

VLCT NEWS

A PUBLICATION OF THE VERMONT LEAGUE OF CITIES & TOWNS

SERVING AND STRENGTHENING VERMONT LOCAL GOVERNMENTS

February 2012

THE NO-LANDER

Brandon Selectboard member and new VLCT Board member Richard Baker claims to be a no-lander. Six generations of Bakers have called Brandon home, however Richard absquatulated from the town for 29 years. (More on that later.) Now that he's back, he reckons his identity rests somewhere between "native" and "flatlander" – i.e., a no-lander.



Richard Baker

But viewing Vermont from both within and without has given this no-lander a singular perspective on local governmental matters. And it swayed him to offer his services to the VLCT Board. Why?

"The short answer," says Baker "is that one of Vermont's strengths is also becoming one of its weaknesses. Most of our local governments – the boards and councils and so forth – are mostly staffed by volunteers. I feel we're at a crossroads of the 18th and 21st centuries. In an earlier, simpler time, there was a more common vision of what a community hoped to achieve. Regardless of the disparate qualifications of the volunteers, they pulled each other up by one another's bootstraps.

"In the 21st century," he continues, "the scope and complexity of local government has greatly increased. As a society, we've become more litigious. So now it matters

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VLCT's 2012 MUNICIPAL CENSUS DUE FEBRUARY 13

Last month, the Municipal Assistance Center sent its online 2012 Municipal Census survey to towns, cities, and villages. This is a friendly reminder that the surveys are due by Monday, February 13. With your help, we can surpass our 2008 response rate of 76 percent and provide a comprehensive report of current municipal policies and practices to members, the public, the legislature, state officials, and others. Thanks to all who have already completed their surveys. If you have any questions, please contact Jonathan Williams at 800-649-7915 or jwilliams@vlct.org.

LOCAL GOVERNMENT DAY IS WEDNESDAY, FEBRUARY 15, 2012

Local Government Day in the Legislature will take place on Wednesday, February 15, 2012, starting at 9:00 a.m. at the Capitol Plaza Hotel in Montpelier. Registration begins at 8:15, or you can register ahead of time by filling out the registration form and mailing it to VLCT. **The deadline to register is February 8.** Registrations received after that date require a \$10.00 late fee per person. If you prefer, you may register online at www.vlct.org/eventscalendar.

VERMONT LEAGUE OF CITIES AND TOWNS
AND THE VERMONT MUNICIPAL CLERKS'
AND TREASURERS' ASSOCIATION
PRESENT:

**Local Government Day
in the Legislature**

Wednesday, February 15, 2012
Capitol Plaza Hotel, Montpelier
9:00 a.m. - 3:00 p.m.

MAKE YOUR
VOICE HEARD
AT THE STATE
HOUSE!

VERMONT LEAGUE
OF CITIES & TOWNS

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THE NO LANDER

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whether or not the people who serve on some of these boards have practical qualifications. The Vermont Legislature is passing rules like Act 115 that have to do with land use and the myriad affairs that influence municipal life. But the qualifications [of board members] are kind of spotty in some towns.”

Baker chose to serve on the VLCT Board because “we have a mission to upgrade where possible and welcome – because it may not be welcome everywhere – the performance of the volunteers on some of these crucial boards. That would make their jobs more meaningful and less frustrating and would also help the people they’re supposedly serving. It would give them the benefit of a more uniform, predictable, equitable, and timely treatment in some of the matters that come before these boards. And,” he adds, “it has almost become a civil rights issue when an applicant in one town with a nearly identical proposal from an applicant in another town is receiving disparate treatment.

“Say you have a municipality with a planning department,” offers Baker as an example. And backing up the volunteers are professional staff who review the developer’s application. The “application still goes to a development review board or a ZBA, but at least in that community, they’re more responsive to the process. Another community may only see a major application every three or four years. Its board may be made up of well intended, nice folks who ask a lot of

questions and seem to be impressed by outside experts and attorneys. But the developer in that town may be going through the process years after the developer in the community next door has opened his doors to business.

“I believe that we have an opportunity – by working with both the legislature and the administration and with our constituent communities – to try to upgrade the process,” he concludes.

Baker’s 29 out-of-state years started with a degree in economics from Oberlin College and graduate studies in city and regional planning at the University of North Carolina at Chapel Hill. Later he worked for the Navy in Washington, D.C., and Saudi Arabia, where he also toiled in the private sector. If you’re keeping track, that was 1982 to 1989. Still later, he wore a Washington consultant’s hat, found employment with the FAA (Federal Aviation Association? Food Addicts Anonymous? Florida Archery Association? He never really specified.), and, in 1994 – at last! – he returned to Vermont.

“Since I’ve been back,” he says, “I’ve served in various appointed, elected, and volunteer positions in Brandon and at the county level. As a selectboard member, I’ve been pestering these people at VLCT for years, so I figured I ought to sign up so they can pester back!”

We *always* welcome the opportunity to pester new VLCT Board members, so we hope this self-sacrificing no-lander will soon feel right at home.

David Gunn
Co-editor, VLCT News

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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.



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ASK THE LEAGUE

BOARD OF ABATEMENT HEARINGS; SPECIAL POLICE OFFICERS

How are board of abatement hearings noticed?

