

VLCT NEWS

A PUBLICATION OF THE VERMONT LEAGUE OF CITIES & TOWNS

SERVING AND STRENGTHENING VERMONT LOCAL GOVERNMENTS

March 2011

FAMILY AND MEDICAL LEAVE

In last month's newsletter, we covered the complexities of various provisions of the Federal Family and Medical Leave Act (FMLA), the Vermont Parental and Family Leave Law (VPFL), and Vermont's Short-Term Family Leave. This article will expand on the FMLA to address the 2008 and 2010 National Defense Authorization Act (NDAA) amendments that provide expanded rights and additional coverage for members of the military.

To review, the provisions of the FMLA of 1993 entitle eligible employees up to 12 weeks of unpaid leave in a 12-month period for the following:

- the birth or adoption of a child;
- the employee's inability to work due to their own serious health condition; or

- time needed to care for a close family member with a serious health condition.

The NDAA has amended the FMLA to provide coverage for two Military Family Leave Entitlements: Exigency Leave and Military Caregiver Leave.

QUALIFYING EXIGENCY LEAVE

The 2008 and 2010 amendments to the FMLA provide an eligible employee up to 12 weeks of leave in a 12-month period if the employee's spouse, son, daughter, or parent is a covered military member on "covered active duty," or has been notified of an impending call. This leave is available to a family member of a military member in the National Guard or Reserves. Events considered qualifying exigencies include:

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SURPLUS PROPERTY

Vermont cities and towns can now purchase state and federal surplus property at a fraction of what it would cost new.

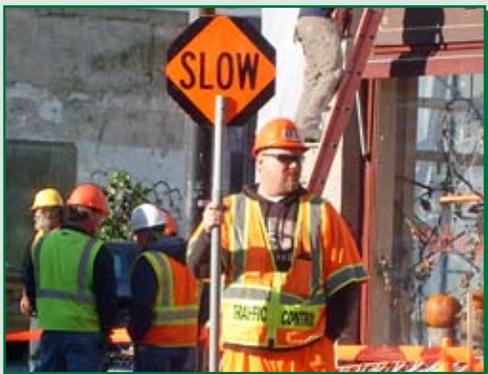
In the past year, the Department of Buildings and General Services Surplus Property Program has obtained hundreds of thousands of dollars worth of surplus property for reuse by Vermont cities and towns, schools, state agencies, eligible non-profits, and the general public. The warehouse, on Route 2 north of Waterbury, is constantly bringing in newly decommissioned items such as desks, tables, chairs, bucket loaders, excavators, police cruisers, dump trucks, forklifts, even airplanes, boats, and more. If they don't have what you want, they will search for it and call you when they locate it.

Last year, Joe Blodgett, Road Foreman for the Town of Corinth, obtained an excavator and backhoe for the Town that he claims

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ROAD WORK PROJECTS — AND FREE FLAGGER TRAININGS — JUST AROUND THE CORNER

Next month is not too early for public works departments to prepare for summer road projects, and department heads need to make sure they'll have qualified workers ready



when the good weather arrives. With respect to traffic control flaggers, Vermont's road crews are subject to both federal and state guidelines. The Federal Highway Safety Administration (FHSA), in its Manual on Uniform Traffic Control Devices (MUTCD), requires that flaggers be trained, but it doesn't give specific rules. The State of Vermont Agency of Transportation specifies that every flagger working on public roads in Vermont must,

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FAMILY AND MEDICAL LEAVE

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- an issue due to a short notice deployment,
- military events or activities,
- arranging child care needs,
- making financial and legal arrangements,
- attending counseling, and
- time for post-deployment activities.

12 months of employment eligibility requirement for FMLA, something to consider for a recent hire who starts military leave within the first year of employment.

As with most employment laws, it helps to examine the intention of these regulations. Calling up a military member to duty can put substantial demands on his or her family members as they prepare for the absence. Likewise, a military member's serious injury or illness can be traumatic for his or her family. The amendments to the FMLA provide employment security and protect employees from retaliation if they need and use this leave time.

MILITARY CAREGIVER LEAVE

Further, the 2008 and 2010 amendments provide entitlement to 26 weeks of caregiver leave during a 12-month period to care for a covered service member with a serious injury or illness. The care must be for a spouse, son, daughter, parent, or next of kin. This includes a veteran "who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness" within a period of five years following active duty.

The U.S. Department of Labor created a comprehensive FMLA fact sheet, which can be found online at www.dol.gov/whd/regs/compliance/whdfs28.htm. A fact sheet, forms for employers to use in documenting use of the FMLA Military Family Leave Entitlements, and other guidance are at www.dol.gov/whd/regs/compliance/whdfs28a.htm.

An employee's time on military leave counts as time worked toward meeting the

POINTS ON ADMINISTERING:

- Handle employee situations consistently. Document and track the time.
- Use a standardized form or other recordkeeping to document the leaves.
- Employees may be paid available benefit time *concurrently* with their leave.
- The statutes do not require the employer to pay during the leaves; the employee may choose to be paid *available* benefit time in accordance with the employer's policies.

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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.



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LEGAL AND REGULATORY NOTES



INTERPRETING THE PUBLIC RECORDS ACT; U.S. SUPREME COURT ALLOWS CLAIM

INTERPRETING THE PUBLIC RECORDS ACT

In another case interpreting the Vermont Public Records Act, the Washington Superior Court has clarified that the custodian of a public record is only authorized to charge the cost of producing copies of public records. The requestor cannot be charged expenses incurred by an agency in responding to a records request, if all that has been asked is the opportunity to inspect a public record. *Vt. State Employees' Assn. v. Vt. Agency of Natural Res.*, No. 517-7-10 Wncv.

The dispute arose when VSEA, the state employees' union, requested information from the Agency of Natural Resources (ANR) about the elimination of a position and the consequent layoff of a state employee. About the same time, VSEA also requested information about a decision by the Department of Human Resources (DHR) to install software to monitor employees' internet use. In both cases, VSEA requested the opportunity to inspect the State's records, but did not specifically request copies of those records.

The records in both requests existed mostly in electronic form as e-mails and various attachments. Rather than allow VSEA to inspect the records in electronic form, the agencies printed hard copies for VSEA's inspection. The two agencies kept track of the employee time spent in responding to the requests and followed procedures developed by the Secretary of State's office to guide agencies in responding to requests for copies of public records. The proposed time charges were \$462.60 for the ANR request and \$807.98 for the DHR request. VSEA objected to payment of these charges and appealed to the Washington Superior Court.

