

VLCT NEWS

A PUBLICATION OF THE VERMONT LEAGUE OF CITIES & TOWNS

SERVING AND STRENGTHENING VERMONT LOCAL GOVERNMENTS

October 2011

RECOVERING FROM IRENE WITH PACIF

Many Vermont municipalities sustained severe damage from the heavy rains brought by Tropical Storm Irene on Sunday, August 28, and Monday, August 29. Despite having advance warning, no town could have been sufficiently prepared to prevent the devastation that took place.

Much of central and southern Vermont was simply overwhelmed, and municipal infrastructure and facilities were no exception.

Fortunately, Vermont municipalities covered by the VLCT Property And Casualty Fund (PACIF) program have flood coverage for \$9 million per occurrence, per member. This covers municipally owned buildings, contents, covered bridges, water and wastewater treatment facilities, and vehicles, as well



Burnham Hall in Lincoln, Vermont. Photo by Mark Benz.

VLCT.ORG/IRENE

For the latest in Tropical Storm Irene-related recovery information, please visit <http://vlct.org/irene>. This web page is updated often and lists municipal resources needed, municipal resources offered, detailed information on infrastructure rebuilding, applicable loan programs, state and federal information, including up-to-the-minute FEMA news, and much more.



A culvert on Bull Run Road in Roxbury, Vermont. Photo by Sue Nevins.

as extra expenses necessary to continue municipal operations. Unfortunately, coverage does not extend to roadways, bridges, land, or property in the open. This is a partial summary only; the PACIF Coverage Document alone dictates actual coverage.

We assembled a disaster recovery team to respond to members' needs promptly

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Asked by VLCT members and answered by the League's legal and research staff

FREQUENTLY ASKED QUESTIONS

How does the selectboard temporarily limit motor vehicle travel on town highways?

A selectboard is authorized under 19 V.S.A. § 1110(a) and 24 V.S.A. § 2291(4) to adopt a resolution providing for temporary restriction of the use of town highways. During a state of emergency, additional authority is granted to municipalities to "make, amend and rescind such orders, rules, and regulations as may be necessary for emergency management purposes ... not inconsistent with any orders, rules or regulations promulgated by the governor or by any state agency exercising a power delegated to it by him or her." 20 V.S.A. § 16. Depending upon the urgency of the need, a resolution to close a

highway or bridge could be adopted by a selectboard at an emergency meeting or special meeting, or at a regular meeting – notwithstanding that the resolution was not included on the meeting agenda – either under "other business" or by a motion and majority vote at the beginning of the meeting to amend the agenda.

A copy of the selectboard's resolution should be posted in at least two public places in town and signs should be posted at each end of the closed roads informing travelers of the restriction (e.g., "Road Closed Except to Local and Emergency Traffic"). If these steps are taken, violation of the rules should be enforceable as a traffic offense, and the violator

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

CREATIVE USE OF PACIF SCHOLARSHIPS

Throughout 2011, PACIF has made funds available for members to use for employee training: up to \$500 for each of two individuals or up to \$2,500 for a group of trainees, per member. The training must support public entity risk management and/or safety. The use of these funds is catching on in ways that are both varied and resourceful. Below are some highlights of scholarships granted so far this year.

- The retirement of a detective sergeant meant that the Newport City Police Department would need another officer trained in proper crime scene and forensic evidence collection, handling, and preservation. Although an appropriate week-long training was free, it will take place in New Hampshire – so the department will use PACIF scholarship money to pay for the officer’s meal expenses.
- As in many Vermont communities, the water system of the Town of Essex includes some asbestos cement (AC) pipe. The Town of Essex Public Works Department wanted to make sure its employees were safe when the need for repairs arose, so Essex Town applied for and received not just one but two types of PACIF funding: an equipment grant to help pay for a gas-powered wet saw that cuts AC pipe in accordance with OSHA requirements; and a group scholarship for custom training, which taught 20 employees the safe handling and proper repair procedures required for using the saw and repairing AC pipe.
- The towns of Benson and Fair Haven teamed up to provide three days of Game of Logging (GOL) chain saw safety training to ten of their Public Works employees. PACIF runs certain GOL classes that are open to all PACIF members, but attendance at them is capped at one employee per member per year. By hosting the training and paying for it with their two scholarships, Benson and Fair Haven were able to have several of their employees trained in a single year.
- The fire chiefs of Stowe and Waterbury had discussed the value of trainings offered by Richard Gasaway of St. Paul, Minnesota. Gasaway has 30 years of experience as a firefighter, paramedic, and fire chief, and he now tours internationally giving powerful presentations on emergency services leadership – but his speaking fee is high. The solution? These two fire departments are combining their PACIF scholarships to bring Gasaway to Stowe in November to speak to area fire, rescue, and police personnel on the topic “Fifty Ways to Kill a First Responder: Situational Awareness and Decision Making.”