The board of abatement consists of the members of the board of civil authority

(town clerk, the selectpersons, and the justices of the peace), the listers, and the town treasurer. This board has jurisdiction over the abatement of town taxes and town school

district taxes. In contrast to a tax appeal (or grievance), which concerns a challenge to the value of property that was set by the listers, tax abatement is a process by which a taxpayer asks to have his or her taxes lessened, moderated, or diminished, without regard to the actual assessed value. Twenty-four V.S.A. § 1535 provides the board with the authority to abate – in whole or in part taxes, interest, and collection fees accruing to the town in the following cases:

- taxes of persons who have died insolvent;
- taxes of persons who have moved from the state;
- taxes of persons who are unable to pay their taxes, interest, and collection fees;
- taxes in which there is manifest error or a mistake of the listers;
- taxes upon real or personal property lost or destroyed during the tax year;
- certain taxes exempt under 32 V.S.A. § 3802(11); and
- taxes upon a mobile home moved from the town during the tax year as a result of a change in use of the mobile home park land or parts thereof, or closure of the mobile home park in which the mobile home was sited, pursuant to 10 V.S.A. § 6237.

The notice requirements for a board of abatement hearing is the same as those for a meeting of a board of civil authority, except that at least one of the listers must also have personal notice of the meeting. 24 V.S.A. § 1534. Written notice must be given

(continued on next page)



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ASK THE LEAGUE

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to each member of the board of abatement and notice of the hearing must be posted in two or more public places in town at least five days prior to the hearing. 24 V.S.A. §§ 801, 1534. Of course, each taxpayer must also be given written notice of his or her hearing. The hearing notice to all parties should include a copy of the hearing schedule, the board's rules of procedure, and copies of each taxpayer's abatement request forms. For information on managing a large number of requests for abatement hearings please see our article on "Abatement Requests" in the December 2011 edition of the *VLCT News*. A model abatement request form, hearing schedule, rules of procedure, and abatement decision form are archived at www.vlct.org.

[org/events-news-blogs/current-news/model-abatement-forms/](http://www.vlct.org/events-news-blogs/current-news/model-abatement-forms/).

*Garrett Baxter, Staff Attorney II
VLCT Municipal Assistance Center*

What is a special police officer?

The term "special police officer" is found in 24 V.S.A. § 1936 and refers to "temporary police officers" appointed by a legislative body or town manager. 24 V.S.A. §1931(a). The appointing official or body must also outline the term, duties, and compensation for the office in its appointment. In a town without a police department, a special police officer is under the direction and control of the legislative body and may work alongside a town constable to provide law enforcement for the municipality. Before engaging in law enforcement, all special police officers (and, as of July 1, 2012, all town constables)

must have appropriate training in accordance with Chapter 151 of Title 20. 24 V.S.A. §§ 1936(b), 1936a.

Special police officers may be appointed by the legislative body or a town manager when a municipality has a police department "as additional police officers when necessary[.]" A special police officer serves at the direction of a police chief when one exists. 24 V.S.A. §§ 1936(a), 1931(b). All special police officers must take an oath and will hold office for the length of the designated term. All appointments, oaths, and removals must be recorded in the municipal clerk's office. 24 V.S.A. § 1931(a).

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

UPCOMING MUNICIPAL ASSISTANCE CENTER WORKSHOPS

February 22, Capitol Plaza, Montpelier TOWN MEETING TUNE-UP

(Sponsored by the VLCT Municipal Assistance Center)

A parliamentarian's paradise, this annual workshop is designed for moderators and selectboard members, both seasoned and new. It focuses on the statutory requirements for town meeting, "Robert's Rules of Order," and best practices for making it through Town Meeting unscathed. The issue of prayer at Town Meeting will also be discussed.