The Court held that VSEA could not be charged these costs because it had only asked

(continued on next page)

- NEED A WRITTEN LEGAL OPINION?**
- LOOKING FOR EXPERTISE DRAFTING A NEW ORDINANCE?**
- NEED HELP UPDATING THAT PERSONNEL POLICY?**

VLCT's attorneys can provide your municipality with legal assistance at highly competitive rates. Please call **Abby Friedman** for more information at 1-800-649-7915.



SAMPLE PROJECTS:

- Water & Sewer Ordinances
- Zoning Bylaws
- Municipal Charter Amendments
- Highway Ordinances



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LEGAL AND REG.

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to inspect the relevant records; it had not requested copies of them. The controlling statute – 1 V.S.A. § 316(c) – authorizes an agency to charge and collect “the cost of staff time associated with complying with a request for a copy of a public record...” [emphasis added] but does not allow an agency to charge for the cost of searching for, gathering, and producing records for inspection. As the Court noted:

“Unless the statute is amended further, the burden of inspection is part of the cost of government to be borne by the polity at large and not imposed upon individuals or organizations seeking information. This is not an unreasonable legislative decision. An individual – aggrieved, or a gadfly, or a visionary – is likely to be in a poor position to pay for the cost of her inquiries. But as taxpayers and members of the community, we all benefit from these inquiries because government (like the rest of us) behaves best in an open, public setting.”

Municipalities should keep in mind that under the Public Records Act, all of the ex-

penses associated with making a record available for inspection must be borne by the municipality. A requestor may not be charged the cost of staff time arising from retrieving records from a file, computer, or electronic record keeping system, nor may a requestor be charged the cost of reviewing records prior to inspection, redacting exempt information from records, or printing electronic records for inspection.

Municipalities may charge for the cost of staff time in complying with a request for a copy of a public record, but only when that time exceeds 30 minutes. 1 V.S.A. § 316(c). A municipality may also charge the “actual cost of providing the copy.” 1 V.S.A. § 316(a). This actual cost charge is determined by the legislative body considering the cost of paper or electronic media onto which the record is copied, a prorated amount for maintenance of and replacement of equipment used to make the copy, and utility charges directly associated with copying a record. If the legislative body fails to establish actual cost charges, the municipality must use the schedule created by the Secretary of State for state agencies. 1 V.S.A. § 316(e). A municipality may also charge the cost of mailing or transmitting a record by facsimi-

le or other electronic means, the cost of creating a record that does not exist, or producing a record in a non-standard format. 1 V.S.A. § 316(b), (c). A copy of the VSEA decision is available at www.vermontjudiciary.org/2006Present%20TCdecision-cvl/2011-1-11-5.pdf

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

UNITED STATES SUPREME COURT ALLOWS THIRD PARTY RETALIATORY CLAIM

Title VII of the Civil Rights Act of 1964 is a federal law that prohibits discrimination with respect to all employment practices on

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ASK THE LEAGUE

MUD SEASON; REVIEW AUTHORITY

How does a town post highways to restrict travel during mud season?

Enacting travel restrictions can go a long way toward helping to preserve the integrity of a town highway in sloppy spring conditions. Vermont State law allows a town to post its highways for seasonal travel restrictions, according to section 1110 of Title 19. Specifically the law says, “[i]f the use of a town highway is to be restricted, the selectmen shall post copies of the rules in at least two public places in the town.” The Vermont Agency of Transportation (VTrans) may adopt rules when it deems necessary [19 V.S.A. § 1009]; however, VLCT believes a town may, and should, adopt its own rules as a policy regarding the seasonal use of its roads under the authority provided in 19 V.S.A. § 1110, §§ 304(a)(1),(2) and (6), and 24 V.S.A. § 2291(4). Adopting a policy regarding the use of its highways will deter any criticism of arbitrary restrictions or enforcement. In addition to a municipality posting

copies of its rules, signs must “be conspicuously placed at each end of the highway or portion of the highway” where the restriction exists. The signs are provided by VTrans and should contain the current agency secretary’s signature.

Besides posting the signs and rules as outlined in section 1110, a town must file seasonal travel restrictions along with town highway and bridge weight limits with the Department of Motor Vehicles (DMV), according to 23 V.S.A. § 1400b. A municipality that enacts weight limits that are differ-

ent from statutory weight limits must file the restrictions with the DMV before February 10 of every year. However, the town can update the list, as needed, throughout the year. The information filed with the DMV must contain a “listing of each highway or bridge posted, the time of the year that the restrictions apply, weight limitations in effect on that highway or bridge, and the name, address and telephone number of the principal person or persons responsible for issuing the

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VTB AND THE TOWN REPORT

Municipalities no longer have to send a copy of the town report to the Vermont Transportation Board. The 2010 Legislature removed the board as a mandatory report recipient. The board no longer has jurisdiction over any town, village, or city actions. For more information, contact Glenn Gershaneck, Executive Secretary, Vermont Transportation Board, at Glenn.Gershaneck@state.vt.us.

UPCOMING TRAINING OPPORTUNITIES

PRESENTED BY THE MUNICIPAL ASSISTANCE CENTER

THE MUNICIPALITY’S ROLE IN PUBLIC SERVICE BOARD PROCEEDINGS *(Co-sponsored by Vermont’s Regional Planning Commissions)* March 10, Vermont Interactive Television sites

Delivered in the evening via interactive television, this workshop will outline the role of municipal government in reviewing and approving telecommunication facilities and renewable energy projects. Areas of focus will include actions that trigger review before the Public Service Board and how municipalities engage in this process.

SAVE THE DATES

SELECTBOARD INSTITUTE I
Saturday, March 26, Rutland Holiday Inn
See box on page 7.

TREASURERS’ WORKSHOP
April 26, Middlebury Inn, Middlebury
April 28, Holiday Inn Express, Springfield

CONDUCTING EFFECTIVE TAX APPEALS
April 5, Hotel Coolidge, White River Jct.
April 7, Middlebury Inn, Middlebury

SELECTBOARD INSTITUTE II
Saturday, April 30, Capitol Plaza,
Montpelier
See box on page 7.

For registration and other information, please visit www.vlct.org/eventscalendar/upcomingevents or call 1-800-649-7915 or email info@vlct.org.



ASK THE LEAGUE

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local permit.” If the town does not file the required information regarding town highway restrictions with the DMV within three days of posting a limitation, it is not enforceable. 23 V.S.A. § 1400b (b).

*Stephanie Smith AICP, Senior Associate
Municipal Assistance Center*

Who determines which types of review are necessary when an applicant submits an application for development?

