help municipal clients navigate the permit process, including:

- Act 250 jurisdictional determinations, applications and permit amendments
- State and federal environmental permits
- Representation before Act 250 District Commissions, the Agency of Natural Resources, the Environmental Court and the Vermont Supreme Court

Clients rely on our experience, focus, legal knowledge and collaborative skills to help them get it done.

**Montpelier, VT**  
**802-223-2102**

**Burlington, VT**  
**802-864-0880**

**St. Johnsbury, VT**  
**802-748-5061**

**Littleton, NH**  
**603-444-4008**

[www.ppeclaw.com](http://www.ppeclaw.com)



# VLCT MUNICIPAL MARKETPLACE

## THE GENERAL CODE ADVANTAGE

- Codification and supplementation of your ordinances
- Electronic access to Codes and records
- Document Management Products and Services from Laserfiche®
- Building, Planning and Zoning Software
- Agenda Management Software Solutions



Contact Herb Myers, Regional Sales Representative at (800) 836-8834 or [hmyers@generalcode.com](mailto:hmyers@generalcode.com) for more information today.



[www.generalcode.com](http://www.generalcode.com)



MINUTEMAN VERMONT  
 JON P. CUNNINGHAM  
 7 MAIN STREET  
 MONTPELIER, VT 05602

Drug & Alcohol Testing  
 DNA Paternity Testing



*ParaMed Plus, Inc.*  
 Louise & Greg Sylvain

27 Gable Place  
 Barre, VT 05641  
[www.paramedplus.com](http://www.paramedplus.com)

Pager 749-5629  
 Phone (802) 479-9201  
 FAX (802) 479-3574

**INVEST EAP**  
 Employee Assistance Program

Steve Dickens, MA  
 Licensed  
 Psychologist-Master

Director  
 108 Cherry Street  
 Burlington, VT 05401

Direct Dial: 802-863-7509  
[steved@investeap.org](mailto:steved@investeap.org)

INVEST EAP EMPLOYEE ASSISTANCE PROGRAM  
 STEVE DICKENS, MA  
 LICENSED PSYCHOLOGIST-MASTER  
 DIRECT DIAL: 802-863-7509

## MUNICIPAL MARKETPLACE ADS

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

1. A scan of your company's business card (scaled 94% to approximately 3.25" x 1.85")  
or
2. Four text lines set in a 3.25" x 1" box.

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.

3.25" x 1.85"

3.25" x 1"



# 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](mailto:classifieds@vlct.org). For details on display or municipal marketplace advertising, email [vlctnews@vlct.org](mailto:vlctnews@vlct.org). Instructions for ad requirements may also be downloaded at <http://www.vlct.org/aboutvlct/vlctnewsletter/advertisinginformation/>.

## HELP WANTED

**Director of Code Enforcement.** The City of Burlington is seeking an experienced professional to provide leadership for its Code Enforcement Department. The Director is accountable for managing and coordinating City Code Enforcement functions. These include approximately 9,000 rental units subject to a routine rental minimum housing inspection program. The Department also responds to complaint-based and department-initiated enforcement in housing, zoning, and quality of life violations for this very dynamic lakeside community, which is considered one of America's most livable cit-

ies. The ideal candidate will have an extensive background in code ordinance administration and enforcement, including three years in a supervisory capacity. Starting annual salary, \$56,604-\$63,179, commensurate with experience. For more information about the Code Enforcement Department and the position as well as a City of Burlington application, visit [www.ci.burlington.vt.us](http://www.ci.burlington.vt.us). To apply, please send resume, cover letter, City of Burlington application, and three professional references **by May 15, 2009** to Human Resources Department, 131 Church Street, Burlington, VT 05401. E.O.E. Women, minorities and persons with disabilities are encouraged to apply. (4-3)

**Town Manager.** The Town of Meredith, New Hampshire (pop. 6,449) is seeking qualified applicants for the position of Town Manager. Ideally located on Lake Winnepesaukee in New Hampshire's Lakes Region, Meredith offers a high quality living environment including a strong sense of community, abundant recreational opportunities, and excellent geographic accessibility. Meredith has a Town Manager/Board of Selectmen/Town Meeting form of government with 77 full-time employees and a budget of \$12.5 million. The Town Manager leads a full service organization including public works, police, fire, administrative services, assessing, community development, parks