SAVE THE DATES

March 20, Hotel Coolidge, White River Junction

March 21, Middlebury Inn, Middlebury
Treasurers Workshop

Saturday, March 31, Capitol Plaza, Montpelier

Selectboard Institute I

April 11, Capitol Plaza, Montpelier

Planning and Zoning Forum II

Saturday, April 28, Lake Morey Resort, Fairlee

Selectboard Institute II

May 8, Middlebury Inn, Middlebury

May 10, Lake Morey Resort, Fairlee
Conducting Effective Tax Appeals

May 31, Capitol Plaza, Montpelier

Human Resources Management Workshop

June 7, Capitol Plaza, Montpelier

Municipal Attorneys Forum

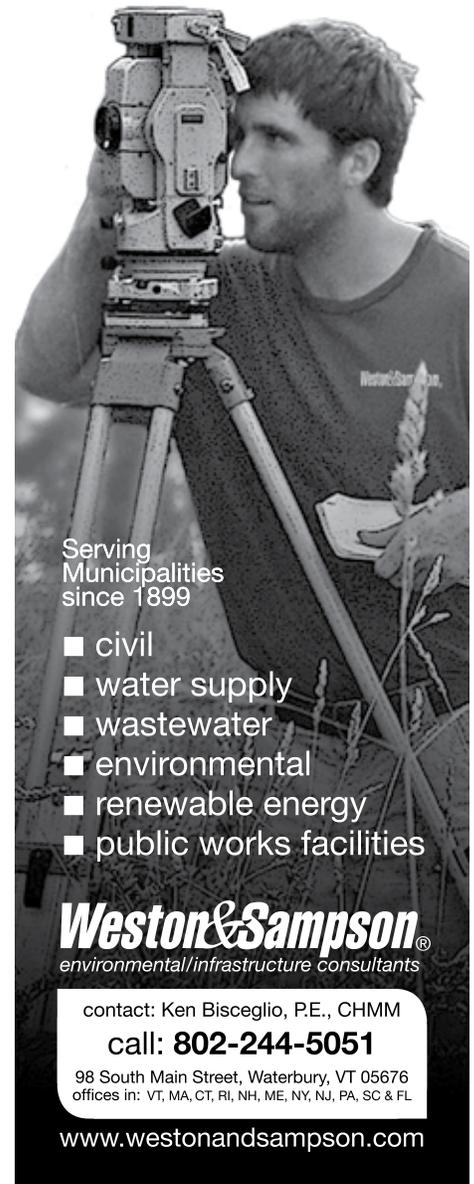
June 19, Capitol Plaza, Montpelier

Finance Symposium

June 27, Capitol Plaza, Montpelier

Managing Municipal Assets Held in Trust

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



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CONFIDENTIAL PROPERTY TAX ADJUSTMENT AMOUNTS

Recently, Vermont town clerks asked Bill Johnson, Director of Property Valuation and Review for the Department of Taxes, to explain the Vermont Supreme Court decision, *In re HS-122*, 2011 VT 138, which found state property tax adjustment amounts confidential under 32 V.S.A. § 3102. Here is his response:

“Pursuant to this decision, both the adjustment amount and the net tax amount (total taxes to be paid after the adjustment) on current and past bills should be treated as confidential. The bill that is mailed to the property owner should continue to show this information, but these two numbers should be redacted whenever a tax bill is given to person other than the property owner (or a person explicitly operating as the owner’s agent). For immediate requests by persons other than the owner, the information can be redacted by using a black magic marker. In addition, the HS-122 report from the Tax Department that contains tax adjustments amounts for all eligible homestead owners in a municipality should be treated as confidential and not provided to persons requesting that information. The adjustment amount and net tax amount must also be redacted from any other documents maintained by a municipality, such as the tax book, before a copy of those documents can be provided to anyone in response to a public record or other request.

“The Tax Department is working with NEMRC to modify the grand list maintenance and tax billing software used by nearly all Vermont municipalities to provide the option of printing a tax bill without the State adjustment and net tax amounts. We will attempt to make this option available with respect to prior year bills as well as bills for the current and future years. We will make this option available to all NEMRC users as soon as possible.

“Another question that we have been asked is whether this confidentiality requirement extends to municipal officials and employees. In its decision, the Supreme Court recognized that the statute requires the commissioner to transfer the HS-122 report to municipalities. Access to the HS-122 should be limited to town officials and employees with a legitimate reason to have it, such as Listers, Clerks and Treasurers, all of whom have an obvious need to work with this information as it concerns an individual owner’s tax assessment. These municipal employees are required to treat the information in the HS-122 as confidential and are subject to the same sanctions as tax department employees if they disclose the information.

“A number of municipalities in Vermont provide a public computer station where lawyers, fee appraisers and the general public can view property tax assessment informa-

tion. If State adjustment amounts and net tax amounts are accessible on a public computer, the municipality needs to take immediate

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WORKPLACE POSTER PACKETS UPDATED

The VLCT Municipal Assistance Center recently reviewed its packet of posters that municipal employers are required to display in the workplace. The only poster that needed to be updated since our last workplace poster packet was the Vermont State Minimum Wage poster, which has been added to our new 2012 poster packet.



The posters cover a wide range of information that the state or federal government has declared mandatory for employees to view in their place of work. Many municipalities choose to display them in a lunchroom or other location where employees often gather. Several sites within one municipality, such as the town garage and the town office, are also commonly posted with duplicate posters. The minimum wage, smoking regulations, parental and family leave, workers’ compensation, child labor, and reinstatement are among the topics covered by the posters.

Many of these posters are available from state and federal government websites. For the convenience of VLCT members, MAC staff determined which are required, reproduced them, and packaged them together for easy compliance with the posting regulations. To purchase a packet, please call VLCT at 800-649-7915 or visit our website’s Bookstore at www.vlct.org/marketplace/bookstore/, where you can place an order online and be billed for the packet.

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



PROPERTY TAX.

(continued from previous page)

steps to delete or somehow redact these two items so that this information is no longer accessible to the general public.

“Municipalities should proceed cautiously regarding release of net taxes information to escrow agencies. A town can release information from the redacted bill (i.e., gross tax amounts before adjustments) to an escrow company but should consider only releasing net bill information after receiving documentation from an escrow company of authorization by the taxpayer to access that information.

“We understand that this decision will create some difficult issues for you and how you administer the property tax. In its decision the Court acknowledged that ultimately it is the Legislature that controls whether this information should be confidential. It is likely the Vermont Legislature will consider this situation in its current session.”

For more information or clarification, contact Bill Johnson at bill.johnson@state.vt.us or 802-828-5867.

MORE BANG FOR YOUR CLEANUP BUCK

Cost-conscious local officials charged with post-Irene cleanup say they will get more bang for their buck hiring Vermont Youth Conservation Corps (VYCC) crews for debris removal, site restoration, fish and wildlife habitat reclamation, and other labor-intensive work. An added bonus is boosting summer employment and job training for local youth ages 16 to 25.