The administrative officer, also referred to as the zoning administrator (ZA), determines what prerequisite reviews are necessary before issuing a zoning permit. This authority is found in a section of the law that addresses the review authority of the appropriate municipal panel (AMP). Twenty-four V.S.A. § 4460 (e) reads, in part, “unless the matter is an appeal from the decision of the administrative officer; the matter shall come before the panel by referral from the administrative officer.” In addition to assigning responsibilities and duties, the law outlines that a decision by the ZA to refer an application to the AMP for a particular review may be appealed to the AMP. ZAs can’t delegate this authority to another municipal official or employee.

However, a selectboard may appoint an acting or assistant administrative officer that serves in the ZA’s absence and according to an established policy. This policy must outline the authority of the acting or assistant administrative officer in relation to the ZA’s authority. 24 V.S.A. § 4448 (b). An acting or assistant officer may refer zoning permit applications for prerequisite reviews, as outlined in state law and the municipality’s policy.

*Stephanie Smith AICP, Senior Associate
Municipal Assistance Center*

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SELECTBOARD INSTITUTES I AND II

SELECTBOARD INSTITUTE I
SATURDAY, MARCH 26, 2011
HOLIDAY INN, RUTLAND

SELECTBOARD INSTITUTE II
SATURDAY, APRIL 30, 2011
CAPITOL PLAZA, MONTPELIER

The Selectboard Institute is an annual program that focuses on the unique roles and responsibilities of Vermont selectboard members. Designed for both newly elected and more seasoned members, the program is highly interactive and allows members to learn from each other’s experiences. In 2011, the Selectboard Institutes I and II are offered in two locations. Staff members who report to the selectboard are welcome as well.

PRESENTATIONS

- The Highly Effective Selectboard
- The Rules of the Game: Requirements of the Open Meeting and Public Records Laws
- What Every Selectboard Member Needs to Know about Municipal Finance
- Legislative Update

FACILITATED ROUNDTABLE DISCUSSIONS

- Strategies to Manage Municipal Risk and Liability Exposure
- Financial Policies and Internal Controls
- Ordinance Adoption and Enforcement
- Local Land Use Planning and Regulation
- Managing Municipal Personnel
- How to Assess and Prevent Financial Risks
- Municipal Public Safety
- How to Run Effective and Efficient Selectboard Meetings
- Managing the Municipal Highway System
- Roles and Responsibilities of Selectboard Members, Town Managers, and Town Administrators



Presenters and Roundtable Facilitators will be VLCT staff members from the Municipal Assistance Center as well as Risk Management and Advocacy Services. Detailed agendas and registration information are available at www.vlct.org under Events Calendar and Upcoming Events.



HAVE YOU SEEN THE NEW WWW.INVEST.EAP.ORG?

Invest Employee Assistance Program invites employees of the VLCT Health Trust and PACIF to explore the dynamic new EAP website at www.invest.eap.org. This site is now a great tool for benefit administrators who suspect that their employees don't use EAP because they don't understand how it works or they don't grasp the range of valuable resources it offers for free.

This website has been fully revamped and loaded with useful resources, fresh graphics, additional topics, new information, more interactive tools, and engaging media. Navigation is intuitive and easy. The Member/Employees section features new topic landing pages in addition to an archive of the quarterly *EAP Messenger* newsletters and a summary of the benefits provided to employees and their household members. The topic landing pages provide overviews of the many issues that EAP addresses and have links to detailed sub-topics. The landing page topics are:

- **Family Issues** with information on parenting, divorce, aging parents, and more;
- **Mental Health** with information on anxiety, grief and loss, PTSD, and more;
- **Legal/Financial** resources such as lists of local attorneys and online financial tools;
- **Workplace** resources including positive workplace tips and disability issues;
- **Health Issues** describing problems and solutions including Alzheimer's disease,

asthma, meditation, and smoking cessation; and

- **Self-Assessment** tools to help determine whether you have symptoms of emotional problems or certain addictions.

This website's greatest value is as a private and discreet format for exploring the many types of assistance that EAP offers. Most of us are so disinclined to ask for help with personal issues that often we can't imagine a way out and don't even know how to begin. Whether employees know they need significant help soon or are just curious about exactly what EAP does, the new INVEST EAP website offers 'self-serve' tools, articles, and information that can make a big difference in their quality of life. **To help break the ice, we recommend that employers show a short orientation video to all employees.** This can be distributed as an email link to employees who use a computer regularly and it can be set up

on a department computer. (The computer just needs to have Flash, which is free, safe, and easy to download.)

Here is how to access your EAP's orientation video:

1. Go to www.invest.eap.org.
2. In the **upper right-hand corner**, log in by typing **vlct** in the white box and clicking on Login. Note: Always use this corner to log in; the Members' Login page, which asks for your name and email, is not necessary for VLCT member employees and their household members.
3. Verify that your employer is a member of either the VLCT Health Trust or VLCT PACIF. This gives you access to all of the website's functionality.
4. Click on the blue rectangle labeled Employee Orientation (prominently displayed on several pages).
5. Adjust the volume of your computer and listen to Steve Dickens explain what EAP does and how it does it.



When all employees have seen the orientation video, we expect they will be more inclined to use EAP. Getting assistance has never been easier. EAP is always available for more direct personal support 24/7 via the **toll free hotline at 800-287-2173**. For non-urgent personal assistance, employees and their household members can visit the website, click on the green "Need Assistance?" box in the right-hand margin of any topic landing page, and request that an EAP staff person respond by phone or email. Please remember and remind others that EAP remains both confidential and free of direct cost to all employees and their household members.

EAP's 24/7 toll-free hotline

1-800-287-2173

Find useful information and tools at www.invest.eap.org (password: vlct)

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HAZARD MITIGATION GRANT PROGRAM

Last December, Vermont received a Presidential disaster declaration to supplement state and local recovery efforts in areas struck by severe storms earlier in the month. Public assistance funds from the Federal Emergency Management Agency (FEMA) will be available to towns in Chittenden, Franklin, and Lamoille counties to help defray restoration expenses. In addition, federal mitigation funds are available to all towns through FEMA's **Hazard Mitigation Grant Program** (HMGP).

Vermont Emergency Management is now accepting HMGP grant applications from towns and agencies in *all* Vermont counties in connection with the most recent declared disaster. The HMGP grant program is funded through FEMA and administered by Vermont Emergency Management. Federal funds are available to cover up to 75 percent of project costs. Please note that there is a 25 percent local match requirement.

