

VLCT NEWS

A PUBLICATION OF THE VERMONT LEAGUE OF CITIES & TOWNS

SERVING AND STRENGTHENING VERMONT LOCAL GOVERNMENTS

November 2013

TOWN FAIR – AN EXCEPTIONAL DAY IN KILLINGTON

VLCT hosted Town Fair in Killington earlier this month, moving from the Champlain Valley Fairgrounds in Essex last year in order to accommodate members from the southern part of the state. And while in the past we've experienced this 1,200-foot-elevation resort in rain, sleet, and snow, this year we reveled in a spectacular 70-degree day, with the nearby mountains ablaze in fall colors that people from around the world flock here to see.

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L-R, VLCT members vote at the 2013 Annual Meeting; VLCT Executive Director Steve Jeffrey stands with State Treasurer Beth Pearce, who won this year's Town Government Award; a Vermont Health Connect navigator explains the new state health insurance mandate to a Town Fair attendee.

BETHEL'S CITIZENS PLUS: THE FUTURE OF DISASTER PREPAREDNESS?

Bethel, a Windsor County town of slightly more than 2,000, was one of those municipalities hit hard by Tropical Storm Irene in 2011. Roadways and homes were swept away by the powerful waters of the converging branches of the White River, and the pounding rains swelled normally placid tributary creeks to roaring torrents, stranding residents for days without power. The storm caused more than \$7 million in damage to the town and its residents' property.

As the days following the storm crept by, many residents, still without power and unable to communicate with the outside world, grew frustrated with local officials, who were doing their best to respond to a disaster of unprecedented scope that destroyed or damaged much of their town's infrastructure.

David Aldrighetti, Bethel Fire Chief, remembers it well. "I watched how hard the town government and the town manager were working to try and fix everything," he said, "but the people seemed to be really upset that no one was taking care of them."

Eventually, much of Bethel's local infrastructure was repaired, in part thanks to the work of the municipal government and the state. Many agreed, however, that Bethel's response to the disaster, both from its government and its citizens, could have been better.

In stepped Todd Sears, who happened to move to Bethel just ten days before Irene savaged the town. Sears worked with town officials and private residents to create Citizens Plus (C+), a community-wide volunteer

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CITIZENS PLUS

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group dedicated to citizen-led disaster planning and recovery efforts. The initiative has already met with welcome acclaim from Bethel's citizens and many emergency responders. "I think that a key element to what we are doing is that it is homegrown, neighborhood-centric, and utterly personal," he said, citing reasons for the organization's acceptance.

Citizens Plus divides its efforts into three categories: Public Education, Local Self Help (i.e., Neighbor-on-Neighbor Assistance and Situational Awareness), and Institutional Augmentation. In the Public Education component, volunteers visit every household in Bethel and help families to prepare for a future natural disaster or large-scale emergency. Local Self Help divides Bethel into a number (8-10) of neighborhood zones or clusters of households, each with a designated geo-lead who lives and operates in that zone. This model establishes a reporting/command chain through which information can quickly flow into Bethel's First Responder's command structure and thence into the town's Emergency Operations Center. Institutional Augmentation enables Bethel's Emergency Management Director to fill in any gaps of the town's Incident Command System and other emergency service systems with well-trained volunteers.

Since the inception of Citizens Plus, the Bethel Selectboard has been briefed twice on its development. According to Sears, "The

municipal government has been on board from Day 1." That sentiment was echoed by Selectperson William Hall. "The Selectboard is very supportive of the Citizens Plus initiative," he said. "It is important that citizens be prepared for emergencies and it is important that people have a plan for dealing with the aftermath of an emergency. C+ does that in such a way that involves people directly in the process. The formation and development of C+ has gone a long way toward making people feel comfortable that the town will be better prepared in the event of a future event."

Chief Aldrighetti continues to serve as a liaison with and an active participant in the group.

Currently, Citizens Plus organizers are training volunteers, often using online FEMA courses. Over the next couple of months, Citizens Plus volunteers will continue to visit every home in town to discuss possible emergency preparations and responses. The effectiveness of Citizens Plus remains to be seen, but municipal oversight and community buy-in coupled with efforts at transparency look to keep the group on the path to local, effective disaster mitigation. Concluded Sears, "We believe that if we can help to enable simple and small improvements in attaining positive outcomes in the wake of disaster, then we are doing good work. If our impact is greater than simple and small, then all the better."

For further information on Citizens Plus, contact Chief David Aldrighetti at 802-353-6433 or bethelvtfire@comcast.net.

*Jonathan Williams, Associate
VLCT Advocacy and Information*

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ASK THE LEAGUE

NUMBER OF VOTES FOR EXECUTIVE SESSION; TOWNS ELIMINATING THE OFFICE OF LISTER

How Many Votes are Needed to Enter Executive Session?

A majority of the members of the public body "present."

Executive session is a limited statutory exception to Vermont's Open Meeting Law. A selectboard may vote to enter into an executive session at any time during an open meeting when the topic to be discussed meets the criteria in 1 V.S.A. § 313(a). The motion must state the nature of the business

to be discussed in executive session and the result of the vote must be entered into the minutes. No other matter may be discussed in the session until the board comes out of the session and is again in open meeting. Minutes of an executive session are not required.

Ordinarily, a municipal public body cannot take action unless a majority (one more than half) of the entire membership of its body (e.g., a quorum) agrees. The controlling statute reads, "(w)hen joint authority is given to three or more, the concurrence of a majority of such number shall be sufficient and shall be required in its exercise." 1 V.S.A. § 172. For example, if a selectboard has five

members, three are needed to hold a meeting ["a gathering of a quorum of the members of the public body..." 1 V.S.A. § 310(2)] and all three must agree in order to take any action. Voting to enter executive session represents a special exception to this rule. "No public body described in section 312 of this title may hold an executive session from which the public is excluded, except by affirmative vote ... of a majority of its members present in the case of any public body of a municipality or other political subdivision." [Emphasis added.] 1 V.S.A. § 313(a). Contrast 1 V.S.A. § 172, which necessitates the vote of "a majority of such number" to take action,

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SAMPLE PROJECTS:

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



ASK THE LEAGUE

(continued from previous page)

with 1 V.S.A. § 313(a), which requires only the vote of “a majority of its members present” to enter executive session. The addition of the word “present” lowers the threshold for action. Sticking with our five-member selectboard, while three would still be needed to constitute a meeting, only two of those three members would be needed to vote in the affirmative for the board to enter executive session.

Why the relaxed standard for entering into executive session? Reviewing the nine reasons for entering executive session reveals that all share one common attribute – the exercise of a little discreetness on behalf of the board: contracts, labor relation agreements, etc. where premature public knowledge could place the municipality or person involved at a substation disadvantage; a disciplinary or dismissal action against a public officer or employee; academic records or suspension or discipline of students; testimony in a parole proceeding; information protected from disclosure, etc. Recall as well that “no formal or binding action shall be taken in executive session except actions relating to the securing of real estate options ...” so all a board will be able to do is simply talk about these issues. It will still have to come out of executive session to take formal or binding action, which itself will still demand the concurrence of a majority of the total membership of the board.