Sharon Selectboard Chairman Brad Atwood says his town expects to hire VYCC crews to remove snarls of debris from buyout sites his town intends to turn into public green space using the Hazard Mitigation Grant Program. “We’ve used VYCC on previous conservation projects,” he says. “The crews do great work and they provide excellent on-site supervising and project management.”

Arlington Selectboard member and Battenkill River Watershed Alliance executive director Cynthia Browning says both her town and her organization have used VYCC crews for cleanup work and planting in the past. “VYCC is a great partner when it comes to getting high-priority conservation work done. I would recommend them to any town with flood cleanup and restoration projects.”

For information about hiring a VYCC crew to work with towns in your area, contact Keegan Tierney at 802-434-3969 ext. 141.

STATE MINIMUM WAGE INCREASE

Effective January 1, 2012, the state minimum wage increased from \$8.15 per hour to \$8.46 per hour. Vermont’s minimum wage supersedes the federal minimum wage, which is currently \$7.25 per hour.

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HEIGH-HO, IT'S BACK TO WORK THEY GO!

An article in last month's *VLCT News* introduced the principles behind providing transitional Return To Work (RTW) for employees injured on the job. Implementing an RTW program retains valuable workers and saves money on Workers' Compensation coverage in the long run. This article provides detailed lists of what an employer needs to do to run a successful RTW program. But first, let's review the value of such a program.

WHY A TRANSITIONAL RETURN TO WORK PROGRAM MAKES SENSE.

Imagine the repercussions of an experienced employee being ill or injured and unable to work. Other employees soon feel the absence not only because their workload increases (or certain tasks are put on hold) but also because someone is suddenly missing from their daily routine. Moreover, as weeks or months pass, the injured employee's habits can easily shift from being structured and

socially active to being laid back and isolated. At some point, even the most dedicated recuperating employee risks getting so out of touch with the workplace that breaking the at-home cycle can become a hurdle, while

“A successful Return to Work plan requires three-way cooperation: it is defined by the **medical provider**, coordinated by the **employer**, and adhered to by the **injured worker**.”

less conscientious people will be happy to take advantage of the situation.

Programs that help employees who have been injured on the job maintain their work ethic benefit not only employees but also employers and, potentially, society at large. The goal is to get the employee working at least part-time again – before he or she gets stuck in a rut – performing medically appro-

priate modified duty tasks. Studies show that a transitional RTW program (1) can result in a faster physical recovery, and (2) returns more employees to their former jobs more quickly than if they were simply expected to report for full duty after a long absence. The most successful RTW programs involve maintaining contact with the employee while he or she is recuperating at home, signing a clear RTW agreement, assigning tasks that have value and allow the injury to heal, and requiring the employee to follow a schedule that helps him or her maintain the habit of working.

THE POWER OF THREE.

A successful Return to Work plan requires three-way cooperation: it is defined by the medical provider, coordinated by the employer, and adhered to by the injured worker. PACIF members can rely on help from our Loss Control and Claims staff for first setting up and then operating a successful RTW program. The Loss Control team, supervised by Fred Satink, has specific experience in anticipating and resolving the challenges that can arise in setting up an RTW program, both within an organization and for designating a medical provider. They can help you define your policy, set up the program, locate a medical provider, and start identifying modified duty tasks. The Workers' Compensation Claims team, managed by Peggy Tucker, will help keep the three parties to the arrangement working effectively together on a claim-by-claim basis.

TO DO LIST FOR LARGE EMPLOYERS GETTING STARTED AND FOR ALL SMALL EMPLOYERS

- **Establish an injury reporting procedure and communicate it to the workforce.** Employees must know both how to report a work-related injury and where to seek appropriate medical care, especially if the employer has a designated medical provider (DMP).

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HEALTH INSURANCE ID CARDS IN HAND?

All Health Trust subscribers should already have received their official 2012 health insurance ID cards in the mail from their carrier (Blue Cross/Blue Shield, CIGNA, or MVP). We urge any members whose employees haven't yet received these cards to notify their Member Relations Representative (Tanya Chambers, Pam VanDeursen, or Larry Smith) immediately to get this oversight resolved.

PROPER PAYMENTS FOR VLCT HEALTH TRUST

By now, all VLCT Health Trust members should have started paying their 2012 health insurance premiums directly to their carrier – Blue Cross Blue Shield, MVP, or CIGNA – with checks made payable to the carrier. **Please do not send payments of any kind to the PO Box 39 Montpelier address.** That mailbox is now closed.

Any Health Trust members who have outstanding health insurance premium balances for the 2011 plan year should make those checks payable to the VLCT Health Trust and mail them to the VLCT office at 89 Main Street, Suite 4, Montpelier, VT 05602. If there is a reason why these payments cannot be sent immediately, please call Kelley Avery to discuss the situation.

As always, payments for wellness related programs – such as flu shots, Heidi's workshops, and pedometer materials – should be made out to the VLCT Health Trust and sent to the 89 Main Street address.

If you have any questions regarding where to send particular Health Trust payments, please contact Kelley Avery at 800-649-7915, ext. 1965.