If you can identify potential hazard mitigation sites in areas within your jurisdiction, you can apply for funds under the HMGP. Typical hazard mitigation projects include repair and mitigation of local roads or bridges that are regularly flooded, replacement of undersized culverts, remediation of stream bank erosion, appropriate road ditching, and buying out damaged homes in the designated floodway. Your project proposal need not be directly connected to the most recent declared disaster. If you have a project that exceeds \$150,000 in total cost, you may apply for a grant under FEMA's Pre-Disaster Mitigation competitive program, which is open to all Vermont communities and which

provides greater funding levels.

You may download the HMGP application from Vermont Emergency Management's website at <http://vem.vermont.gov> or contact the State Hazard Mitigation Officer for an application.

Please note the following FEMA eligibility requirements:

1. Communities *must* have a FEMA approved and adopted Local Mitigation Plan no later than the date the grant funds are awarded.
2. Communities *must* be participating in the National Flood Insurance Program (NFIP), if a special flood hazard area has been identified in the community.
3. The application *must* be completed in full, including: maps, list of alternative proposals, engineering plans, hydrology studies (if needed), *and* a full benefit-cost analysis (BCA).

Some assistance is available from the State Hazard Mitigation Officer for those needing help completing the BCA requirement; application assistance may also be provided through Vermont Emergency Management.

The deadline for applications is **Friday, June 17, 2011**, but the *first* step of the grant process is to submit a letter of intent to Vermont Emergency Management by **Friday, March 18, 2011**. The letter of intent should include a brief description and total estimated cost of your project. Submit the completed letter of intent, HMGP application, benefit-cost analyses, and supporting documentation to:

Ray Doherty, State Hazard Mitigation Officer
Vermont Emergency Management
103 South Main Street
Waterbury, VT 05671-2101.

HMGP funds are awarded on a competitive basis and all applications are subject to review and selection by the state mitigation project selection committee and FEMA. For further information, please contact Ray Doherty at rdoherty@dps.state.vt.us or 802-241-5258.

FAMILY AND MEDICAL LEAVE

(continued from page 2)

- Benefits must remain in force as if the employee were still working. The employee has to pay any contribution normally required of him or her.
- In most cases, the leave may be taken intermittently. This requires the employer to keep detailed records.
- The employee is obligated to provide 30 days advance notice of the need for the military-related leave, but that may be reduced due to circumstances.

An employer's thorough understanding of the laws, consistent application of policies and practices, and detailed recordkeeping can help keep the situation agreeable for the employer, the employee, and the service member.

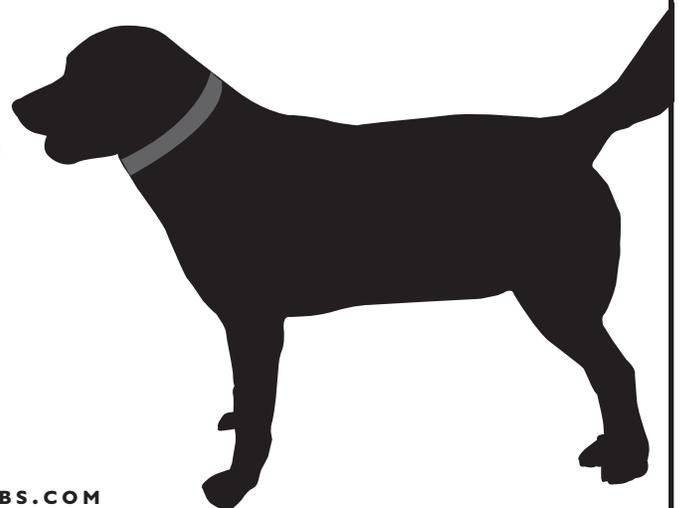
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UI TRUST MEMBERS: WHEN AFSHAN MUGHAL CALLS, PLEASE ANSWER!

This is a friendly reminder to all VLCT Unemployment Insurance (UI) Trust members to please respond in a timely manner when Afshan Mughal at TALX UCeXpress calls, faxes, or emails a request for separation information relating to an unemployment claim. TALX UCeXpress is our third party administrator for processing unemployment claims. This means that when one of your former employees files for unemployment compensation, the Vermont Department of Labor (DOL) requests separation information from TALX, and TALX must gather this information from you and give it to the DOL. The DOL specifies how quickly it needs the information, and sometimes this is a **very** short time.

Afshan is our person at TALX who follows up on all DOL requests, and she needs you to fulfill her requests as quickly as possible in order to comply with the DOL requirements. Not complying accurately and on time will incur newly increased penalties from the state. (See related story below.) Also, if there is reason to protest the claim, Afshan needs time to make that case. She really is working hard on your behalf and saving you the time and energy of interacting with the DOL directly. UI Trust members benefit singly and as a group by getting accurate information to Afshan as quickly as possible.

If you have any questions regarding the above information, TALX UCeXpress or VLCT UI Trust membership in general, please call Kelley Avery at 800-649-7915, ext. 1965.

VT. DOL PENALTIES ARE UP 300 PERCENT

We've said it before but it bears repeating: careless or late reporting of wage information has gotten expensive! The Vermont Department of Labor (DOL) has increased its penalties from \$35 to \$100 for each occurrence of several problems: late reporting, errors in health care contribution reporting, errors in wage reporting, and missing reports or information. It is more important now than ever to complete required reports by the stated deadline, to pay delinquent penalty fees, and to be very thorough in meeting all state reporting requirements. This includes timely

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March Madness Wisdom brought to you by PACIF Online University

First, master the fundamentals. – Larry Bird

**The only difference between a good shot and a bad shot
is if it goes in or not. – Charles Barkley**

**They say nobody is perfect. Then they tell you practice makes perfect.
I wish they'd make up their minds. – Wilt Chamberlain**

Give online training a shot. – Joe Damiata, VLCT

It would be MADNESS not to take the featured course for March: SLIPS, TRIPS & FALLS

Indoors or out, slips, trips and falls are the #1 cause of workplace injuries.

This 30-minute course will help you avoid these accidents —
maybe not on the ball court, but certainly in everyday situations.

Employees of PACIF members can visit www.vlct.org/insuranceriskservices/programs/pacifonlineuniversity to train any time, any place, and at any pace.

MENT SERVICES

ROAD WORK PROJECTS

(continued from page 1)

every two years, receive four hours of training in proper flagging principles and techniques to assure the safe flow of traffic around worksites.

Traffic control flaggers may receive their training from any qualified source, but employees of PACIF members can be trained free of charge by one of VLCT's three Loss Control Consultants, all of whom are certified as trainers by the Association of General Contractors. VLCT will go to the member's site to

conduct the training on a day that is convenient for the member and train as many employees as the room can hold. If there's room for more trainees, VLCT will contact neighboring members to notify them of the nearby opportunity.