The committee that evaluates scholarship requests is pleased that applicants are considering various possibilities in putting these PACIF funds to good use. Better yet, some funds set aside for 2011 are still available. To learn more about the program and for a link to an application, go to www.vlct.org/rms/pacif/ and click on **PACIF Scholarships**.

*Joe Damiata, Manager
Underwriting, Safety and Health Promotion
Risk Management Services*

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FAQs

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can be fined up to \$100 for violation of the closure. 19 V.S.A. § 1110(b).

A simple resolution would look like the box to the right:

What can the selectboard do in an emergency if it needs to relocate a bridge or reconstruct a town highway outside the existing highway right-of-way?

If a town highway is made impassable or its width reduced to prevent safe travel, or if a bridge is swept away by a flood, the selectboard is authorized by statute to change the location of the highway or bridge. The selectboard "may take, damage, or affect such land as may be necessary at the location of the slide, or washout, for the purpose of re-establishing, repairing, rebuilding or protecting the highway or bridge, and may proceed immediately to build or rebuild the highway or bridge and open the highway or bridge for work and travel." 19 V.S.A § 935.

The law requires that the selectboard follow procedures in 19 V.S.A. § 923 for giving notice, inspecting property, determining need, awarding damages and satisfying appeals. 19 V.S.A. § 936. That statute provides:

Quasi-judicial process.

In order to protect the rights of property owners and the public, the process described in this section shall be used whenever so provided by other provisions of this title. As used in this section, "interested person" means a person who has a legal interest of record in the property affected.

(1) Notice. Written notice by certified mail shall be given to the property own-

RESOLUTION FOR TEMPORARY HIGHWAY CLOSURE TOWN of _____, VERMONT

WHEREAS, unprecedented weather conditions have caused substantial damage to highways and bridges in the Town of _____, and

WHEREAS the Selectboard has significant concern for the safety of residents of the Town and for the condition of these Town highways and bridges, and

WHEREAS, the Selectboard is authorized under 19 V.S.A. § 1110(a) and 24 V.S.A. § 2291(4) to regulate the use of motor vehicles on Town highways and to adopt rules to prevent damage to Town highways,

NOW THEREFORE, the _____ Selectboard does RESOLVE that all motor vehicle travel on the following Town highways is prohibited, except for local and emergency vehicle traffic, until further notice:

1. Town Highway No. _____, also known as _____ Road from _____ to _____.
2. Town Highway No. _____, also known as _____ Road from _____ to _____.

DATED this __ day of September 2011.

Signed:

Selectboard

er or any interested person describing the proposed activity affecting the property. The notice shall include a date and time when the board of selectmen shall inspect the premises. The notice shall precede the inspection by 30 days or more except in the case of an emergency.

(2) Inspection of premises. The selectmen shall view the area and receive any testimony pertinent to the problem including suggested awards for damages, if any.

(3) Necessity. The selectmen shall decide on the necessity for the activity or work

proposed and establish any conditions for accomplishing it. This includes the award of damages, if applicable. The decision and the reason for it shall be announced within 10 days of the inspection unless formally delayed by the selectmen in order to receive more testimony.

(4) Notifying parties. The selectmen shall notify the property owner and other interested parties of their decision. They shall file a copy of their decision with the town clerk within 10 days of its announcement.

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FAQs

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(5) Appeal. If an owner is dissatisfied with the award for damages he or she may appeal using any of the procedures listed in chapter 5 of this title. Notice or petition for appeal shall not delay the proposed work or activity.

In non-emergency situations, the statute requires written notice be given to the affected property owner by certified mail 30 days prior to an inspection. 19 V.S.A. § 932(1). In situations where such delay is not practical, VLCT advises that the selectboard hold an emergency or special meeting and convene a hearing on the site, giving actual verbal notice of the hearing to the affected property owners at the site. The notice to the property owners should include a verbal description of the relocation or reconstruction activity being considered by the town.

The selectboard should open the emergency hearing, inspect the site, and receive testimony “pertinent to the problem.” 19 V.S.A. § 923(2). After taking this testimony, the board must decide that the proposed activity or work is necessary and establish any conditions for accomplishing the work. 19 V.S.A. § 923(3). In this context, “necessity” does not mean absolute or imperative necessity, but only “a reasonable need which considers the greatest public good and the least inconvenience and expense to the [town] and to the property owner.” 19 V.S.A. § 501(1).

The selectboard’s decision can be made verbally at the conclusion of the hearing, but must be followed up with a written decision that describes the reasons for the work, the statement of necessity, and any conditions for accomplishing the work. The written decision must be filed with the town clerk within 10 days. 19 V.S.A. § 923(4). The selectboard should let the parties know that the written decision will be in the clerk’s office and that the town will also send a copy in the mail.