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

Our town would like to hire an assessor. Can we eliminate the office of lister?

Yes. Towns and cities can adopt a charter provision to eliminate the office of lister and allow the appointment of an assessor. Last session, under Act 21, the Vermont Legislature gave municipalities another option to replace the board of listers with a “professionally qualified assessor” without adopting a charter. To do so, a town must approve an article at the annual town meeting to eliminate the office. A vote to eliminate the office of lister will remain in place until a municipality votes otherwise. Forty-five days later – or once the selectboard appoints an assessor, whichever comes first – the term of any existing elected listers will end. An appointed assessor can be a contractor or an employee of

the municipality and need not be a resident of the town. When a municipality’s charter requires the election or appointment of listers, it must continue to do so until the charter amendment process is used to take advantage of this new statutory authority. 17 V.S.A. § 2651c.

Appointed assessors have the same responsibility as a board of listers. He or she will carry out all property assessment responsibilities, set the grand list, and hear grievances. Also, his or her decisions are appealable to the board of civil authority. 17 V.S.A. § 2651c (b)(1).

If your town wants to take advantage of this authority, it can use the following

sample article for the annual town meeting warning:

“Shall the voters authorize the elimination of the Office of Lister and replace it with a professionally qualified assessor appointed by the selectboard who shall have the same powers, discharge the same duties, proceed in the discharge thereof in the same manner, and be subject to the same liabilities as are prescribed for listers or the board of listers under the provisions of Title 32?”

(Note: this vote requires a ballot vote.) 17 V.S.A. § 2651c (b)(1).

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

UPCOMING MUNICIPAL ASSISTANCE CENTER WORKSHOPS

FALL SELECTBOARD INSTITUTE

Saturday, November 2, DoubleTree Hotel, Burlington

(Sponsored by the VLCT Municipal Assistance Center)

This new workshop will expand our training on the unique roles and responsibilities of Vermont selectboard members. We will discuss timely town meeting preparation topics, including drafting articles, preparing the warning and dealing with petitioned articles, as well as how to prepare and manage the annual budget. In addition, we will review employee termination and ordinance adoption and enforcement. Designed for both newly elected and seasoned selectpersons, this highly interactive workshop allows attendees to learn from each other’s experiences.

FALL PLANNING AND ZONING FORUM

Tuesday, November 19, Capitol Plaza Hotel and Conference Center, Montpelier

(Sponsored by the VLCT Municipal Assistance Center)

Meet with planning officials to discuss emerging and important topics in planning and land use. Join us to hear from experts on a range of topics that include responding to requests for and managing public records, the new flood resilience town plan element, a review of the requirements of H.520 that addresses Building Energy Standards and the responsibilities of administrative officers, and an update on Vermont Neighborhood Development Areas and other designation programs.

PROTECTING YOUR INCREASINGLY INSECURE DATA – INFORMATION, TECHNOLOGY AND SECURITY FOR MUNICIPALITIES AND SCHOOLS

Wednesday, December 11, Capitol Plaza Hotel and Conference Center, Montpelier

(Sponsored by the VLCT Municipal Assistance Center, VLCT PACIF, and the Vermont Association of School Business Officials)

Is your electronic data secure? How can you be sure? These days, every function in municipal government has data stored on a computer somewhere, either at the town office or in the “cloud” or even on a laptop a telecommuting employee takes home. Come hear experts from banking, academia, and business discuss cutting edge technology and data security and describe what municipal officials need to know and how to make sure their computer systems are secure.

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



Brief updates on Vermont's changing legal and regulatory environments

LEGAL AND REGULATORY NOTES



HOUSING SUBSIDY COVENANTS; RESTORING HIGHWAYS PRIOR TO RECLASSIFICATION

Vermont Supreme Court Holds Housing Subsidy Covenants do not Create Property Tax Exemptions

Gillian Franks owns an affordable housing unit in the Town of Essex that is subject to a housing-subsidy covenant. Franks appealed the assessed value of the unit. State Appraiser Merle Van Geison concluded that the existence of a housing-subsidy covenant *does not* automatically lower a property's fair market value, and found that the covenant did not negatively affect the value of Franks' property.

Kathleen Margaret owns a house in Rockingham that is also subject to a housing-subsidy covenant. The house sits on land owned by Rockingham Area Community Land Trust, which leases the land to Margaret. The

trust appealed the assessed value of the Margaret property on her behalf. State Appraiser Norman Wright concluded that the existence a housing-subsidy covenant *does* automatically lower a property's fair market value. Wright then reduced the assessed value of Margaret's property.

Both cases were appealed to the Vermont Supreme Court, where they were consolidated. *Franks v. Town of Essex*, 2013 VT 84. The central issue in both cases was whether 32 V.S.A. § 3481(1) compels an automatic reduction in property tax valuation for all parcels subject to a housing-subsidy covenant. The Supreme Court held that an automatic reduction is not required. Instead, the statute demands an individualized consideration of the effect a particular covenant has on a property's fair market value. Appraiser

Van Geison's decision was affirmed. Appraiser Wright's decision was reversed.

Under 32 V.S.A. § 3481(1), a property's estimated fair market value is defined as "the price which the property will bring in the market when offered for sale and purchased by another, taking into consideration all the elements of the availability of the property, its use both potential and prospective, any functional deficiencies, and all other elements such as age and condition which combine to give property a market value." 32 V.S.A. § 3481(1). In 1997, the statute was amended and since that time municipal listers and assessors have been specifically instructed under 32 V.S.A. § 3481(1) to include in the calculation of estimated fair

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MAC's consulting team consists of:

- **Bill Hall, Senior Financial Consultant**
- **Doug Hoyt, Municipal Law Enforcement Consultant**
- **Brendan Keleher, Municipal Management and Finance Consultant**





LEGAL AND REG.

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market value “a consideration of a decrease in value in nonrental residential property due to a housing subsidy covenant. ...” *Id.*

The housing-subsidy covenants at issue in this case are designed to help maintain affordable housing. The covenants are typically executed by lower-income homebuyers as a condition for the receipt of a purchase subsidy from the Vermont Housing and Conservation Board and other affordable housing organizations. A housing-subsidy covenant may include, among other things, restrictions on use, resale price, tenant income and rents, as well as limitations on the income of a purchaser of a housing unit for his or her own residence. See 27 V.S.A. § 610(b).

According to the Court, an automatic decrease in the estimated fair market value of property subject to a housing-subsidy covenant is not warranted by the language of 32 V.S.A. § 3481(1). Rather, listers and assessors must make an individualized analysis of a covenant’s specific terms and the market context. The statute “require[s] listers to be mindful of the potential market impact of the housing-subsidy covenants that often accompany these grants. In doing so, however, the Legislature did not impose an affirmative duty on all town residents to personally subsidize these properties at the local level by forcing neighbors to shoulder a disproportionate share of the cost of education and municipal services.”