"We conduct most of the flagger training in a classroom, and we supply all of the non-equipment training materials," explains Chris LaBerge, VLCT's Loss Control Consultant for the northwestern third of Vermont. "Hosting members provide the meeting room and traffic control equipment, and if they want outdoor training too, we're happy to do that. We'll also analyze an actual work zone if there's one in place, to check sign placement, workers' escape routes, and other details – whatever helps the employees learn how to stay safe while keeping traffic moving smoothly."

"VOSHA [Vermont's Occupational Safety and Health Administration] increased their inspections of temporary traffic control zones in 2010, and we expect this to continue in 2011," says Fred Satink, VLCT's Loss Control Consultant for the northeastern third of the state. Everyone who completes the training gets a wallet-size certification card valid for two years from the date of the training, since VOSHA relies on these cards to identify who has been trained. Fred adds, "PACIF fire department members should know that they are subject to these requirements at incident scenes and that we do provide training for them – even if it means evening sessions during their normal training nights."

PACIF members who need to update their traffic control equipment should consider applying for a PACIF Equipment Grant. "With federal visibility requirements becoming more stringent," says Wade Masure, VLCT's Loss Control Consultant for the southern third of the state, "winning 50/50 matching funds to help pay for the latest retro-reflective signs and vests is a real benefit." Grant information and application forms are posted at www.vlct.org/insuranceriskservices/programs/equipmentgrants/. Members can contact their Loss Control Consultant now to set up a flagger training in time for the start of the 2011 road work season.

Ione L. Minot, Contributing Writer

2011 RMS CALENDAR

Road Safety 365. Thursday, March 3, 8 a.m. to 3 p.m., Suzanna's Restaurant, 3470 Airport Road, Berlin. This safety workshop in the Roads Scholar Program of the Vermont Local Roads Program focuses on processes for incorporating safety into all aspects of local and rural road projects, with emphasis on operations and maintenance to reflect the day-to-day responsibilities of your department. Attendance is limited to two people per municipality or district. For more information, call 800-462-6555 or 802-654-2652, or visit www.vermontlocalroads.org and under Workshops select Schedule.

2011 Vermont Worksite Wellness Conference and Governor's Awards. Tuesday, March 29, 2011, 8 a.m. to 4 p.m., Sheraton Hotel and Conference Center, 870 Williston Road, Burlington. Presented by the Vermont Department of Health. Awards presentation by Governor Peter Shumlin, keynote speech on creating a supportive environment for wellness, panel discussion on employer best practices, lunch with address on Vermont's Blueprint for Health, two afternoon sessions of workshops, plus exhibits and networking. Register by Friday March 11. Download a brochure at www.vlct.org for details and the registration form.

Workers' Comp Payroll Audits. Through April 2011. A member of VLCT's Underwriting or Member Relations team will contact PACIF members to schedule a time to review 2010 payroll records as the first stage of reconciling 2010 fees and establishing accurate fees for 2011. For more information, including an email that names the report to print from your payroll software, contact Larry Smith at lsmith@vlct.org or 1-800-649-7915.

The 9th Vermont Workplace Safety Conference and Governor's Awards. Thursday, May 12, 2011, 9 a.m. to 3:30 p.m., Doubletree Hotel and Conference Center, 1117 Williston Road, Burlington. An excellent professional development opportunity for HR and safety staff. Topics include Home Grown "Safety and Accountability For Everyone" (SAFE) Policy and Reward Program, Workplace Risk Factors for Carpal Tunnel and Other Ergonomic Injuries, OSHA Updates, Top 10 Injuries/Violations Panel, and the Governor's Safety Awards. Sponsored by the Partnership in Safety (Project WorkSafe, Green Mountain Coffee Roasters, and Vermont Small Business Development Center), VELCO, Cabot Creamery, and the Vermont Safety and Health Council. No cost to register for awards presentation only. Full conference registration: \$70 early bird (before April 15); \$80 regular. Register at vtsbdc.centerdynamics.com/workshop.aspx?ekey=40310001.

Note: The Governor's Award for Outstanding Workplace Safety is a self-nominated competition based on key safe workplace factors, including an experience modification of 0.9 or less, no workplace fatalities or catastrophic injuries for the past three years, an active workplace safety committee involving management and employees, and a written workplace safety policy.



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LEGAL AND REG.

(continued from page 5)

the basis of race, color, religion, sex or national origin (anti-discrimination provision). The Act also prohibits retaliation against anyone that brings a complaint of discriminatory acts (antiretaliation provision). Title VII is administered and enforced by the Equal Employment Opportunity Commission (EEOC).

In February 2003, the EEOC notified North American Stainless (NAS) that one of its employees, Miriam Regalado, filed an allegation of sex discrimination against the company. NAS fired Regalado's co-worker and fiancé, Eric Thompson, three weeks later. Thompson filed a charge with the EEOC that enabled him to then bring suit against NAS in the United States District Court for the Eastern District of Kentucky under Title VII for terminating him as a means to retaliate against Regalado filing her charge with the EEOC. The District Court granted summary judgment to NAS holding that Title VII "does not permit third party retaliation claims." The Sixth Circuit Court of Appeals upheld the District Court's ruling affirming that Thompson was "not included in the class of persons for whom Congress created a retaliation cause of action" because he was not engaged in any statutorily protected activity on either his or his fiancé's behalf.

On appeal, the United States Supreme Court was presented with two questions: 1. Did Thompson's termination constitute unlawful retaliation? 2. Did Thompson have a cause of action under Title VII?

To answer the first question, the Court applied the standard it first developed in *Burlington N. & S. F.R. Co. v. White*, 548 U.S. 53 (2006). In that case, the Court held that Title VII's antiretaliation provision prohibits employer conduct that "well might have dissuaded a reasonable worker from making or supporting a charge of discrimination." Here, such a dissuasive influence was "obvious" to the Court. In fact, NAS didn't dispute that Thompson's firing met this standard. Rather, NAS questioned the application of the *Burlington* standard altogether because it raises concerns about which relationships are entitled to protection from third party reprisals. If firing an employee's fiancé is an obvious example of retaliation, what about a connection that is not so obvious, such as when it's a close friend or girlfriend? Despite refusing to draw clear lines, the Court did offer some guidance for

employers: "We expect that firing a close family member will almost always meet the *Burlington* standard, and inflicting a milder reprisal on a mere acquaintance will almost never do so, but beyond that we are reluctant to generalize." Oftentimes, however, the Court said that whether an action is retaliatory or not will depend on the particular circumstances of the case.