and recreation, and water and sewer. The successful candidate must demonstrate: proven effective leadership, a collaborative management style, significant personnel management experience, strong interpersonal and communication skills, critical thinking and problem solving skills, financial management and accounting experience, and a commitment to integrity in local government. A Bachelor's degree in Public Administration or related field plus five years experience as a Town Manager (or similar position) preferred. Any combination of education and experience demonstrating the necessary knowledge, skill, and abilities will be considered. Salary is commensurate with background and experience. **Closing date, May 4, 2009** or until position is filled. See [www.meredithnh.org/employ.php](http://www.meredithnh.org/employ.php) for more information. To apply, send resume, current salary and five work-related references in confidence to Town Manager Search, Peter Brothers, Chairman, Meredith Board of Selectmen, 41 Main Street, Meredith, NH 03253. Equal Opportunity Employer. (4-6)

**Town Administrator.** The Town of Shaftsbury is looking for a forward-thinking, energetic Town Administrator to work with the selectboard in managing the business of the Town. This position serves

*(continued on next page)*

**OE**  
OTTER CREEK  
ENGINEERING

Working for Our  
Clients and  
Our Community

Water Supply  
Wastewater Treatment  
Site Design  
Environmental Remediation  
Stormwater Control  
Construction Review

E. Middlebury  
and Rutland

**10 YEARS**



## 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.

If you are ready to switch to accessing the *VLCT News* completely online, please email us so we can remove you from our postal mailing list and make sure that your correct email address is on our *News* email list.

To view the current *VLCT News*, or to see the archives, please go to: <http://www.vlct.org/aboutvlct/vlctnews/>.

## CLASSIFIEDS

*(continued from previous page)*

as a representative of the selectboard and performs both managerial and complex clerical duties requiring considerable decision-making and a thorough knowledge of the needs and responsibilities of the Town and its departments. This is a salaried position with benefits. Qualifications: BA preferred, plus at least two years experience in an administrative/managerial capacity; excellent communication, planning, and administrative skills; ability to multi-task and maintain effective working relationships; excellent research, analytical and writing skills; excellent financial management skills including budget preparation & management; general knowledge of Vermont town government and duties of selectboard; and an ability and willingness to learn. For a full job description, go to [www.shaftsbury.net](http://www.shaftsbury.net) or call 442-4043. To apply, mail cover letter and resume to Town Administrator Search, Town of Shaftsbury, PO Box 409, Shaftsbury, VT 05262. (4-1)

**Director of Planning and Zoning.** The City of St. Albans, Vt. (pop. 7,500) seeks an energetic professional to join the leadership team as Director of Planning and Zoning. St. Albans is a densely populated urban community that serves as the center of commerce and employment for Franklin County. The City is currently pursuing several critical planning issues including a master plan for downtown development, tax increment financing, construction of a new streetscape, storm-water management, and brownfields revitalization. The Director will play a critical role in these initiatives and will oversee the City's comprehensive planning and development review processes. Previous experience in land use planning and a Bachelor's degree are required (Master's helpful). Anticipated hiring range is \$45,000-\$50,000, plus excellent benefits. A full job description is available at [www.stalbansvt.com](http://www.stalbansvt.com). To apply, send cover letter and resume to Peg Strait, HR Man-

*(continued on next page)*



Transportation | Land Development | Environmental Services

7056 US Route 7, North Ferrisburgh, VT 05473  
802-425-7788  
[www.vhb.com](http://www.vhb.com)

# Connecting to Communities

Integrated planning, permitting, and engineering solutions that turn visions into reality

Where you live, work, learn and play, VHB Pioneer is there - engineering the framework for the region's revitalization. We understand the intricacies of working in both rural areas and densely populated urban environments, navigating complex regulatory requirements and designing sustainable solutions.



Cross Street Bridge, Middlebury



Main Street, Barre City



Geothermal Feasibility Study, Rockingham



City Center, South Burlington



## CLASSIFIEDS

(continued from previous page)

ager at [p.strait@stalbansvt.com](mailto:p.strait@stalbansvt.com). Resume review begins April 25, 2009. (4-1)

**Laborer.** The Parks Department of the Town of Stowe seeks a laborer for summer grounds maintenance and landscaping to begin May 4. This is an outdoor position with some work in inclement weather. Must have experience operating light equipment or be able to learn it quickly; some heavy lifting required. Requirements: high school diploma or equivalent plus two years' general landscaping experience, plus a valid Vermont driver's license. For more information and/or an application, please contact Susanne Gann, HR Coordinator, at 253-0156 or email [recruit@townofstowe-vermont.org](mailto:recruit@townofstowe-vermont.org). (3-16)