MENT SERVICES

Welcome New Health Trust Auxiliary Members

Dental Insurance

Winooski Valley Park District

Vision Coverage

Town of Readsboro

Town of Andover

Town of Wallingford

BACK TO WORK

(continued from previous page)

- **Maintain contact with the injured employee while he or she is at home.** This is a crucial part of helping the employee feel truly valued at work and preventing isolation. Keep the personal connection intact with something as simple as a phone call every week to share what's going on at work.
- **Formulate and present the RTW offer.** Once the medical provider has specified the restrictions under which the employee will be allowed to work, the employer composes and offers the employee an RTW plan. If the employee accepts, it is a good idea for the employer to write an agreement that both the employee and employer will date and sign. The PACIF Loss Control team can provide you with guidelines or a sample RTW agreement.
- **Communicate with the medical provider throughout the employee's recuperation.** The employer must understand the medical restrictions in order to identify and assign appropriate work tasks. If the medical provider does not have experience with RTW programs or if there is any confusion about the suitability of a task, ask specific questions or give examples of actual work situations

2012 RMS CALENDAR

DriveSim Trainings. One or two weeks in each of three locations as listed below. Tucked inside a windowless white trailer is the high-tech, low-risk way for municipal drivers to practice maneuvering and making good decisions quickly despite challenging driving situations. An instructor will train preregistered PACIF member employees. To inquire about openings and preregister for any location, call Shawna O'Neill at 800-649-7915, ext. 1935, or write to her at sonell@vlct.org.

January 23-27 and January 30 to February 3

Barre City Public Safety Building,
15 Fourth Street, Barre, 05641

February 13-17

Springfield Police Station
201 Clinton Street, Springfield, 05156

February 20-24

Brattleboro Fire Department (Brattleboro Fire Station)
103 Elliot Street, Brattleboro, 05301

Workplace Violence Prevention Seminar. Wednesday, February 15, 8:30 a.m. to 12 noon, Vermont Dept. of Health, 324 Main Street, Suite 2, Bennington, 05201. Sponsored by the Bennington Area Chapter of the Vermont Safety & Health Council. Workplace violence can range from threats and verbal abuse to physical assaults and even homicide. In most workplaces where risk factors can be identified, the risk of assault can be prevented or minimized if employers take appropriate precautions. Dan Whipple, VOSHA Compliance Assistance Specialist, will review OSHA's guidance on evaluating and controlling violence in the workplace. Dan will be joined by representatives of companies that have implemented effective workplace violence prevention programs. Lunch is included. Cost: free for VSHC members; \$25 for non-members. For more information and to register, go to the Events Calendar at www.vshc.org.

to clearly understand what activities will be acceptable to the medical provider. All of PACIF's Workers' Comp Claims adjusters are accomplished at bridging gaps between medical providers and employers to promote successful outcomes.

- **Identify actual tasks and hours** that are within the medical restrictions. Appropriate tasks will vary depending on both the injury and the employee, so managers need to be broad-minded, and one employee might be able to complete several small tasks. For example, someone with a leg injury could conduct a phone survey, update a database, or download the latest material safety data sheets (MSDSs) from the internet. Someone who can't lift much weight

might be perfect for mowing lawns, filing records, cleaning or painting an area that has long been overlooked, or conducting an inventory or safety audit. Also, an injured employee is a great candidate for classroom or online training. We recommend that the

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Welcome New or Returning Health Trust Members

Brandon Fire District No. 1
Montpelier Housing Authority
Town of Wallingford

TRUST

Medical, Dental, Vision, Wellness
Life, Disability, COBRA
Long-Term Care, Cafeteria Plan

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BACK TO WORK

(continued from page 9)

employer distribute the tasks over time so the employee can work at least some hours every week while ramping up to a full schedule as the healing progresses.

- **Pay the employee for time worked.** Workers' Comp will not cover this cost, but paying even part-time wages will decrease the severity of the claim and provide long-term savings. We recommend that the employer maintain the recovering employee's normal hourly rate to confirm his or her value to the organization. Many small employers can find ways to absorb the payroll costs for an occasional injury. For large employers considering an enhanced RTW program, your Loss Control Consultant can help define options to address funding or budget concerns. For example, it might be appropriate to establish an extra budget line item to promote the program.
- **Monitor the employee's progress with the medical provider.** Stay aware of any changes in the employee's condition and update the tasks or hours (or both) to match the medical provider's guidelines. Consider whether it is prudent to update the written agreement as well.

ADDITIONAL TO DO LIST FOR LARGE EMPLOYERS

- **Adopt a written RTW employment policy.** This will help employees understand their employer's commitment to their wellbeing and to the organization's productivity.
- **Identify and work consistently with a Designated Medical Provider (DMP).** In an ideal RTW world, every employer would be within a 20-minute drive of a physician with experience in Occupational Health and RTW programs. Because Vermont is not ideal that way, we'll help find a suitable practice that agrees to work with you consistently and conscientiously, and you can designate that practice as the provider to treat non-emergent work-related injuries. Supply the medical provider with an accurate description of the employee's normal work tasks. A full-fledged Occupational Health practice will keep

all of your organization's job descriptions on file so its staff can readily identify appropriate and inappropriate activities within a given job.

- **Have each department maintain a list of potential modified-duty tasks.** Instruct managers and staff members to look beyond their day-to-day operations and write down ideas for special projects or loose ends to complete. Imagine what could be possible if someone just had the time, then keep the lists on file so the ideas are handy when an injured employee's work restrictions have been defined. For example, a PACIF municipality with a police department put an injured officer who writes particularly well to work writing a grant proposal. The department might not otherwise have been able to allocate the resources for the project, and the officer developed a new way to use his knowledge of policing.
- **Give department heads permission to assign cross-departmental duties if appropriate.** If the injured employee's department can't put him or her to work, find another department that

can. Employees who cross departmental boundaries can help form stronger bonds within the organization.