In a dissent, Justice Robinson agreed with the majority’s holding that 32 V.S.A. § 3481(1) does not compel an automatic

reduction in property tax valuation for all parcels subject to a housing-subsidy covenant, but instead demands an individualized consideration of the effect a particular covenant has on a property’s fair market value. However, such an individualized consideration “will necessarily lead to some reduction in value in the overwhelming majority of cases.” According to Justice Robinson, the benchmark for determining the estimated fair market value of property subject to a housing-subsidy covenant “is the amount an individual buyer would pay to purchase the property subject to the various restrictions that apply, and is not the total unrestricted

value the property would have in the absence of the covenant.”

The decision is archived at http://info.libraries.vermont.gov/supct/current/op2011-359.html#_ftnref6.

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

Vermont Supreme Court Holds Town Not Required to Restore Highway Prior to Reclassification

David Demarest and Jeffrey Moulton own real property adjacent to Town Highway 26

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ON-SITE WORKSHOPS

LET THE VLCT MAC STAFF TRAVEL TO YOU!

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

Each workshop costs \$825, though VLCT PACIF members are eligible for a reduced rate of \$415 for many of the topics listed below (except for land use). PACIF members may also be eligible for a PACIF scholarship, which can cover the cost of the training. Please call PACIF Loss Control at 800-649-7915, or visit www.vlct.org/rms/pacif/pacif-scholarships/ for more information on the program. In addition, MAC can develop custom workshops upon request. To discuss or schedule a workshop, please contact Abigail Friedman or call 800-649-7915.

ON-SITE WORKSHOP PROGRAM OFFERINGS:

- Improving the Relationship Between Independent Officers and the Selectboard
- Roles and Responsibilities of Town Officers
- Conducting Effective Selectboard Meetings
- Conducting Effective Tax Appeal Grievances and Hearings
- A Field Guide to the Open Meeting Law and Executive Session
- How to Write a Good Hearing Decision
- The Role of the Manager and the Role of the Selectboard
- An Orientation to Local Government for New Selectboard Members
- How to Respond to a Public Records Request
- Developing and Managing the Town Budget
- Financial Management, Internal Controls, Fraud Risk Assessment
- Inter-local Agreements
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- Many specific topics for local land use boards

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VERMONT WATERSHED GRANTS PROGRAM

The Vermont departments of Environmental Conservation and Fish and Wildlife have released a notice of grant funding associated with the 2014 Vermont Watershed Grants Program, which offers Vermonters an opportunity to carry out projects that contribute to the protection, restoration, and enjoyment of waters through state grant funding.

Funds are available for projects that protect or restore fish and wildlife habitats, protect or restore water quality and shorelines, monitor fish and wildlife populations and/or water quality, reduce phosphorus or nitrogen loading and sedimentation, enhance recreational use and enjoyment of a watershed,

educate people about watershed resources, or identify and protect historic and cultural resources.

Municipalities, local or regional governmental agencies, nonprofit organizations, and citizen groups are eligible to receive grant money for work on public or private lands. While individuals and state and federal agencies are not eligible to receive funds directly, they may be partners of a project.

For 2014, the Vermont Agency of Natural Resources (ANR) has created three project type categories. The total Watershed Grant Program funding available this year is \$100,000 and will be distributed approximately equally amongst the categories. The

maximum per grant amount varies according to the project category. In the aftermath of recent storm events, ANR is especially interested in education and practical outreach concerning watershed flood resiliency and implementing measures to protect or restore stream/river corridor habitat. A new, interim flood resiliency planning website (www.tinyurl.com/floodresilience) has been created to amass and share data.

Applications are due by Friday, November 22, 2013. Details are at http://www.anr.state.vt.us/dec/waterq/lakes/html/lp_watershedgrants.htm. (Scroll down to Application Information.) For more information, contact VLCT Water Resources Coordinator Milly Archer at marcher@vlct.org.

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PUBLIC OFFICIALS: DOCUMENTATION IS INDISPENSABLE

Documentation is a critical function not to be overlooked by a governing body. Failure to document decisions and actions is a primary exposure for public officials' liability. Too often, decisions are made in government but go undocumented – opening the entity and the individual up to a potential claim. Public Officials Liability (POL) coverage is a standard part of PACIF, yet having it is no excuse for being lax, and PACIF doesn't cover every instance. Consistent documentation is a crucial part of an effective defense, and a single loss can increase the municipality's coverage costs for five years or more. One example of a decision that a governing body must document is voting on a planning and zoning permit: there needs to be a record of not only the vote but also why the permit was approved or denied. Equivalent records should be kept for budgetary issues and employee hiring and firing. Documenting decisions and actions is not a habit for most people, but elected officials must form this habit to show due diligence and to help protect themselves and the municipality from unnecessary risk.



IT'S CHANGING TIME AGAIN

Only a few months ago, road crews were taking plows off their trucks, as shown in this photo of Benson Road Foreman Daryl Burlett getting ready to release the pins and remove a wing blade one day last April.

Now it's time to put the plow blades back on again, and reattaching wings and plows can be especially dangerous. **Of the 105 PACIF claims involving injuries to municipal highway crew members** between January 1, 2012, and October 10, 2013 (less than two winters), **10.5 percent involved plow setup or maintenance.** These injuries are usually of two types: strained shoulders or backs from pulling the heavy wing blade into position, and badly cut or crushed fingers that were pinched while getting the parts aligned. Use common sense to make this process as safe as possible. For example:



- Pay close attention to keeping people's body parts out of the "pinch points."
- Have at least two people, so one can guide the parts together while the other uses a safe way to jockey the plow and coupling into position.
- If possible, use a sensible mechanized way to maneuver the blade into final position to reduce the amount of manual force that needs to be applied.

We urge employers to support your employees in working safely!

TRIVIA

Jane Fletcher, Heidi Racht, Bill Basso, and Louise Luring from Brattleboro, Huntington, Mount Tabor, and Saxtons River, respectively, knew that the minimum depth to bury an infant under four years of age "below the natural surface of the ground" in Vermont is 3½ feet. Bravo e brava! No one answered the ancillary question – Where is Vermont's only for-profit cemetery? – because I forgot to include it. But it was a trick question anyway. There is no for-profit cemetery in Vermont.

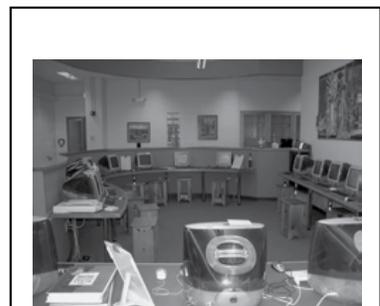
On Wednesday, August 3, 1927, the image of a man dressed in buckskin and leaning on a rifle appeared in Bennington, Vermont. Why?

Sure, it has something to do with Vermont's sesquicentennial, but what? If you know the answer, notify the Triviamonger at dgunn@vlct.org. The answer will appear in the naturally newsy November issue.