The resolution of the second question before the Court (Did Thompson have a cause of action under Title VII?) turned on an interpretation of the word "aggrieved." Title VII provides that a "civil action may be brought ... by the person claiming to be aggrieved." 42 U.S.C. § 2000e-5(f)(1). In the past, the Court suggested that the Title VII aggrievement requirement conferred a right to sue on anyone who had standing under Article III of the Constitution. Under this standard, a person must have an injury in fact caused by the defendant for which a remedy is provided under law. The Court determined, however, that this bar to suit was too low for Title VII purposes because "absurd consequences would follow. For example, a shareholder would be able to sue a company for firing a valuable employee for

THANKS TO CITIZENS BANK

The Municipal Assistance Center thanks Citizens Bank for sponsoring the Treasurers' Workshop April 26 at the Middlebury Inn and April 28 at the Holiday Inn Express in Springfield. To learn about workshop sponsorship opportunities, contact Abby Friedman at 800-649-7915 extension 1926 or afriedman@vlct.org.

racially discriminatory reasons, so long as he could show that the value of his stock decreased as a consequence." NAS argued for a narrower definition of the phrase "person aggrieved" that was limited to only those employees engaged in a protected activity. The Court opted instead for a common usage of the term taken from the Administrative Procedure Act (APA). The APA confers standing on any "person ... adversely affected or aggrieved ... within the meaning of a relevant statute." This standard would limit plaintiffs to only those injured in an Article III

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Town of Middlebury



VT. DOL PENALTIES

(continued from page 10)

completion of the quarterly C101s (Employer's Quarterly Wage and Contribution Reports), responding to wage or separation requests for information, and reporting health care contributions. Although the VLCT UI Trust pays all unemployment claim charges on behalf of its members, the Trust does not pay penalties incurred by members. Members must remit penalty payments directly to the Vermont DOL promptly or risk incurring interest on unpaid penalties.

Keep in mind that the Vermont DOL has a convenient online system for filing quarterly C101s called the Vermont Internet Tax and Wage System (VITWS). All employers with more than 25 employees are required to use it, but we highly recommend that smaller employers use it too. With it, you don't have to wait for your hard copy of the C101 to arrive in the mail before you can file! This online system is an efficient tool that makes quarterly wage reporting easy, fast, and complete.

Employers need to register for the VITWS before using it for the first time. To get started, go to www.labor.vermont.gov, scroll down to Businesses, and click on Unemployment Tax and Benefit Information. Under Online Services on the right, click on UI Quarterly Tax Reporting. This page has instructions to register for the online service as well as helpful tips for using the system and contact information in case you need person-to-person assistance. When you have registered, you'll receive a password for logging in with the next mailing of your quarterly C101 report.

If you have any questions about DOL penalties or filing C101s online, feel free to call Kelley Avery at VLCT at 800-649-7915 ext. 1965, or contact the Vermont Department of Labor directly at 802-828-4344.

INSIGHT ONLINE UI CLAIM REPORTING SYSTEM FOR UI TRUST MEMBERS

The INSIGHT Unemployment Claims Reporting system is available via the web from TALX UCeXpress, our third party administrator for UI Trust member unemployment claims management. This secure system is an innovative tool that allows you to enter separation data on former employees; pull claims management detail by month, quarter,

VLCT NEWS ONLINE

We still encourage all subscribers, especially single-use readers, to consider switching from paper copies 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.

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 the archives, please go to www.vlct.org/aboutvlct/vlctnews/.

or year at your convenience; and customize your reports. INSIGHT also provides educational tools on unemployment best practices, preparing for hearings, and checklists for various separation scenarios – all this as a no-cost benefit of your membership in the VLCT UI Trust! We strongly encourage our members to take advantage of this value-added program and the resources and information it provides.

- **Convenience.** Access data nearly 24 hours a day. The data is refreshed every night, making INSIGHT essentially a *live* database.
- **Self Service.** Retrieve data on short notice and print reports on demand. There is no need to wait until the end of the current month or quarter for information. You can even retrieve up-to-the-minute information regarding report periods not yet completed.
- **Combined Reporting.** Data relating to claims activity, hearings, protested/non-protested claims, and compliance are now all available within a single report. You no longer need to receive multiple reports and combine the data in an additional step.
- **Customized Reports.** Configure reports using default report categories or your internal organizational structure. For example, you can create individual reports for each department or for a specific audience within your organization (e.g. financial, human resources, or field operations).
- **Reference Periods.** Compare *current period* to either *previous period* or *same period in prior year*. Retrieve side-by-side comparisons of data. This is especially convenient for cyclical or seasonal em-

ployment when used as an alternative method for analyzing trends and changes in activity levels.

- **Exporting Data.** In addition to printing reports, you can export data into Excel spreadsheets, PDF documents, and a number of other formats.

To preview the system, go to ucm.talx.com and click on "Demo and Tutorial." Please contact Kelley Avery at kavery@vlct.org or at 800-649-7915, ext. 1965 if you have any questions or to sign up for access to INSIGHT.

MARCH TRIVIA

Last month's trivia question – From 1797 till 1967, the responsibility to care for Vermont's poor was administered at the local level. What happened to change that? – was correctly answered by John Adams of Shelburne and Carol Hammond of Vernon, who knew that Vermont's Social Welfare Act repealed town authority to operate poor farms, assigned legal responsibility for the poor to the state, and abolished the office of Overseer of the Poor. Good show!

Meanwhile, in 1894, while Arthur Conan Doyle was visiting a fellow writer in Dummerston, he said, "*the New England rustics watched us from afar, wondering what on earth we were at*"

What newly invented pastime was he referring to?

Email your answer to dgunn@vlct.org. Then tune in to the essentially excellent April issue for the answer.



Easy

Pronunciation: 'E-zee

Function: adjective

Inflected Form(s): eas·i·er; -est

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LEGAL AND REG.

(continued from page 13)

sense who were within the “zoning of interests” sought to be protected by Title VII. Applying this test to the case at hand, the Court found that Thompson fell within this zone because “(h)urting him (Thompson) was the unlawful act by which the employer punished her (Regalado),” and the purpose of Title VII is to protect employees from the unlawful acts of their employers.