VLCT recommends that the selectboard withhold any decision on damages until the town’s work has been completed. To this end, the selectboard should announce at the emergency hearing that the hearing will reconvene at a date and time certain (preferably at least 15 days later to ensure that the work has been completed) to take additional testimony regarding damages. The date and time for reconvening the hearing should also be set out in the written decision. At the reconvened hearing the selectboard will take testimony and make a decision regarding the value of the property taken or damaged.

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FALL MUNICIPAL ASSISTANCE CENTER WORKSHOPS

SAVE THE DATES!

WEATHERING THE STORM(S): LAND, WATER AND THE LOCAL ROLE *October 19, Capitol Plaza, Montpelier*

In scope and duration, flooding this year placed unprecedented demands on the state and its communities. This workshop is geared towards local officials and planners involved in protecting floodplains and shorelands as well as those who provide relief services to communities affected by flooding. The workshop will spotlight flood hazard mitigation, comprehensive stormwater management, and the lessons learned from this year’s record flooding.

MANAGING THE MUNICIPAL BUDGET *October 26, Capitol Plaza, Montpelier*

This annual workshop provides an introduction to governmental accounting, strategies for developing and managing the annual operating budget, and tips for managing the politics of the budgeting process.

PLANNING AND ZONING FORUM I *November 2, Capitol Plaza, Montpelier*

Planning officials from around the state will gather to discuss important topics in planning and zoning regulation. Hear from experts on a range of topics that include municipal energy and capital planning, the economic development element in the municipal plan, “Complete Streets” legislation, and other legislative changes that may affect municipal planning.

MUNICIPAL AUDITORS’ WORKSHOP *November 16, Capitol Plaza, Montpelier*

This workshop is designed for newly-elected as well as seasoned municipal auditors. It will include a review of the statutory duties and responsibilities of auditors, a discussion of best practices, plus a review of various audit checklists to help you conduct the annual audit of your town’s accounts.

For agendas, registration and other information, please visit www.vlct.org/events-news-blogs/event-calendar/ or call 800-649-7915 or email info@vlct.org.

VERMONT STATE INFRASTRUCTURE BANK LOAN FUNDS ARE AVAILABLE THROUGH VEDA

Jointly operated by VEDA and VTrans, the Vermont State Infrastructure Bank 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 financing to construct or reconstruct roads and bridges, make safety improvements such as highway signing and pavement marking, make operational improvements such as traffic control and signal systems, and construct rail freight and intermodal facilities.



**LEARN MORE AT WWW.VEDA.ORG
OR BY CALLING 802-828-5627.**



FAQs

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In the short term, how do we pay for flood-related expenses?

In the shortest and most immediate term, a selectboard can authorize transfers of money between line items to make funds available for flood-related expenses. In doing so, the board should make sure that transfer and use of these funds is not legally restricted. The most well-known example of such a restriction is the prohibition against using moneys raised from town highway taxes for other, non-highway purposes. 19 V.S.A. § 312. No such restriction exists the other way (i.e., general fund moneys can be used for highway purposes), but other limitations can apply. For example, there are restriction on the use of conservation funds (24 V.S.A. § 4505), impact fees (24 V.S.A. §5203), trust moneys (24 V.S.A. §2431), water and sewer funds (24 V.S.A §§ 3616, 3313), and grant moneys. The Municipal Assistance Center can answer specific questions about the temporary use of restricted funds for non-authorized purposes.

In the longer term, selectboards have authority to borrow money to pay for current municipal expenses without voter approval, so long as the term of the loan does not exceed one year. 24 V.S.A. § 1786. Under this authority, selectboards should be able to secure a non-revolving line of credit from a lender which the selectboard can draw upon to pay flood-related expenses. As federal and state

reimbursements and insurance settlements become available, they can be used to pay down the line of credit. If at the end of the year such reimbursements and settlements are not sufficient to cover the entire balance of the town's obligation, an appropriation to retire the resulting deficit can be made through the next annual municipal budget or at a special town meeting, or the debt can be refinanced by borrowing or bonding in accordance with the processes set out in Chapter 53 of Title 24. If none of these occurs, the selectboard is authorized, when making up the next annual tax bill, to impose a mandatory deficit curing tax to "provide sufficient revenue to liquidate such deficit." 24 V.S.A. § 1523(a).

Are donations made to a town for emergency management purposes tax-deductible?

Most likely, yes. Municipalities are authorized under 20 V.S.A. § 17(b) to receive donated funds for purposes of emergency management. Under Section 170 of the Internal Revenue Code, charitable deductions can be taken by a person who makes a contribution or gift exclusively for public purposes to any state political subdivision. 26 U.S.C. § 170(c)(1).

Potential donors should review Internal Revenue Service Publication 526 (www.irs.gov/publications/p526/ar02.html#en_US_publink1000229641) and consult with their own tax advisor.

The best person for municipalities to contact with questions regarding charitable deductions is Fran Reina, Specialist for the

IRS Office of Federal, State and Local Governments, at (315) 793-2932.

Is a town legally responsible for repairing private roads damaged in the flooding? Can the town be reimbursed for the cost of repairing private roads damaged by flooding?