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2014 RENEWAL FOR UI TRUST

At the Unemployment Insurance (UI) Trust Annual Meeting at Town Fair, UI Trust Board President Kathleen Ramsay made two announcements that will please Trust members: overall rates are remaining stable for the second year in a row, and the UI Trust Board of Directors voted to return \$400,000 to members as contribution credits – a nearly 40 percent increase over last year's credits (\$287,250)!

“Overall rates” refers to the average contribution rate across the entire UI risk-sharing pool. For 2014, as for 2013, the average UI Trust member's rate is 1.9 percent of its payroll. Individual members will, as always, find that their own rate and contribution may be higher or lower than the pool-wide average because of his or her group's particular unemployment claim experience or payroll changes.

Members will receive their 2014 statements and initial invoices for the UI Trust 2014 renewal by mid-December of this year. Each member's bill will also indicate his or her portion of the \$400,000 in contribution credits. If you have any questions about your 2014 renewal statement or the above information, please contact Kelley Avery at 800-649-7915, ext. 1965, or kavery@vlct.org.

EYEMED OPEN ENROLLMENT STARTS NOW

November is the start of the open enrollment period for EyeMed Vision Care® vision wellness plans through the VLCT Health Trust. Open enrollment – which runs from November 1 to December 13 for an effective date of January 1, 2014 – is when employees of members that have EyeMed who have not enrolled previously may enroll, and groups wishing to add EyeMed coverage as a new benefit for employees may do so. The Vermont Health Connect Exchange plans offer only minimal pediatric vision coverage and no adult vision coverage at all, so now may be the perfect time to consider offering EyeMed vision wellness plans for your group.

Below are just a few of the services provided through EyeMed:

- Continued access to your current independent provider.
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- 40 percent discounts off an additional pair of prescription eyewear with no same day or same doctor purchase required.
- Access to national retail chains such as LensCrafters, Pearle Vision, Target Optical, Sears Optical, and JC Penney Optical.

(continued on next page)

2013 RMS CALENDAR

OSHA Course 3095 Electrical Standards. 8:30 a.m. to 4:30 p.m. November 5-8, 2013, Windjammer Conference Center, South Burlington. Presented by OSHA Training Institute Education Center, Region 1. Tuition: \$855.00 per person includes lunch daily. Pre-registration required. Obtain registration form and additional location information at www.OSHAedcenter.com or contact the OSHA Training Institute Education Center at 800-449-6742.

Vermont Forklift Train the Trainer Classes. Three dates and locations listed below. Presented by Landrock E&S Consulting, Inc. of Plattsburgh, N.Y. Did you know that (V)OSHA requires that all fork truck operators be trained by a “qualified person?” This forklift training is designed for powered lift truck operators in manufacturing, construction, and retail. A complete overview of 29 C.F.R. 1910.178 (V)OSHA standards will be followed with a discussion on load balance, characteristics and truck components, engineering design, fueling, and fundamentals of operation, with a hands-on forklift safety inspection. This course is primarily a train-the-trainer seminar and can be used to fulfill the classroom component of (V)OSHA requirements. \$150 per person fee includes lunch and valuable handouts. For more information or to register, contact Bruce Gray at Landrock@verizon.net or 518-562-1462.

- 8:30 a.m. to 3:00 p.m., Thursday, December 19, 2013, Asa Bloomer State Office Building, Rutland;
- 8:30 a.m. to 3:00 p.m., Thursday, January 9, 2014, Vermont Technical College, Blair Park, Williston; and
- 8:00 a.m. to 2:30 p.m., Tuesday, February 11, 2014, North Country Chamber of Commerce, Plattsburgh, New York.

MENT SERVICES

EYEMED ENROLLMENT

(continued from previous page)

- Contact lens fit and follow-up appointments no longer come out of the materials benefit.
- Customer service available seven days a week.

Information about the Health Trust's three vision plans and enrollment forms are located at www.vlct.org/rms/health-trust/vision-coverage. For any questions regarding the EyeMed plans, coverage, or providers, or to enroll your group, please contact Kelley Avery or your Member Relations Representative at VLCT at 800-649-7915. We look forward to continuing to provide you with the best value for you and your employees.

CORRECTION RE: PEDIATRIC DENTAL COVERAGE

In our October article, "2014 Dental Coverage for Dependents," which discussed pediatric dental care being included in the plans on the Exchange (Vermont Health Connect, or VHC), we wrote "in the Exchange plans, the costs of routine dental care – such as regular cleanings, exams, fluoride treatments, x-rays, and sealant application – all count toward the medical deductible." That was apparently true at the time. However, we have since learned it is *not* true for three of the 18 plans offered on the Exchange. In the Standard category and listed under the "Deductible Plans" heading, the Platinum, Gold, and Silver plans offered by Blue Cross Blue Shield do not require the deductible to be met in order for routine pediatric dental benefits to be covered.

We apologize for the confusion! Please understand that we are providing information about VHC as it becomes available to us. For instance, as this November issue goes to press, the most definitive information available to us is that the three MVP plans that equate to the affected BCBSVT plans still require the deductible to be met before routine pediatric dental benefits will be covered. We will let you know if this detail changes. Thank you for your patience.

If you have any questions about this information, please feel free to call your Member Relations representative or Kelley Avery at 800-649-7915. We will do our best to answer you accurately!

Welcome Back to the Health Trust!

**As of October 1, 2013,
the Village of Northfield
the Town of Enosburgh
the Town of Randolph.**

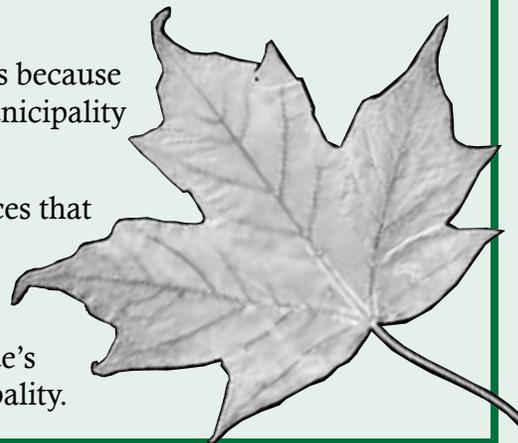
PACIF Members

If you have yet to complete and return your Renewal Application, please do it **today**, to help keep your invoices accurate for the year. Thank you!

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 to position your municipality for the best possible outcome deserves time and careful attention.

VLCT's three Trusts offer municipality-focused products and services that provide the best value proposition for Vermont local governments. Invite your Member Relations representative or a member of VLCT's Loss Control or Underwriting team to your next meeting to explain ways you can optimize your spending and put the League's vast array of Risk Management resources to work for your municipality.



TRUST

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

UI TRUST

Administration, Education
Claims Management
Advocacy, Appeals



Do you know what these symbols mean?