Though Title VII applies to only those employers with at least 15 or more employees, all municipalities should be aware of this ruling because the Vermont counterpart to this law (the Vermont Fair Employment

Practices Act, or VFPEA) applies to all municipal employers regardless of their number of employees and would likely be interpreted in the same way. Though the two laws are similar, there are some noticeable differences. For example, VFPEA provides broader statutory protections for employees in Vermont by making it illegal to discriminate in all employment practices on the basis of race, color, religion, sex or national origin and also sexual orientation, ancestry, place of birth age or disability. Also, unlike Title VII, an employee may file a lawsuit under VFPEA without first filing a claim with the enforcing agency (Vermont Attorney General’s office). Like Title VII, however, VFPEA prohibits employers from retaliating against employees for lodging a complaint or cooperating in

an investigation of discriminatory practices. 21 V.S.A. § 495. Though exceptions to both laws exist for lawful discrimination based upon bona fide occupational qualifications or observing the terms of a bona fide seniority system or benefit plan, municipalities can always avoid claims of retaliatory conduct by ensuring a record of regular personnel evaluations to support discharge for good cause.

*Garrett Baxter, Staff Attorney
Municipal Assistance Center*

SURPLUS PROPERTY

(continued from page 1)

saved the Town more than \$75,000. “It’s a great program,” said Blodgett. “It saved us a bundle and it feels good to see some of our taxpayer dollars coming back to the Town in road equipment that will last us a long time.”

You can also look for surplus federal property in U.S. General Services Administration and Department of Defense warehouses across the country. Federal surplus property is posted to GSAXcess, which is found at <http://gsaxcess.gov/>. Log in to the system by entering VTSASP as the user ID and 3394 as the password. You’ll be able to inspect all federal surplus property currently available in the United States. If you find something you want, just email the item control number to bgs-surplus@state.vt.us along with your contact information. It’s first come, first served, so the date of the request often makes the difference. Your cost includes a service fee for federal paperwork processing and all transportation costs. There is no charge for the actual item.

The Surplus Property Program must have a current Application of Eligibility Form for the Federal Surplus Property Program on file in order for you to receive federal surplus property. Completing the application in advance will avoid the potential of missing out on property you want, which could happen if we do not have the paperwork in place in time to meet the pick-up deadline. The required application form is at bgs.vermont.gov/business_services/surplus/forms. Fax the completed application to 802-241-3386.

If you have any questions about the Surplus Property Program, call 802-241-3384, email bgs-surplus@state.vt.us, or visit the warehouse located one mile north of Waterbury Village at 438 U.S. Route 2 next to the Waterbury Flea Market.



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Classifieds

Please visit the VLCT website www.vlct.org/marketplace/classifiedads/ to view more classified ads. You may also submit your ad via an email 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 deadline for submitting 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 advertising, email vlctnews@vlct.org. Information on ad requirements may also be downloaded at www.vlct.org/aboutvlct/vlctnewsletter/advertisinginformation/.

HELP WANTED

Town Manager. The Town of Westminister, Vermont seeks an engaging, energetic, and collaborative town manager. West-

minster (pop. 3,210) is a scenic rural community of 45.3 square miles on the banks of the Connecticut River about 25 miles north of Vermont's southern border. The town consists of three village areas – Westminister Village, North Westminister, and Westminister West – separated by rolling hills, farms, and forests. The town manager reports to a five-member selectboard and is responsible for the day-to-day operations of the town. The town manager supervises nine full-time and one part-time employee, administers a \$1.7 million operating budget, and oversees all personnel, financial, public works, and community relations matters. A full job description is available at Westminister.gov/office.com. A Bachelor's degree is required; Master's degree in public administration or related field preferred. Previous experience in municipal government with emphasis on grant writing and project planning is a plus. Hiring range is \$55,000 to \$65,000 with an excellent benefit package. To apply, please send a cover letter, resume, and three references to Westminister Town Manager Search, c/o VLCT, 89 Main Street, Montpelier, VT 05602. You may also email to charrington@vlct.org with Westminister in the subject line. Resume review will begin on April 4, 2011. (2-9)

Public Works Director. The Town of Brandon, Vt. seeks a highly motivated individual for the position of Public Works Director to direct and oversee the management of the Public Works Department. The Director will plan, organize, implement and supervise activities related to the Town streets and highways, the sanitary sewer system, the storm water system, the town buildings and grounds maintenance and the parks. Requirements: Minimum of an Associate's degree in a related field and at least three years related supervisory experience. Municipal experience a plus. Additional work experience may be substituted for educational experience. This is

a salaried position with compensation of \$45,000 to \$55,000 per year, DOQ. Excellent municipal benefit package included. To apply, send a resume with at least three references to Keith O. Arlund, Town Manager, Public Works Search, 49 Center Street, Brandon, VT 05733, or email to karlund@sover.net. A job description is available by request to the preceding email address. Consideration of applicants will begin March 14, 2011. The Town of Brandon is an Equal Opportunity Employer. (2-9)

Various employment opportunities.

The Town of Waterbury seeks a **Summer Camp Director** to supervise summer day camp for children from June 20 to August 19, Monday through Friday from 8 a.m. to 5 p.m. Extended day, 7:30 a.m. to 5:30 p.m., may be available. Preference given to applicants experienced in supervising children. First Aid and CPR certification required. Pay negotiable (\$15/hour range). No benefits. Waterbury also seeks a part-time (10 hour/week) year-round **Recreation Administrator** to work with the Municipal Manager and Recreation Committee to develop recreation programs for the community. Pay negotiable (\$13/hour range). No benefits. Also needed: **lifeguards, day camp counselors, and laborers for highway, water and wastewater departments.** Applicants must be at least 18 years of age. For an application, visit www.waterburyvt.com/ (Finance & Human Resources). Call 802-244-7033 for more information. To apply, mail completed application to Town of Waterbury, Human Resources, 51 South Main Street, Waterbury, VT 05676, or email to accounting@waterburyvt.com. Equal Opportunity Employer. (2-9)

Wastewater Assistant Chief Operator.

The Town of Castleton is seeking an Assistant Operator for its Wastewater

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NATIONAL PLAYGROUND SAFETY INSPECTOR COURSE

Every three years, the Vermont Recreation and Parks Association hosts a National Playground Safety Inspector course and exam. The next class will be held April 4-6 at the Doubletree Hotel in South Burlington.

According to the Consumer Products Safety Commission, 200,000 children are treated for playground accidents annually. Of these, 70 percent, or 140,000, occur in public parks and school yards. How does your equipment measure up? How many injuries occurred last year on your playgrounds?

The National Playground Safety Inspector course, a program of the National Recreation and Parks Association, is a comprehensive training program on playground hazard identification and risk management methods. Attendees will:

- learn to identify safety hazards on the playground and the steps needed to correct them;
- review risk management techniques and liability problems;
- become familiar with the U.S. Consumer Products Safety Commission Guidelines and the ASTM Standard for Public Use of Playground Equipment Safety, and be able to identify the differences between them and their impact on playground safety.