- **Negotiate RTW provisions into future labor contracts.** If your organization currently has a union contract with provisions that hinder an RTW program (such as prohibiting cross-departmental work assignments), try to loosen those restrictions in upcoming contract negotiations. VLCT can provide information showing how RTW programs serve the interests of unionized workers as well as municipalities.

PUTTING IT ALL TOGETHER

There are so many differences among employers and workplaces that there is no single out-of-the-box RTW program to unpack and start using automatically. However, enough Vermont employers have established RTW programs that we can share some examples with our readers. Please look in a future issue of the *VLCT News* for how PACIF member municipalities have been putting their recuperating employees back to work.

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




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Tips for making the most of your health benefits

To Your HEALTH



HEALTH ADVOCATE, NEAR AND FAR

Now that Health Advocate has been a resource for VLCT Health Trust subscribers for a full year, we are pleased to announce that it has gained critical acclaim both in Vermont and nationally. Using this benefit is as easy as calling a toll-free phone number to talk to an Advocate who has knowledge and resources to answer questions and resolve issues related to health care and health insurance.

Health Trust Subscribers Make Extensive Use of this Resource. On December 16, 2011, Kate Gaul, the Trust's Health Advocate Account Manager, addressed the VLCT Health Trust Board of Directors and summarized how much and for what types of reasons Health Trust subscribers have telephoned Health Advocate since the benefit became available. Kate presented data from February 1 through November 30, 2011, and although the summary included what kind of information callers sought, no form of the callers' location, identification, or personal information was included.

Overall, said Kate, Health Trust subscribers sought and received much more assistance from Health Advocate than people at its other client companies generally do. Kate thinks this is a result of the efforts of VLCT's Member Relations and Marketing staff in

getting the word out about this resource. Word of mouth from satisfied subscribers apparently played a role as well.

The majority of Health Trust subscribers' calls to Health Advocate fell into two administrative areas: Claims Assistance, such as billing and appeals, and Benefits Education, such as explaining exactly what the caller's insurance plan would or would not cover. Compared to other organizations that use Health Advocate, we had fewer calls asking for assistance in health-related matters such as finding a specialist, prescriptions, health information, and coordination of care. As our subscribers get used to their health insurance plans, we suspect the majority of questions will focus on the medical aspects of their health care.

Health Advocate Wins National Award for Excellent Service. On December 21, 2011, Workforce Management Magazine, a publication directed toward human resource professionals, announced the ten winners of its 2011 Optimas Awards. These awards go to only one company in each of ten categories in the world and are presented in recognition of workforce management initiatives that directly improve business results. The award categories are General Excellence, *(continued on page 14)*

What Some VLCT Health Trust Subscribers Have Said About their Experiences with Health Advocate

"You have saved me untold phone calls, and helped explained to me about my insurance coverage. Thank you."
(October 13, 2011)

"Health Advocate was so helpful to me in resolving my issue. They were instrumental in getting me approved for an out of network provider who is closer to me for a procedure. I live in a rural area and we travel long distances to get to physicians. I recommend them to all my co-workers! Very thorough and professional."
(June 7, 2011)

"Health Advocate was great. My insurance company was being a pain, and requiring me to get all sorts of unnecessary stuff from my health care provider. HA stepped in and in a little more than a month the issue was resolved and I received the proper insurance coverage."
(July 14, 2011)

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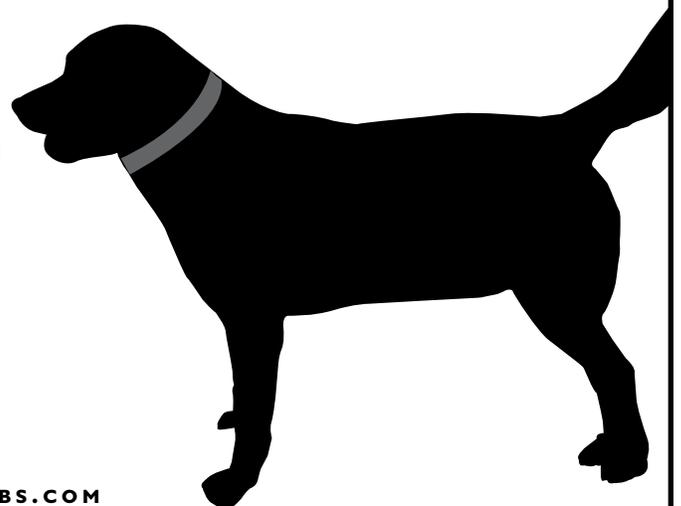
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Classifieds

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

Police Officer. The Town of Windsor, Vermont is accepting applications for a full-time police officer. Successful candidates must know and be able to explain the three core essentials of community policing; be at least 21 years of age; possess a high school education, with preference given to post-secondary education; possess a Vermont driver's license or be able to obtain one; and be a Vermont Criminal Justice

Training Council certified officer (with preference given to full-time certified officers). A combination of education, experience, and acceptable out-of-state training will be considered. The application process includes a written entrance examination as required by the Vermont Criminal Justice Training Council, physical agility test, MMPI (psychological screening), medical examination, oral board review, polygraph and background investigation including criminal, motor vehicle, and financial records checks. The Town of Windsor provides a challenging and rewarding opportunity for officers to professionally develop, a competitive benefits package, and a starting wage of \$37,500. This is a bargaining unit position. To apply, send a letter of interest, resume, three professional references, and a request for an application to Town of Windsor Police Department, Attn: Stephen J. Soares, Chief of Police, 29 Union Street, Windsor, VT 05089. Equal opportunity employer. (12-28)