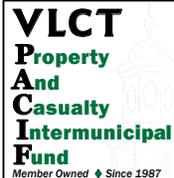


More important: Do your employees who handle chemicals know?

PACIF Online University has updated its Hazard Communication course to meet OSHA/VOSHA's new GHS-compliant Standard 29 CFR 1910.1200. That's very good, because all employees who work with or near hazardous chemicals must be trained in the new VOSHA standard by December 1, 2013.

PACIF member employees can visit www.vlct.org/rms/pacif/pacif-online-university or call Jim Carrien at 800-649-7915 for help getting started.

Train Any Time, Any Place, Any Pace



LEGAL AND REG.

(continued from page 7)

(TH 26) in Underhill. In 2001, the Underhill Selectboard reclassified portions of TH 26 as a legal trail. As required by statute, the selectboard provided public notice, conducted a site visit and public hearing, and voted to order the reclassification. In fact, the selectboard complied with all of the statutory procedures for reclassifying the highway to a legal trail, except that it forgot to record the reclassification order in the Town land records, as the law requires.

Following the 2001 reclassification attempt, the Town curtailed maintenance of TH 26 and its condition deteriorated significantly in the following years. Nine years later, in February 2010, interested persons filed suit against the Town asserting that the reclassification of TH 26 was ineffective because the selectboard had failed to record the reclassification order. The litigants sought a court order declaring the 2001 reclassification ineffective and requiring Underhill

(continued on page 16)

WHAT DO MORE AND MORE VERMONT MUNICIPALITIES HAVE IN COMMON?

US.



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Member FDIC 



Health Advocate™ has Exchange Savvy!

If your group IS IN the VLCT Health Trust,

Health Advocate is already able to help your employees understand how their current coverage and cost sharing will compare to the plans on Vermont's new health insurance Exchange (VHC).

If your group IS NOT in the Health Trust,

you can enroll in Health Advocate à la carte right away so your covered employees can get help understanding their options on Vermont's new health insurance Exchange (VHC). *

Health Advocate answers questions and helps resolve problems related to medical insurance billing, covered services, treatment options, getting appointments with busy specialists, coordinating care among multiple providers, and much more. **Health Advocate is not an insurer or a medical provider**, but its employees have experience in these fields and are skilled at untangling issues that can confound the rest of us. **One call to Health Advocate can save hours of struggling with unfamiliar terminology or bureaucratic red tape – or both.**

The VLCT Health Trust contracts with Health Advocate to help subscribers receive the full benefits of their health insurance without being distracted from their busy lives at work and at home. **Personal Health Advocates know about the plans available on VHC and can anticipate the ins and outs of different plans and payment situations.** They cannot enroll anyone on VHC and they won't advise on what plan choice is best, but they will help callers understand the choices they are faced with so they can identify which 2014 VHC plan will best meet their needs.

** If your group isn't in the Health Trust but enrolls in Health Advocate for 2014 at our à la carte rate of \$1.55 per employee per month, you'll get it, with its Exchange savvy, FREE for the rest of 2013.*

Call VLCT Member Relations at 800-649-7915 for more information.





TOWN FAIR 2013

(continued from page 1)

VLCT hosted 460 local officials, speakers, and exhibitors. Workshops ran the gamut from new road and bridge standards to capital planning and budgeting to improving community resilience through digital tools. But what if we held a workshop and nobody came? Alas, it happened to the PACIF Jeopardy! Game, which had the misfortune to be up against Health Insurance Reform, Municipal Dog Control, plus two other workshops, all of which *were* well attended. (However, the hard work that went into the game's preparation won't have been in vain because we plan to feature the game at future League events).

The League's Risk Management Services (RMS) department, which operates the three self-insurance pools, put a distinct emphasis on sharing information about Vermont Health Connect (VHC). Throughout the day, the Vermont Chamber of Commerce had Navigators on hand to talk about VHC in general and to hold



Vermont League of Cities & Towns **TOWNFAIR2013**

individual appointments in which employers at least *tried* to start registering on the VHC website. In the session titled "Health Care Reform: What Do I Have to Do *Now?*" VLCT staff, local officials, and several audience members shared their small groups' experiences with deciding how to provide a health insurance benefit and using VHC. In an afternoon session that was added late to the original schedule, RMS Deputy Director Dave Sichel answered even more VHC-centric questions from a room full of attentive attendees.

Another morning session accommodated the annual meetings of the Unemployment Insurance Trust, the Property and

Casualty Intermunicipal Fund (PACIF), and the Health Trust, in turns. In each meeting, members listened to year-in-review reports from the auditor, each respective board president, and the Director of RMS. PACIF members also considered and approved several bylaw changes which will bring PACIF's rules for the qualification, appointment, and compensation of directors and for the Board President's term length into better alignment with VLCT and the other Trusts. Each trust's annual meeting concluded with the election of Directors for the ensuing year. The directors of each Trust as well as of VLCT are posted on our website, www.vlct.org/aboutvlct/boards/.

At the annual turkey luncheon, the VLCT membership honored State Treasurer Beth Pearce with the 2013 Town Government Award. The award is given to a Vermont citizen who is not a local official but who has shown an exceptional awareness of the problems of local government and has demonstrated an active commitment to strengthening local government. VLCT paid tribute to Pearce for her concern for the welfare of stricken Vermont municipalities as they recovered from recent weather-related disasters. In 2011 and again in 2012, Beth developed a financial assistance package to help ease municipal financial stress in the wake of Tropical Storm Irene. Additionally, the Treasurer's Office, under Beth's leadership, continuously touches the lives of most municipal employees in administering the Vermont Municipal Employees Retirement System and has made customer service a top staff priority.

Much of the afternoon was devoted to discussing, amending, and adopting the 2014 Municipal Policy at VLCT's annual meeting. Cities and towns are units of general government. Thus, the subjects thrashed out were those that VLCT Advocacy covers during the legislative season: transportation, public safety, finance and intergovernmental affairs, and quality of life and environment. The policy, once adopted, guides

(continued on next page)

Want to have a say in VLCT's 2015 Municipal Policy?

Send a voting delegate to the 2014 annual meeting, which will take place next October at Town Fair in Essex. The following municipalities sent delegates to Killington this year:

Barre Town	Ferrisburgh	Randolph
Bennington	Grafton	Richmond
Bethel	Hartford	Rockingham
Braintree	Hubbardton	Roxbury
Brighton	Jamaica	Royalton
Bristol	Killington	Rutland City
Brunswick	Lincoln	Rutland Town
Burlington	Ludlow	Ryegate
Cabot	Middlebury	Saint Albans City
Calais	Milton	Saint Albans Town
Castleton	Montpelier	South Burlington
Cavendish	Moretown	Springfield
Charlotte	Mount Holly	Swanton
Chelsea	Newark	Vergennes
Colchester	North Hero	Vernon
Dorset	Norwich	Waitsfield
Dover	Orwell	Waterbury
East Montpelier	Pittsford	West Rutland
Fair Haven	Plymouth	Wilmington
Fayston	Proctor	Windham



TOWN FAIR 2013

(continued from previous page)

VLCT's efforts on behalf of cities and towns in the legislature and when communicating with the Governor's administration and Vermont's Congressional delegation.