Generally, a municipality has no legal obligation to repair or maintain a private road. VLCT advises municipalities to be cautious about voluntarily making repairs to private roads damaged by the flooding, especially if the town expects that it will be reimbursed for these expenses through the FEMA Public Assistance Grant Program. Published FEMA guidance indicates that the agency will not pay to repair private roads, including roads under the control of homeowner associations. See FEMA Public Assistance Guide, Chapter 2: Eligibility, www.fema.gov/government/grant/pa/pag07_t.shtm.

Can the town delay sending out tax bills to give taxpayers affected by the flooding additional time to pay their property taxes?

Yes. Voters are authorized under 32 V.S.A. § 4773 to set the tax due date at town meeting. The controlling statute provides that the town treasurer must mail tax bills to each taxpayer at least 30 days prior to this date. 32 V.S.A. § 4792. However, the statute also provides that if the tax bills are not sent least 30 days prior to the date fixed by the voters, then by operation of law the tax due date is 30 days from the date of mailing the bill to the taxpayer. 32 V.S.A. § 4792. VLCT advises municipal treasurers to first consult with the selectboard before a decision is made to delay sending tax bills.

As a result of the flooding, we anticipate that the town will receive a large number of abatement requests. Can property taxes be abated before they are due?

No. Statue provides that a board of abatement may abate taxes, interest, and collection fees "accruing to the town." 24 V.S.A. § 1535(a). VLCT advises that a board of abatement would not have authority to consider a request for abatement of property taxes until the town has sent out property tax bills. Taxpayers seeking abatements should be advised to wait until tax bills are sent before making their abatement requests.

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

Who's in charge in times of natural disasters?

At the state level, the Department of Public Safety has an Emergency Management

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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



FAQs

(continued from previous page)

Division. The director of Emergency Management is charged with coordinating all emergency management efforts within the state. 20 V.S.A. § 3.

At the local level, each municipality is directed to establish a local organization for emergency management. The selectboard (or mayor) may appoint an emergency management director who is responsible for the organization, administration, and coordination of the local organization for emergency management, subject to the direction and control of the selectboard (or mayor). If no director is appointed, the selectboard (mayor) is the director. The emergency management director is subject to the direction and control of the municipality's selectboard (or mayor). In towns that have a town manager form of government, the town manager is the emergency management director. Each local emergency management organization is charged with performing the emergency management functions within the territorial limits of the town or city, and in neighboring communities under certain circumstances defined by statute. 20 V.S.A. § 6.

"Emergency functions" include "services provided by the Department of Public Safety, fire fighting services, police services, sheriff's department services, medical and health services, rescue, engineering, emergency warning services, communications, evacuation of persons, emergency welfare services, protection of critical infrastructure, emergency transportation, temporary restoration of public utility services, other functions related to civilian protection, and all other activities necessary or incidental to the preparation for and carrying out of these functions." 20 V.S.A. § 2(4). "Emergency management" means the "preparation for and implementation of all emergency functions, other than the functions for which military forces or other federal agencies are primarily responsible, to prevent, plan for, mitigate, and support response and recovery efforts from all hazards. Emergency management includes the equipping, exercising, and training designed to insure that this state and its communities are prepared to deal with all hazards." 20 V.S.A. § 2(6).

Each municipality must participate in the development of an all-hazards plan with the local emergency planning committee and the public safety district. 20 V.S.A. § 6(c). The local emergency planning committee is appointed by the state emergency response commission and should be comprised of representatives from the fire department; local

and regional emergency medical services; local, county, and state law enforcement; media; transportation; regional planning commissioners; hospitals; industry; the national guard; the Department of Health district office; an animal rescue organization; and other interested public or private organizations. This committee is responsible for preparing a local emergency response plan in coordination with the Vermont State Emergency Operations Plan (SEOP).

A local Emergency Operations Plan (EOP) allows individual communities to coordinate disaster responses. A basic EOP includes the following steps in response to an emergency:

1. Establish an incident command structure and make appropriate local decisions.
2. Contact Vermont Emergency Management (800-347-0488 or <http://vem.vermont.gov/>) if additional help or resources are needed.³
3. Alert the general population (e.g., via siren, PA system, door-to-door, etc.) and evacuate as needed.
4. Activate your emergency operations center to support the incident commander as needed.
5. Utilize your delegation of authority.

6. Contact the shelter coordinator to arrange a shelter opening if needed.
7. Expand the incident command structure as needed.
8. Determine if additional operational shift staffing is needed.
9. Conduct damage assessment.
10. Document emergency repairs.
11. Conduct repairs.
12. Conduct an after-action review and develop an improvement plan.

Note that the selectboard may adopt, amend, and rescind orders, rules, and regulations as necessary to carry out emergency management functions within the community, so long as they are consistent with those established by the governor or any state agency exercising a power delegated by the governor. 20 V.S.A. § 16.