Economic and Community Planning and Development Director. The Town of Bridgton, Maine, seeks a qualified individual who possesses the credentials and experience to guide the community in its economic and community planning and development activities. The selected individual must be able to work with the Town's Comprehensive Plan and

the various volunteers to achieve demonstrated results. A complete position description and employment application are available at www.bridgtonmaine.org. To apply, send a letter of interest and resume marked "Director" to Town Manager, Town of Bridgton, Three Chase Street, Suite #1, Bridgton, ME 04009. The interview process will commence in mid January though applications will be accepted until the position has been filled. The Town of Bridgton is an equal opportunity employer. (12-27)

Lineman or Apprentice. Barton Village, Inc., is seeking a first class lineman or an individual for the apprentice program in our Electric Department. Requirements: for the lineman, a first class lineman's certification; for the apprentice, the ability to climb with a tool belt and lift 75 pounds. Both positions must be able to attend and complete any necessary schooling that the Village will send them to. Work may be performed in other Village departments not related to the Electric Department. He or she must be able to work with the crew, work on his or her own, work overtime, be available for call outs and emergencies, and grow with our department. This is a full-time position with full benefits available after the probationary period. We offer a competitive wage depending on experience. For more information, contact Brian Hanson at bhanson@bartonvt.com. Applications are available at the Barton Village Office at 17 Village Square in Barton and are **due by February 29, 2012**. Barton Village, Inc., is an equal opportunity employer.

FOR SALE

Refrigerated Sampler. Otter Valley Union High School has for sale a never-used Hach Sigma SD900 all-weather refrigerated sampler for use in wastewater treatment facilities. Can collect and store wastewater samples either indoors or out. The complete data sheet is at www.vlct.org/marketplace/classifiedads/refrigerated-sampler. Asking \$5,900. For more information, contact Nancy Robinson at nrobinson@nesu.org or 802-247-6833, ext. 206. (12-28)



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HEALTH ADVOCATE

(continued from page 12)

Competitive Advantage, Corporate Citizenship, Financial Impact, Global Outlook, Innovation, Managing Change, Partnership, Service, and Vision. The 2011 Optimas Award for Service went to Health Advocate.

"We are honored to receive such a prestigious award and to be recognized for our services globally," said Michael Cardillo, President, CEO, and cofounder of Health Advocate. "This is a great accomplishment for us to be an honoree among some of the most well-respected companies worldwide. This award truly demonstrates our employees'

WORKPLACE SAFETY AWARD

In May, Governor Peter Shumlin will recognize Vermont businesses that have made a major commitment to providing safe work places for their employees. The Governor's Award for Outstanding Workplace Safety will be presented at the annual Workplace Safety Conference at the Double Tree Conference Center in South Burlington on Friday, May 4, 2012. Typically such companies have lower costs of doing business and increased production benefiting both the company and its workers.

The criteria for consideration involves an experience modification (MOD Rate) of less than .90, no workplace fatalities or catastrophic injuries for the past three years, an active Safety Committee that includes both management and workers, and a written safety and health policy. Companies that meet the criteria are encouraged to nominate themselves. Nominees will also be asked how safety has improved their businesses, how they assess their safety program, and how they track improvements.

The deadline for receiving nominations is Friday, March 30, 2012.

The Awards ceremony is part of the annual Vermont Workplace Safety Conference, sponsored by the Vermont Small Business Development Center. Visit www.vtsbdc.org/ to register for both the conference and the award.

hard work and dedication to helping clients and members navigate the healthcare maze using cost effective and seamless solutions."

"The Workforce Management Optimas Awards pay tribute to leading companies that share an aptitude and ability to provide tangible business results through forward thinking workforce initiatives," said Todd Johnson, publisher of Workforce Management. "The winners have brought innovation, discipline and vision to their organizations, and positioned themselves for long term sustainability and vitality for success. As we look at the list of Optimas winners over the course of 20 years, we are proud to note that the majority have stood the test of time and remain some of the true leaders in workforce management practices today," Johnson added.

The excellent service that won Health Advocate this award has apparently been appreciated by Health Trust subscribers. Please see the box on page 12 for a few of the testimonials that Health Advocate collected last year and reported to the Health Trust Board of Directors in December.

To PACIF Members with volunteer fire departments:

Thanks to everyone who helped complete their 2011 roster information for our Assigned Risk underwriting requirements.

We are sincerely grateful for your efforts in meeting a tight schedule while using our new reporting system.

You're the best!

DISASTER RELIEF FUNDING

The U.S. Department of Labor recently awarded disaster relief funding to the Vermont Department of Labor (VDOL). These funds are for towns impacted by any of the three weather-related disasters of 2011 and can cover the cost of labor on projects improving public lands, such as school athletic or recreational fields.

- There are three different time-sensitive grants:
- **Disaster 1** covers damages that occurred between April 23 and May 8. **Deadline to apply: June 19, 2012.**
- **Disaster 2** covers damages that occurred on May 26-27, 2011. **Deadline to apply: August 1, 2012.**
- **Disaster 3** (Tropical Storm Irene) covers damages that occurred on August 27-28, 2011. **Deadline to apply: September 4, 2012.**

Applications are currently being accepted with the understanding that some work may not start until spring. Applications are considered on a case-by-case basis.