Sixty cities and towns sent voting delegates to represent them at the annual meeting. (See box below left.) Among topics discussed, the membership affirmed its support for sustainable funding for the Transportation Fund and local highway aid. Members also reiterated their frustration at the education funding system's inability to adequately fund municipal budgets. However, most of the meeting was spent on language that would establish VLCT's policy in the ongoing debate of siting electric generation facilities. After much passionate discussion that highlighted both sides of the issue, the membership adopted the following language: "In the Certificate of Public Good process, the [Public Service Board] should give "substantial consideration" to municipal concerns and determinations by holding hearings in any municipality potentially affected by a proposed project. The PSB should include all local decisions concerning the project within the PSB docket, formulate areas of inquiry based on concerns raised in the local hearing process, and require any decision to address local concerns raised in local determinations and adopted municipal plans."

The annual meeting concluded with the election of directors to the VLCT Board. There is one vacancy, which the Board will fill later this fall.

*Karen Horn, Ione Minot, and David Gunn
VLCT Town Fair Writers Project*



Town Fair Photos

Top to Bottom:

Attendees begin arriving at half past the crack of dawn to get a head start on Town Fair activities.

Montpelier City Manager and VLCT Board Director Bill Fraser chats with one of the 65 exhibitors.

Roxbury Town Clerk and VLCT Board Director Tammy Legacy congratulates State Treasurer Beth Pearce, who won VLCT's Town Government Award for 2013.

Newark Planning Commissioner Mark Whitworth speaks at VLCT's Annual Meeting as VLCT Board of Directors President Hunter Rieseberg and VLCT Executive Director Steve Jeffrey consult Robert's Rules of Order.

One exhibitor demonstrates streamside erosion, which is of paramount interest to Vermonters affected by recent weather-related events.



LEGAL AND REG.

(continued from page 12)

to repair TH 26 to its 2001 condition and maintain it as a town highway.

In response to the maintenance lawsuit, the selectboard undertook a new reclassification proceeding for TH 26. It once again provided public notice, conducted a site visit and public hearing, and voted to order the reclassification. In its new reclassification order (duly recorded in the land records we presume), the selectboard decreed that TH 26 should consist of three separate segments – a class 3 town highway, a class 4 town highway, and a legal trail.

Not satisfied with the outcome of the second reclassification proceeding, Demarest and Moulton appealed the selectboard's order to superior court. While that appeal was pending, the superior court ruled in the original maintenance litigation that the selectboard's 2001 reclassification order for TH 26 was ineffective because the Town had failed to record the order in the Town land records. The superior court then stayed further action in the maintenance litigation, pending resolution of Demarest and Moulton's reclassification appeal. Ultimately, the superior court upheld the selectboard's 2010 order to reclassify TH 26.

Dissatisfied with the superior court's decision, Demarest and Moulton appealed to the Vermont Supreme Court (*Demarest and Moulton v. Town of Underhill*, 2013 VT 72), where they presented several arguments. First, they argued that the superior court erred in failing to follow the process set forth in 19 V.S.A. §§ 740-743. These statutes require that when a party is "dissatisfied with the laying out, altering, or resurveying of a highway" and appeals to superior court, the court is obligated to "appoint three disinterested landowners as commissioners, to inquire into the convenience and necessity of the proposed highway, and the manner in which it has been laid out, altered, or surveyed..." 19 V.S.A. § 741. After making inquiry into the selectboard's decision, the commissioners report back to the court with their findings. The superior court is free to "accept or reject the report in whole or in part" and "by its own order or decree may establish, alter, resurvey or discontinue the highway, and may render judgment for the appellants for any damages as they have severally sustained." 19 V.S.A. § 742.

Addressing this argument, the Supreme

Court noted that its holding in *Ketchum v. Town of Dorset*, 2010 VT 49, has made clear that reclassification decisions do not fall within 19 V.S.A. §§ 740-743 and that appeals of reclassification decisions are subject to on-the-record review by the superior court under Rule 75 of the Vermont Rules of Civil Procedure. On-the-record review is to be utilized in all reclassification appeals, regardless of the class of the highway.

Next, Demarest and Moulton argued that the superior court should have stayed their reclassification appeal while the underlying maintenance case was decided, reasoning that the 2010 reclassification decision should have occurred in the context of what the road conditions would have been had the Town not allowed TH 26 to deteriorate. Otherwise, they argued, the selectboard was simply "parlay[ing] its breach of duty into a justification for municipal action manifestly designed to ratify its breach after the fact."

The Supreme Court rejected this argument as well, observing that the original attempted reclassification of TH 26 in 2001 and the Town's subsequent lack of maintenance had not been challenged by anyone for nearly a decade. Now Demarest and Moulton were seeking to require Underhill to return TH 26 to its 2001 condition before the selectboard considered again whether to reclassify it. But it was appropriate for the selectboard to base its 2010 reclassification decision on the condition of TH 26 as it was in 2010, not as it might have been in 2001. "There is no legal requirement that a town must conduct all necessary maintenance before it can reclassify its roads, and there is no showing that the Town acted unreasonably or arbitrarily in not conducting maintenance between 2001 and 2010," said the Court, and the relevant evidence in the case supported the Town's decision to reclassify TH 26 in 2010.

The decision in *Demarest and Moulton* contains several lessons for Vermont municipalities, the most important of which is to make sure that every step of the statutory process for reclassifying a town highway is followed. From noticing the selectboard's hearing and site visit to recording the final order of reclassification, the statutory process must be adhered to. Any procedural misstep can provide those dissatisfied with the selectboard's reclassification decision an opportunity to challenge the decision in court. In this case, if the Underhill Selectboard had simply recorded its 2001 reclassification order in the Town's land records as 19 V.S.A. § 711 requires, two costly and protracted lawsuits would have likely been avoided.

The *Demarest and Moulton* decision also reinforces the Court's holding in *Ketchum v. Town*

of Dorset, 2011 VT 49. All highway reclassification decisions, regardless of the class of the highway, are subject to on-the-record review by the superior court under Rule 75 of the Vermont Rules of Civil Procedure. The primary question for the reviewing court is not whether it would decide differently on the reclassification but whether, based on the evidence contained in the record, a reasonable person could have reached the same decision as the selectboard that the "public good necessity and convenience of the inhabitants of the municipality require the highway to be ... reclassified." 19 V.S.A. § 710. This is good for municipalities in that the reviewing court will give significant leeway to the local reclassification decision and will uphold the local decision if the correct standard was applied and credible evidence supports the selectboard's conclusion.

The downside to Rule 75 on-the-record review is that it naturally places a greater focus and emphasis on process – giving proper notice, holding a fair hearing, issuing a clear decision, and creating a complete record to support that decision. Here, a court will be far less forgiving to local decision makers. Again, procedural missteps can provide those dissatisfied with a selectboard's reclassification decision an opportunity to challenge the decision in court. This risk is heightened in a Rule 75 appeal.