Attendees who successfully pass the exam will be certified through the National Recreation and Park Association as Certified Playground Safety Inspectors (CPSI) for a three-year period.

The class size is limited so register early. Visit the VRPA website for registration materials, or call the VRPA office at 802-878-2077 if you have questions.



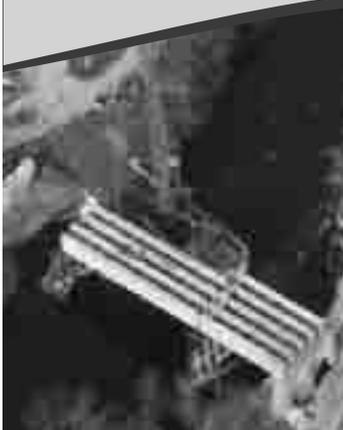
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Main Street Reconstruction, Barre City



Lake Champlain Basin Wetland Restoration Plan



City Center, South Burlington



CLASSIFIEDS

(continued from page 17)

Treatment Facility. Working under the direction of the Plant Supervisor, the Chief Operator performs, directs and adjusts all phases of plant operations, collects data, assists in sludge management and analysis of lab test results, and complies with NPDES permit requirements. Requirements: high school graduate or equivalent; possession of basic mechanical and electrical skills; sufficient education and experience to be State certified to operate a system within two years from date of hire; knowledge of algebra. Excellent benefits package. Apply at the Town Manager's Office (556 Main Street, Castleton) in person between 8 a.m. and 4 p.m. Monday through Friday, or submit a letter of interest with experience and list of references to Charles Jacien, Town Manager, Town of Castleton, PO Box 727, Castleton, VT 05735. Position open until filled. E.O.E. (2-4)

Accounting Associate. The Vermont League of Cities and Towns seeks an Accounting Associate to assist with all duties related to the financial management for the League and its three Insurance Trusts. Responsibilities include entering daily receipts and deposits; creating invoices in Access and integrating to the accounting system; and processing accounts payable and expense reports. Other responsibilities include identifying tax-related transactions and performing month-end reconciliations. Qualifications include an Associate's degree in Accounting (or comparable experience) with a minimum of three years experience in accounting/bookkeeping. Strong communication skills, attention to detail, and Excel software skills are essential. Familiarity with Great Plains Dynamics software, and experience with accounts payable and expense reporting are preferred. A complete job description is at www.vlct.org/marketplace/classifiedads/. To apply, please email a cover letter and resume to jobsearch@vlct.org with Accounting Associate as the subject. (1-26)

Wastewater Treatment Facilities Chief Operator. The Towns of Troy and Jay,

which operate a joint wastewater collection, pumping and treatment system, seek a Wastewater Treatment Facilities Chief Operator. The treatment plant is being upgraded and expanded and will be operational by the end of 2011. The WWTF Operator will be responsible for the operations and maintenance of the operating budget, facilities and equipment of the Troy-Jay WWTF, collection system, pump stations and force mains. Grade III D Vermont WWTF Operators license with 5 years experience in wastewater treatment operations are required. For a complete job description, visit www.jayvt.com. To apply, send cover letter, resume, and 3 letters

of reference (1 personal and 2 work-related) by **March 2, 2011** to townofjay@comcast.net or to Troy-Jay Joint Sewer Board, Jay Town Hall, Chief Operator Position, 1036 Vt. Route 242, Jay, VT 05859. (1-25)

FOR SALE

TW 20 Tractor. The Town of Hyde Park has for sale a Ford TW 20 Tractor, hi/low transmission, 2 SCU units, hitch with center drawbar, 4 nose weights, 115-120 PTO, 42" rear tires. Vehicle is clean and in good condition (\$7,000 in repairs in 2009). \$12,900. For more information, call 802-888-2300. (1-17)

ON-SITE WORKSHOPS

LET THE VLCT MAC STAFF TRAVEL TO YOU!

Since 2005, VLCT Municipal Assistance Center staff have been conducting customized on-site workshops in municipal offices across the state.

Each workshop costs \$800, except VLCT PACIF members receive a reduced rate of \$400. In addition to the program offerings listed below, MAC can, upon request, develop a custom workshop for your specific needs. Please contact Abby Friedman to discuss a possible workshop at (800) 649-7515 or afriedman@vlct.org.

ON-SITE WORKSHOP PROGRAM OFFERINGS:

- Improving the Relationship Between Independent Officers and the Selectboard
- Roles and Responsibilities of Town Officers
- Conducting Effective Selectboard Meetings
- Conducting Effective Tax Appeal Grievances and Hearings
- A Field Guide to the Open Meeting Law and Executive Session
- How to Write a Good Hearing Decision
- The Role of the Manager and the Role of the Selectboard
- An Orientation to Local Government for New Selectboard Members
- Leadership and Management Roles of the Selectboard
- Developing and Managing the Town Budget
- Financial Reporting and Management
- Inter-local Agreements
- Municipal Charter Adoption and Amendment

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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, or email jhill@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.)

March 10, Vermont Interactive Television sites
The Municipality's Role in Public Service Board Proceedings (Sponsored by the VLCT Municipal Assistance Center and Vermont's Regional Planning Commissions)

Start time: 6:30 p.m. Delivered in the evening via interactive television, this workshop will outline the role of municipal government in reviewing and approving telecom-

munication facilities and renewable energy projects. Areas of focus will include actions that trigger review before the Public Service Board and how municipalities engage in this process.

Saturday, March 26, Rutland Holiday Inn
Selectboard Institute I (Sponsored by the VLCT Municipal Assistance Center)

Start time 9:00 a.m. The *Selectboard Institute* is an annual program that focuses on the unique roles and responsibilities of Vermont selectboard members. Designed for both newly elected and more seasoned members, this interactive program allows members to learn from each other's experiences. In 2011, both *Selectboard Institutes* are offered in two locations. Staff members who report to the selectboard are welcome as well.

April 5, Hotel Coolidge, White River Junction
April 7, Middlebury Inn, Middlebury
Conducting Effective Tax Appeals (Sponsored by the VLCT Municipal Assistance Center)

Start Time 12:30 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 at this half-day workshop.

April 26, Middlebury Inn, Middlebury
April 28, Holiday Inn Express, Springfield
Treasurers' Workshop (Sponsored by the VLCT Municipal Assistance Center)

Start time 12:30 p.m. This half-day workshop, designed for newly-elected treasurers and those who want to improve their job skills, will include a review of the statutory duties and responsibilities of treasurers and an introduction to governmental accounting and financial reporting, banking services, payroll, and benefits.

Visit our website www.vlct.org/eventscalendar/upcomingevents/ for the most up to date list of events.