It is the responsibility of the director to coordinate all emergency actions within the community. As a practical matter, this means that in an emergency, the director helps to ensure that all of the town services are coordinated. For example, the police and fire departments may need to coordinate with the utility departments.

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SPECIAL END-OF-2011 REQUIREMENTS FOR HEALTH TRUST MEMBERS

A reminder to Health Trust members currently enrolled in CIGNA plans: after December 31, 2011, health insurance eligibility and billing will no longer flow through VLCT's off-site processing center. On or before December 31, all 2011 health insurance premium billing accounts with the Health Trust will be closed. This will occur even for members that choose CIGNA as their carrier for 2012.

Please note:

- Your December invoice will be your last 2011 billing statement from the Health Trust. It will be mailed to you around November 1.
- We will send your **final** Statement of Account, showing your ending balance for the 2011 year, around December 5.
- **You must mail all outstanding payments for 2011 premiums** to the VLCT Health Trust, Inc., at PO Box 39, Montpelier, VT 05601-0039 so they are received **no later than Friday, December 30, 2011.**

It is critical that current accounts be closed for the balance of 2011, so **timely and accurate paperwork is more important than ever.** Please note exactly how this will affect you.

- **All subscriber eligibility changes for the rest of 2011 must be processed before Wednesday, November 30, 2011.** No change/update paperwork may be submitted after November 30.
- Please carefully verify the accuracy of each remaining 2011 monthly billing statement immediately upon receiving it and report any changes or corrections to Kelley Avery at VLCT.
- Please plan ahead to ensure that your complete 2011 premium balance is received at the PO Box 39 address no later than Friday, December 30.

Thank you in advance for your cooperation in this detail of the transition to Carrier Choice (in which all health insurance premium billing and eligibility will be administered directly by your chosen health insurance carrier). If you have any questions, please contact Kelley Avery at 800-649-7915, ext. 1965, or email her at kavery@vlct.org.

PROCEEDING WITH CARRIER CHOICE

With Carrier Choice, the VLCT Health Trust offers members full access to the Vermont health insurance marketplace – with the same plans and rates available elsewhere in the state but with the advantage of a range of additional services. Health Trust members who have

(continued on next page)

Fall is the season of renewal for school, work and ... INSURANCE!

October is the ideal time to prepare for year-end insurance renewals because reviewing your coverages and considering how best to position your municipality for improvement deserves time and attention.

VLCT's three Trusts offer a wealth of products and services that traditional insurers simply can't match — at any price.

Invite your Member Relations representative or a member of VLCT's Loss Control or Underwriting teams to explain ways you can optimize your spending and put the League's array of valuable Risk Management resources to work for your municipality.



MENT SERVICES

CARRIER CHOICE

(continued from previous page)

returned their Broker of Record letters are ready to move forward for a smooth 2012 renewal. Our next steps depend on the size of the member as explained below.

Groups with 50 or more employees:

The Health Trust recently received quotes for 2012 coverage from health insurers. If you haven't already heard from your Member Relations Representative, he or she will be in touch with you soon to schedule a meeting to review the proposals and discuss your options.

Groups with up to 49 employees:

We will soon provide each member with a chart showing the plan(s) that it currently has plus alternative plans available in 2012 that best match its current plan(s). This chart will include the 2012 rates that health insurers filed with the Vermont Department of Banking, Insurance, Securities and Health Care Administration (BISHCA). Even though these rates have not yet been approved by the State and are subject to change, they can serve as a good guide for the time being because the final rates will not likely be higher. Your Member Relations Representative will be in touch with you to discuss your options and develop a renewal plan. We expect to have some excellent plan options available to you.

If you have questions, please call your Member Relations Representative – Larry Smith, Tanya Chambers, or Pam VanDeursen – directly or through 800-649-7915.

Health Trust and PACIF members:

The flood and related stressors can affect a lot more than property! Please remind your employees that they and all of their household members can use EAP's personal, legal, and financial counseling and referral services confidentially and free of charge. Call 1-800-287-2173 any time (24/7) to get started, or learn more by visiting www.investeap.org.



On August 25th, seven of Grafton Fire Department's 11 newest recruits received the first day of a two-day CEVO driver training class with Wade Masure, Senior Loss Control Consultant for southern Vermont. Pictured (l-r) are: Wade Masure, Jason Ballard, Robert Sprague (kneeling), Samuel Rushton, Mark Rushton, Ivor Stevens, Leslie Rogers, and Keltsey Rushton.

2011 RMS CALENDAR

Combined VLCT PACIF and VLCT Unemployment Insurance Trust Annual Meetings. Thursday, October 6, 10:30 a.m. to noon, Northstar 2, Killington Grand Hotel, Killington, Vermont. Preregistration is not required.