In the end, however, *Demarest and Moulton* is a very favorable decision for Vermont towns. The Underhill Selectboard undoubtedly made a critical mistake when it failed to record the 2001 reclassification order for TH 26 in the Town's land records – one mistake that probably resulted in tens of thousands of dollars in legal fees for the Town. But the selectboard was able to fix that mistake in 2010 by going through the reclassification process again. In doing so, the selectboard was able to consider the condition of TH 26 as it existed in 2010 and was not obligated to restore TH 26 to its 2001 condition. Had the courts held otherwise, evidence in the case indicated that the cost to Underhill in culverts, bridges, and gravel could have easily exceeded \$100,000.

The decision is archived at <http://info.libraries.vermont.gov/supct/current/op2012-403.html>.

Jim Barlow, Senior Staff Attorney
VLCT Municipal Assistance Center



CLASSIFIEDS

Please visit the VLCT website www.vlct.org/marketplace/classifiedads/ to view more classified ads.

VLCT NEWS Advertising Information

The *VLCT News* is published eleven times per year – the August and September issues are combined – and reaches readers no later than the first week of the month.

Two kinds of advertising are available in the *VLCT News*:

CLASSIFIEDS

(Posted online and also placed in the printed VLCT News)

The *VLCT News* publishes classifieds 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.

While there is no deadline for posting classifieds online, the print advertisement deadline (below) applies to classifieds that run in the printed VLCT News.

Classifieds are generally limited to 200 words due to limited space in the newsletter, but they may be longer when posted online. The online version can also include hyperlinks to images or other websites.

For more information on placing classifieds, contact classifieds@vlct.org.

DISPLAY ADS

(Placed in the printed VLCT News)

The deadline for submitting display advertisements is the first Friday of the month prior to the issue date.

Download a calendar of print deadlines or read information on print ad requirements and prices at www.vlct.org/advertising-information.

For answers to specific questions about print advertising, email vlctnews@vlct.org.

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.

HELP WANTED

Technology Systems Engineer. The Town of Colchester is seeking a Technology Systems Engineer to provide system administration and support for servers, virtual infrastructure, enterprise programs, and networks. Ideally, the candidate will have a minimum of three years of relevant experience with Microsoft Windows Server, Exchange Server, VMware, VPN and VOIP. The Engineer must be a hands-on self-starter and team player and be customer focused. A complete job description is posted at www.colchestervt.gov under Opportunities/Job Openings. Salary, \$60,000-\$67,000, with a full benefits package. To apply, please email a resume to slabarge@colchestervt.gov by **Tuesday, November 12, 2013**. EOE. (10-11)

Working Foreman. The Town of Bennington is seeking qualified candidates for a Working Foreman in its Highway Department to begin in January 2014. The Foreman reports to the Highway Superintendent and Town Manager. Requirements: high school diploma; at least five years' experience in heavy road construction; knowledge of heavy equipment and commercial vehicles; a clean CDL driver's license; computer skills and exceptional people skills; management experience; and must be willing to work after hours. Candidate skills must include project planning and layout, scheduling, on-site coordination, and employee scheduling. Submit letter of interest and resume by **Thursday, November 21, 2013**, to Michele Johnson, Human Resources Administrator, Town of Bennington, PO Box 469, Bennington, VT 05201. Equal Opportunity Employer. (10-07)

Fiscal Analyst. The Town of Milton seeks a qualified Fiscal Analyst. This highly responsible and varied fiscal administrative position requires excellent organizational skills. The Analyst is responsible for calculating, verifying, posting, and balancing financial transactions for various

aspects of the Town's accounting and financial management system and a variety of reports utilizing data processing equipment. Working within clearly established systems and procedures, the Analyst exercises independent judgment to document and record financial transactions. This is an AFSCME Union position, level 12 on the Salary and Wage schedule, with an hourly pay range of \$15.55 to \$17.40, based on qualifications and experience. Requirements: considerable knowledge of bookkeeping principles, methods, and procedures; knowledge of computer software programs and applications for financial management; ability to apply financial policies, procedures, and accounting principles to varied work; ability to communicate orally and establish and maintain effective working relationships; ability to perform arithmetic computations quickly and accurately; and ability to maintain financial records and to prepare standard reports and information from those records and ability to independently seek assistance from outside sources in completing these reports. Education and Experience: Associate's degree with courses or experience in bookkeeping and modern office practices and at least three years of

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prior experience in accounting or financial recording keeping; familiarity with computer software for financial recording with education or training in computer science desired; in lieu of the above, any equivalent combination of training and experience that provides the listed knowledge, abilities and skills may be considered at the discretion of the Town. An employment application and job description are available in the Town Manager's Office. You may also download the application from www.miltonvt.org/jobapp.pdf. To apply, submit a completed employment application and resume to Human Resources Coordinator, Town Manager's Office, 43 Bombardier Road, Milton, VT 05468. Position open until filled. EOE. (10-04)

Zoning and Planning Director. The Town of Manchester (pop. 4,391) has a long-standing commitment to zoning and planning. The current Planning Director/Zoning Administrator is leaving after 24 years of excellent service to the Town and its residents. The Town Plan, zoning bylaws, and internal processes are in excellent condition. Manchester, which comprises 42.67 square miles, has 32 municipal employees and an operating budget of \$4.2 million. Requirements: Bachelor's degree in related field strongly preferred but candidates will be considered on overall experience, qualifications, education and training; Master's degree in related field and AICP accreditation preferred; evening and weekend work;

must be able to work in a team environment while functioning independently without support staff. This management-level position requires a strong commitment to public service and customer service as well as an excellent work ethic. Please refer to the job description, posted at http://manchester-vt.gov/job_postings/director-zoning-and-planning, for more details regarding duties and responsibilities. Salary range, \$50,000 to \$65,000, commensurate with experience and education, with an attractive benefit package. Visit <http://manchester-vt.gov/jobs> for an application, job description, and other information about the position. To apply, submit an application, resume, letter of interest that explains the candidate's qualifications and experience, and references to Matthew L. Daskal, Director of Operations and Human Resources, at m.daskal@manchester-vt.gov, or mail to Town of Manchester, 6039 Main Street, Manchester Center, VT 05255. Applications accepted until position is filled. EOE. (10-02)