VDOL has completed many projects on school recreational fields, state parks, and hiking trails. If you think you have a qualifying project, please contact Judy Bourbeau at VDOL (802-828-5250). Please do not pass up this opportunity to both repair your local community and potentially provide an employment opportunity to a neighbor.



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STAFF NEWS AND NOTES

No new comings or goings this time, but three staff persons scored well-deserved employment advancements.

Garrett Baxter was promoted to **Staff Attorney II** for the Municipal Assistance Center (MAC). Garrett started working at VLCT in 2004 as a MAC Associate. Within two years, he was promoted to Senior Associate, and when he passed the bar in September 2007, he became Staff Attorney I. Garrett will continue to respond to member inquiries, draft and review ordinances and policies, deliver educational workshops and write articles for the *VLCT News*, but now he's entitled to a snazzier computer screen saver and a more commodious waste bin.

Vicky Abare was promoted to **Underwriter** in the Risk Management Services Department. Vicky began her VLCT career in 2003 as Group Services Assistant. In 2006, she assumed the role of Senior Underwriting Assistant, and last February she was promoted to Associate Underwriter. Vicky continues to perform many of the same functions

as Underwriter, but additional responsibilities include visiting members, working with our reinsurance broker, and helping with final pricing. Vicky's computer screen saver doesn't change, however she now is entitled to pencils with erasers on their ends.

Shawna O'Neill snagged the new position of **Member Relationship Coordinator** for the IT Department, where she'll maintain VLCT's membership data, support membership initiatives, and be the ad hoc assistant to the Administrative Services Department. Shawna started at VLCT in 2004 as Production Technician. In 2005 she was promoted to Administrative Assistant for Safety and Health Promotions. During her six years working in Risk Management Services, she has taken on many additional responsibilities and title changes. She most recently was that department's Administrative Assistant. Even though RMS is losing Shawna, her expertise, knowledge, and singular screen savers will be spread throughout VLCT.

Multiple offerings of congratulability to you all!

David Gunn
Co-editor, *VLCT News*

ONLINE LINK FOR *VLCT NEWS* EMAILED SOONER!

With last month's issue, we started a new policy of sending our electronic readers the online link to the *VLCT News* as soon as it gets posted. This link predates the mailing of the newsletter's paper copy by a week or more. Yet another benefit of reading the VLCT News online!

We continue to 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/.

TRIVIA

Heidi Racht, Darlene Johnson, Cher Monteith, Karen Zedick, Marina Cole, Rosemary Morse, Joshua Powers, Jackie Higgins, Ralph Pace, and Shirley Twitchell of **Huntington, Hartford, Newbury, Northfield, Cabot, Berlin, Royalton, Williamstown, Ludlow, and Londonderry**, respectively, knew that Vermonters refused 18 million bucks from the Feds in 1935 to build a Green Mountain Parkway, a roadway running 250 miles along the length of the state. Never mind the work relief for unemployed Vermonters such a project would provide – went the prevailing reasoning at the time – we prefer our autonomy and self-reliance! The referendum went down in flames on Town Meeting Day 1936. Triviaphiles did so well with this historical query that I can't resist another.

When was Vermont's first census, how many towns did it show, and what was the state's population at the time?

Okay, that's three questions, but if you know one answer, you'll probably know the other two, too. If so, email that/those answer/answers to dgunn@vlct.org. Then bide your time till the normally natty March issue arrives to see if you're right.



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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 jbill@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.)

February 15, Capitol Plaza, Montpelier Local Government Day in the Legislature (Sponsored by VLCT and the Vermont Municipal Clerks' and Treasurers' Association)

A special, event-packed day at the Vermont State House for local officials to learn about the status of pending legislation from

VLCT and VMCTA representatives, attend legislative hearings, and speak one-on-one with their representatives and senators.

February 22, Capitol Plaza, Montpelier Town Meeting Tune-Up (Sponsored by the VLCT Municipal Assistance Center)

A parliamentarian's paradise, this annual workshop is designed for moderators and selectboard members, both seasoned and new. It focuses on the statutory requirements for town meeting, "Robert's Rules of Order," and best practices for making it through Town Meeting unscathed. The issue of prayer at Town Meeting will also be discussed.

March 20, Hotel Coolidge, White River Jct. March 21, Middlebury Inn, Middlebury Treasurers Workshop (Sponsored by the VLCT Municipal Assistance Center)

This workshop, designed for newly-elected treasurers and those who want to improve their fiscal skills, will include a review of the statutory duties and responsibilities of treasurers as well as an introduction to govern-

mental accounting and financial reporting, banking services, payroll, and benefits.

Saturday, March 31, Capitol Plaza, Montpelier Selectboard Institute I (Sponsored by the VLCT Municipal Assistance Center)

The Selectboard Institute provides Vermont selectboard members with the skills they need to manage the affairs of their town. Delivered over the course of two Saturdays, the program focuses on the fundamentals of municipal governance and current issues facing selectboards. Topics may include understanding the municipal organization, essentials of municipal law, running effective meetings, managing the town budget, information technology best practices, and how to reduce liability risks. Detailed agendas for both workshops will be available later in January.

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