DriveSim Demonstrations. Thursday, October 6, 9:00 a.m. to noon, Killington Grand Hotel, Killington, Vermont. If you're attending the VLCT 2011 Town Fair, be sure to visit the white trailer and either watch or "drive" while a trainer runs simulation software that creates the look and feel of a variety of challenging driving situations.

Vermont Safety and Health Council's 2011 Fall EXPO. Wednesday, October 12, 8:00 a.m. to 4:00 p.m., Killington Grand Hotel, Killington, Vermont. See the Events Calendar at www.vshc.org for details.

DriveSim Trainings in South Burlington. Monday to Friday, October 17 to 21. Tucked inside a windowless white trailer is the high-tech, low-risk way to practice maneuvering and making good decisions quickly despite challenging driving situations. The "cab" will be set up for fire truck and snow plow simulation, and an instructor will train preregistered PACIF member employees. To inquire about openings, contact Shawna O'Neill at 800-649-7915, ext. 1935, or soncill@vlct.org.

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STAFF NEWS AND NOTES

New Human Resources Director **Vicki Axtell** comes to us from the Trapp Family Lodge, where she also served as HR Director. Prior to that six-year stint, she performed HR and management duties for Four Seasons Garden Center, FAO Schwarz, and Warner Brothers Studio Stores. Vicki lives in Stowe with her husband, young daughter, and two pooches. She says she's lived a boring life, but don't try to tell that to the Guinness World Records Committee!

They say you can't go home again. But on July 1, **Mike Gilbar**, who once upon a time spent seven and a half years as VLCT's financial guru, *did* return to the League to assume the role of Deputy CFO. And with Katie Walsh's departure last month for the Bostonburbs (another instance of a person going



Vicki Axtell

home again), Mike became Chief Financial and Administrative Officer.

In the VLCT-to-VLCT interim, Mike spent two years as CFO for the City of Nashua, where he managed a \$250 million budget and staff of 65. But once New Hampshire's exotic luster wore off, he became the Burlington School District's Business Manager, attempting, among other things, to improve an IBM financial system that was as old as his entire working career – about one and a quarter light years.

(continued on next page)

TRIVIA

We received but one response to last month's Trivia but it was a doozy. We asked for animals that matched geographical locations in Vermont, and **Shirley Twitchell of Londonderry** supplied the following: Beaver Brook (Irasburg), Beaver Pond (Holland or Mendon), Camels Hump, Cow Pond (Granby), Crow Hill (Danville), Badger Mountain (Caledonia), Bear Creek (Ferrisburgh), Bear Hill (Rutland area), Bear Mountain (Rutland), Buck Lake (Woodbury), Buffalo Mountain (Hardwick), Deer Pond (Halifax), Dog River (Riverton), Eagle Point (Newport), Eagle Pond (Alburgh), Elephant Mountain (Bristol), Horse Pond (Greensboro Bend), Mink Brook (Colchester), Moose River (St. Johnsbury), Otter Brook (Danby), Otter Creek (Belvidere), Pigeon Pond (Groton), Porcupine Ridge (Rutland), Rabbit Island (Rutland), Rattlesnake Mountain (Castleton or Brattleboro), Sheep Hill, Toad Hill (Canaan), Wolf Ridge (Bennington), Woodchuck Hill (Weston), and Woodchuck Hollow (Washington), as well as Bull Creek, Duck Pond (Sheffield), and Turtle Pond (Holland). I would add only Catamount Brook (Mt. Worcester) and Turkey Hill (Northfield or South Stratford). Excellent work! (I couldn't find a rhinoceros, either.) The U.S. Geological Survey can help you impress your friends with scads more geographic nomenclature trivia at <http://geonames.usgs.gov/domestic/index.html>.

Today's query: **What is the standard minimum width of a Vermont road, and when was it established?**

Email your answer to dgunn@vlct.org. Then report back here in a few weeks for the answer in November's somewhat suitable issue.

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STAFF NEWS

(continued from previous page)

On the erstwhile CFAO front, Katie Walsh and her husband moved from Boston to Vermont with the intent of staying five years. Thirteen years later, they finally succumbed to that ol' Beantown allure.

More employmental changes are afoot and will be detailed next time. Meanwhile, good luck, Katie, and welcome, Vicki!

Oh, and you, too, Mike.



Mike Gilbar

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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/events-news-blogs/newsletter-archive/advertising-information/.