The Vermont League of Cities & Towns seeks a **Research and Information Assistant** for its **Municipal Assistance Center (MAC)**. This entry-level, professional position provides administrative and research support to MAC's legal, consulting, and education team. Further duties include coordinating and overseeing publication of key member surveys, assisting with personnel searches, editing web content, maintaining resource files, proofreading, and handling billing details. We seek a well-organized and diplomatic team player with excellent communication skills, strong attention to detail, and a stellar customer service orientation. Bachelor's degree or equivalent experience and strong writing skills are required. We offer an excellent salary and benefits package including health, dental, and retirement plan choices including pension plan and more. Please email cover letter, resume, and names/telephone numbers of three references to [jobsearch@vlct.org](mailto:jobsearch@vlct.org) with RIA in subject line. Application review begins immediately and will continue until position is filled.

## FOR SALE

**Ambulance.** Shelburne Rescue, a department of the Town of Shelburne, is accepting bids for a 1998 Ford ambulance, model E450SD with 7.3 power stroke

diesel engine, super duty chassis and Road Rescue Ultramedic Type III body with walk through. Vehicle has 66,000 original miles (on mostly paved roads) and was serviced every 3,000 miles. Body is in very good condition. Sold in "as is" condition. Buyer to remove agency decals. Minimum bid, \$7,000. Submit bids **by 2 p.m. May 15** to Shelburne Town Offices, Attn: Ambulance Bid, 5420 Shelburne Road, PO Box 88, Shelburne, VT 05482. The Town of Shelburne reserves the right to reject any/all bids. Vehicle will be available immediately after bid opening to the successful bidder. For additional information, contact Linda Goodrich, Chief, at 802-985-5125 or [lgood41398@aol.com](mailto:lgood41398@aol.com).

**2003 International Truck 7400 Series,** 530 diesel engine, 10-speed road ranger, McClain Gallion dumpbox, with 7 yd Swenson V-box stainless steel slide-in sander. 49,000 miles. Available July 1 (or sooner, if our new truck arrives early). Please contact Hollis Squier, Tinmouth Road Commissioner, at (802) 446-3032 for more information. Submit bids to Town of Tinmouth, 515 North End Road, Tinmouth, VT 05773 **by 5 p.m., May 14, 2009**. Minimum bid, \$35,000. The Town of Timmouth reserves right to reject any or all bids. If you have any questions, call the Tinmouth Town Offices at 446-2498. (3-26)

**Water, the most powerful force on earth.**

**Now at your beck and call.**

Knowing that the water you deliver to customers is safe, and of the highest quality possible. What could be more satisfying? Knowing you've done the right thing for your budget and for the environment, too.

Since 1955, municipalities have entrusted EJP to deliver high quality water systems solutions.

PIPELINE SPECIALISTS  
TEAM **EJP**

Harnessing the power of water.

Montpelier (Barre): 802-223-2385  
So. Burlington: 802-865-3958

**1-800-EJP-24HR**  
(357-2447)  
[www.ejprescott.com](http://www.ejprescott.com)

WATER, SEWER, DRAIN & STORM WATER SOLUTIONS



89 Main Street, Suite 4  
Montpelier, VT 05602-2948

PRSR STD  
U.S. Postage  
PAID  
Montpelier, VT  
Permit No. 358

# 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 online. For non-VLCT events listed below, please contact the individuals directly. (The online registration option is available for VLCT workshops and events only.)*

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.

**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



**The Power of Partnering™**

**Kay M Kuzmik**  
Office Manager

**Ronald "Chip" Sanville**  
Account Executive

**Jonathan Smith**  
Account Representative

100 State Street, Suite 346  
Montpelier, Vermont 05602  
(802) 229-2391  
(800) 457-1028 x 2  
(802)229-2637 Fax  
[www.gwrs.com](http://www.gwrs.com)

[kay.kuzmik@gwrs.com](mailto:kay.kuzmik@gwrs.com)  
[ronald.sanville@gwrs.com](mailto:ronald.sanville@gwrs.com)  
[jonathan.smith@gwrs.com](mailto:jonathan.smith@gwrs.com)  
Securities offered through  
GWFS Equities, Inc.  
A Great-West Company



**The H.L. Turner Group Inc.**

Contact: Jessie O'Hearn  
[www.hlturner.com](http://www.hlturner.com)  
[info@hlturner.com](mailto:info@hlturner.com)  
800-305-2289



ARCHITECTS • ENGINEERS  
BUILDING SCIENTISTS