HELP WANTED

Bookkeeper/Receptionist. The Town of Bethel has an immediate opening in the Town Manager's Office for a full-time, permanent Bookkeeper/Receptionist. Applicants must have an Associate's De-

gree in Accounting and good public relations skills. Experience with NEMRC Accounting is preferred but not required. Compensation based upon qualifications and relevant experience. For more information regarding job requirements, contact the Town Manager's Office at 802-234-9340 or betheltownmgr@comcast.net. To apply, send a cover letter, resume, and three references to Office of the Town Manager, 134 South Main Street, Bethel, VT 05032. Applications accepted until the position is filled. The Town of Bethel is an Equal Opportunity Employer. (09-14)

Executive Director. The Windham Solid Waste Management District seeks an Executive Director to oversee the District's facilities and operations and manage full- and part-time employees. The Director is responsible for financial budgets, planning, monitoring, and for regulatory compliance. He or she represents the District at federal and state meetings, applies for grants, and evaluates the effectiveness of programs. The District's office and operational facilities are located in Brattleboro. There are currently 13 employees, including an operations manager and public program coordinator. A complete job description is at www.windhamsolidwaste.org/. At least five years in

solid waste management is required. The hiring committee will look favorably on applicants with initiative and innovation in their experience. Salary, \$65,000+ commensurate with experience. To apply, email a resume and references to Lou Brusco, Jr., Chair of the Board of Supervisors (Lbruso@gmail.com), or send a hard copy to Lou Brusco, Jr., Windham Solid Waste Management District, 327 Old Ferry Road, Brattleboro, VT 05301. Position open until filled. E.O.E. (09-02)

Advocacy Associate. The Vermont League of Cities and Towns seeks a Public Policy and Advocacy Associate to represent VLCT before the legislature, state agencies, and outside interest groups. Areas of specialization include public safety, clerks and treasurers, transportation, corrections, economic development, property tax administration, and housing issues. Other duties include fostering relations with state officials and representatives of other interest groups to further action that is beneficial to Vermont local government; writing articles for VLCT publications on legislation, municipal practices, and research results and findings; and using social media (such as Twitter, blogs, etc.) on behalf of VLCT's advocacy efforts. Requirements

(continued on page 15)



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RECOVERING

(continued from page 1)

and effectively. Starting that Monday morning, Claims staff arrived at the office (which was closed to non-essential staff) to begin the crucial work of responding to the numerous calls from members filing claims and seeking guidance in the wake of the damage that Irene spawned.

FAQs

(continued from page 7)

The carrying out of these functions is immune from liability. According to statute, “except in the case of willful misconduct or gross negligence, the ... local emergency planning committees ... involved in ... emergency management activities shall not be liable for the death of or any injury to persons or loss or damage to property resulting from an emergency management service or response activity, including the development of local emergency plans and the response to those plans.” 20 V.S.A. § 20(a).

For more information, contact the Division of Emergency Management, Department of Public Safety, 103 South Main Street, Waterbury, VT, 05671-2101 (802-244-8721 or 800-347-0488). For the Hazardous Materials Hotline, call 800-641-5005.

Who’s in charge when a state of emergency is declared?

On August 27, 2011, Vermont Governor Shumlin declared a state of emergency in anticipation of the damage created by Tropical Storm Irene. This declaration enables the governor to exercise additional powers for as long as he determines the emergency exists. These powers include, among others, assuming direct operational control of all emergency management personnel in the affected areas, coordinating the activities of municipalities with public highways and streets, to prescribe the speed, sizes and weights of motor vehicles traveling in the state, to utilize the services and facilities of the state, municipalities, and its officers, directing local boards of health, to order evacuations, and exercise any other powers and duties as may be necessary to promote and secure the public’s safety. 20 V.S.A. §§ 9, 11. Upon the termination of the state of emergency the governor’s emergency powers cease and the local authorities again resume control. 20 V.S.A. § 17.

*Garrett Baxter, Staff Attorney
Municipal Assistance Center*

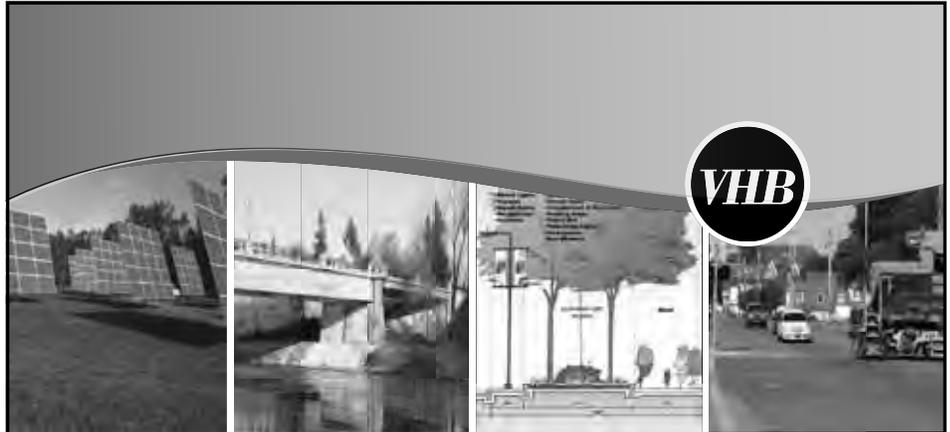
Once an initial scope of affected towns was known, teams of adjusters, structural engineers, and remediation specialists were dispatched into the field to assess members’ losses and assure them that VLCT PACIF was ready to offer resources to help begin the remediation and repairs. In fact, PACIF advanced cash to several towns that had significant damage to municipal buildings to help fund their immediate needs.

Gradually, members are getting municipal matters back in order. Thanks to a prudent reinsurance structure put in place by its board of directors, PACIF remains on sound financial ground, so all member municipalities can rest assured that their property, casualty, and workers’ compensation coverages are secure. Remember, though, that your

employees may still be struggling to put their lives back in order. We urge those who need help in recovering from the secondary effects of a catastrophic disruption to their life or work to take advantage of the access to EAP that PACIF provides — not just to every employee of a PACIF member, but to every employee’s household member as well. By helping individuals tackle their personal issues, EAP can foster a less stressed, more stable workforce for employers. And we can all appreciate stability these days.

If you have not already done so, please immediately report any damage to municipal buildings to the VLCT PACIF Claims Division at 1-800-649-7915.

*Ken Canning, Director
Risk Management Services*



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CLASSIFIEDS

(continued from page 13)

include a college degree with a major in political science, public administration, government or related field; and a basic understanding of local government. A complete job description is at www.vlct.org/assets/Marketplace/advocate_jd.pdf. Salary range, \$34,000-\$42,000. VLCT offers an excellent total compensation package, convenient downtown Montpelier location, great reputation, and great colleagues! To apply, email a confidential cover letter, resume, and names/phone numbers of three references by October 1, 2011 to jobsearch@vlct.org with Advocacy Associate position as the subject. You

may also surface mail your documentation to Human Resources, VLCT, 89 Main Street, Montpelier, VT 05602. EOE. (8-30)

FOR SALE

1999 Chevy Silverado, 4x4, regular cab pickup, automatic, A/C, 146,500 miles. \$1500. No bid required; make written offer. **1997 Freightliner FL-70** with 7-yard dump body, 11' front plow, 11' wing, standard shift, 57,000 miles, needs Cummins motor. No bid required; make written offer. **2001 International 5600**, 4x4 truck with 7-yard Tenco side/rear dump body and sander, 12' Viking front plow and 11' Viking wing, 8 speed, International 530E 315 hp powertrain, A/C,

p/w, heated mirrors, in good condition, 45,500 miles. Minimum bid, \$17,000. Truck to be sold per the town bid policy. Submit bid price, bidder's name, address, and phone number in an envelope clearly marked "5600 Bid" to Town of St. Albans Selectboard, PO Box 37, St. Albans Bay, VT 05481. (09-13)

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Calendar

For more information about the following workshops or events, please call Jessica Hill, Manager, VLCT Administrative Services, at 800-649-7915, or email jhill@vlct.org. You may also visit www.vlct.org/events-news-blogs/event-calendar/ and select a workshop for more information or to register online. Please check back frequently for program updates. Final agendas and online registration are available six weeks prior to the event date. For non-VLCT events listed below, please contact the individuals directly. (The online registration option is available for VLCT workshops and events only.)

October 6, Killington Grand Hotel, Killington
VLCT Town Fair (Sponsored by VLCT, VLCT PACIF, Health and Unemployment Trusts and the VLCT Municipal Assistance Center). Returning to south-central Vermont, the annual Town Fair is Vermont's premier conference for municipal officials, employees, and volunteers.

October 19, Capitol Plaza Hotel, Montpelier
Weathering the Storm: Land, Water, and the Local Role (Co-sponsored by the VLCT Municipal Assistance Center and Vermont Department of Environmental Conservation). This workshop is designed for local officials involved in the planning and development review process, municipal infrastructure and flood hazard management and relief services. Selectboard members, planning commissioners, DRB/ZBA members, zoning administrators, planners, engineers, emergency coordinators, managers, and public works department personnel are encouraged to attend.

October 26, Capitol Plaza Hotel, Montpelier
Managing the Municipal Budget (Sponsored by the VLCT Municipal Assistance Center). This workshop is designed for selectboard members, town managers and administrators, treasurers, finance directors, and auditors. There is perhaps no topic more important to taxpayers than financial management. Come learn what your town can do to ensure a sufficient return on taxpayer dollars.

November 2, Capitol Plaza Hotel, Montpelier
Planning and Zoning Forum I (Sponsored by the VLCT Municipal Assistance Center). Planning officials from around the state will gather to discuss planning and zoning regulation. Hear from experts on a range of important topics that include municipal energy and capital planning, the economic development element in the municipal plan, "Complete Streets" legislation, and other legislative changes that may affect municipal planning.

November 16, Capitol Plaza Hotel, Montpelier
Municipal Auditors Workshop (Sponsored by the VLCT Municipal Assistance Center). This workshop is designed for newly-elected as well as seasoned municipal auditors. It will include a review of the statutory duties and responsibilities of auditors, a discussion of best practices, plus a review of various audit checklists to help you conduct the annual audit of your town's accounts.

Visit our website www.vlct.org/events-news-blogs/event-calendar/ for the most up to date list of events.