Town Manager. The Town of Eliot, Maine, is seeking qualified applicants for the position of Town Manager. Eliot is an attractive coastal river community in southern Maine with a year-round population of 6,260. The town has a municipal operating budget, excluding schools and county, of \$5 million. Eliot recently voted to hire its first Town Manager with the change to a Selectmen/Town Manager/Town Meeting form of government with a five-member Board of Selectmen and approximately 30 full-time employees. The Board of Selectmen is seeking an individual with strong financial

management skills, strong managerial and leadership skills, and an understanding of local Maine government operations. Good communication, public relations, personnel management, and computer skills are necessary assets for the new Town Manager who will need to collaboratively coordinate, plan, and implement Eliot's new form of government with the Board of Selectmen, staff, and its citizens. A detailed job description is available at the town office or online at www.eliotmaine.org. Salary commensurate with experience; excellent benefits package. Requirements: Bachelor's degree in Public Administration or related field (Master's degree preferred); five years' senior management experience (preferably in municipal government); or any equivalent combination of education and experience that demonstrates the candidate possesses the required knowledge, skills, and abilities. Applications must be received by **Friday, November 1, 2013**, by hand, USPS, or other carrier. To apply, please send a cover letter, resume, and three professional references to Eliot Town Manager Search Committee, 1333 State Road, Eliot, ME 03903. Eliot is an Equal Opportunity Employer. (10-01)

Transfer Station Manager. The Town of Littleton, New Hampshire, seeks a qualified Transfer Station Manager to supervise, organize, and coordinate the daily operations of the Littleton Transfer Station and Solid Waste Department with assigned staff. Duties: ensuring facility activities are in compliance with all laws, Littleton town policies and goals, and NHDES/EPA rules and regulations; continuously demonstrating an effort to improve operations, streamline work processes, work cooperatively with other town departments, and provide quality customer service; implementing the safe, efficient operations of the integrated waste management facility including budget preparation, purchasing, marketing recyclables, public education, operating machinery/heavy equipment, and maintenance of the buildings and grounds; contracting for services and equipment maintenance; acting as liaison to residential, industrial, and commercial waste generators in town; overseeing staff performance evaluations; preparing all

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CLASSIFIEDS

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necessary reports regarding the solid waste facility; supervising up to seven individuals or volunteers; working with union employees and communicating effectively with the public; and responding to emergencies, and assisting the highway crew with unscheduled weather-related events. Requirements: must be able to meet the physical demands of the position per the job description (including lifting and carrying up to 50 pounds); high school diploma or equivalent; computer proficiency; possession of a valid N.H. driver's license (CDL preferred); Level IV Solid Waste Operator certification with the N.H. DES Waste Management Division and four years of experience in the solid waste field, or ability to acquire the certification within six months of hire; attendance at some evening/weekend meetings; a background check, fingerprinting, a physical and federal DOT testing. This is a full-time, exempt salaried position with benefits. Salary range, \$42,000-\$48,000 per year, commensurate with qualifications and experience. To apply, submit letter of interest and resume to Fred Moody, Town Manager, Town of Littleton, 125 Main Street, Suite 200, Littleton, NH 03561. Position open until filled. **Resume review begins October 15, 2013.** The Town reserves the right to retain any or reject any/all candidate submissions. No candidate will have any claim or rights against the Town arising from this RFQ process. Equal Opportunity Employer. (10-27)

Snow Plow Operator. The Town of Jericho seeks a temporary, part-time snow plow operator. Hours vary according to need. Applicants must have a clean CDL license and pre-drug screening done before starting. Requirements: on demand 24/7, holidays and weekends; must be flexible with scheduling; will be called when snow or bad weather is forecast; must be able to get to work promptly; can work with flexible shifts and hours. Starting hourly wage, \$15.00, depending on qualifications. You can download an application from www.jerichovt.gov under Employment, or pick one up at the Jericho Town

Hall, 67 Vt. Route 15 in Jericho, from 8:30 a.m. to 2:30 p.m. M-F. To apply, submit a completed application to Paula Carrier in person, via email (pcarrier@jerichovt.gov), or via mail to Town of Jericho, PO Box 39, Jericho, VT 05465. Applications accepted until position is filled. (09-25)

Police Chief. The Town of New London, New Hampshire, seeks a police chief to serve in a senior management level professional position and administer and manage the town's police department. New London (pop. 4,000+) is in the heart of the Kearsarge-Lake Sunapee region and halfway between Boston, Mass. and Burlington, Vt. A unique New England town, New London is also home to Colby-Sawyer College and New London Hospital. The successful candidate will be adept at establishing department goals, objectives, policies, and regulations; directing and coordinating all department procedures, practices and functions; and inspecting police personnel to ensure proper discipline is maintained and cooperating with other law enforcement agencies. The Police Chief serves as the principal department representative and oversees the department's financial management system; serves as primary spokesperson for the department, maintaining positive relationships with the media, local community, other law enforcement agencies, etc., and provides oversight to seven full-time police officers, several part-time officers, and an administrative assistant. He or she works under

the general direction of the three-member Board of Selectmen and Town Administrator. Requirements: Bachelor's degree with major course work in police administration or related field and eight years of progressively responsible experience in law enforcement and crime prevention work, including five years in a supervisory capacity, or an equivalent combination of education and experience; valid motor vehicle operator's license; candidate's proximity to Town in terms of response time in an emergency will be considered; current NH Police Standards & Training Council certification preferred; otherwise, certification must be obtained within 6 months of hire as a condition of employment. The Chief must be of good moral character as presented in N.H. Police Standards and Training Rules, and must pass a thorough and comprehensive background investigation and meet all entrance standards, which may include fitness, psychological, and medical testing, and a polygraph examination. Salary, \$65,701 to \$80,302. An application and job description can be downloaded from the Town's website, www.nl-nh.com, or are available at the New London Town Office, 375 Main Street, New London, NH. To apply, send completed application, cover letter, and resume to Kimberly A. Hallquist, Town Administrator, Town of New London, 375 Main Street, New London, NH 03257, or email to townadmin@nl-nh.com. (09-10)

LOW-INTEREST LOAN FUNDS AVAILABLE THROUGH THE VERMONT STATE INFRASTRUCTURE BANK (SIB) LOAN FUND



Jointly operated by VEDA and VTrans, the Vermont State Infrastructure Bank (SIB) 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, bridges, sidewalks and bike paths;
- 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.

Also, in certain cases, electric vehicle charging stations and natural gas refueling stations for trucks and other vehicles available for public use are eligible for SIB financing.

FOR MORE INFORMATION: www.veda.org ♦ 802-828-5627



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Questions? Visit www.vlct.org/eventscalendar to register and for the most updated information and events.

PROTECTING YOUR INCREASINGLY INSECURE DATA – INFORMATION, TECHNOLOGY, AND SECURITY FOR MUNICIPALITIES AND SCHOOLS



December 11, Capitol Plaza, Montpelier

Is your electronic data secure? How can you be sure? These days, every function in municipal government has data stored on a computer somewhere, either at the town office or in the “cloud” or even on a laptop a telecommuting employee takes home. Come hear experts from banking, academia, and business discuss cutting edge technology and data security and describe what municipal officials need to know and how to make sure their computer systems are secure.

FALL SELECTBOARD INSTITUTE
November 2, DoubleTree, Burlington

FALL PLANNING AND ZONING FORUM
November 19, Capitol Plaza, Montpelier

TOWN HEALTH OFFICERS WORKSHOP
December 3, DoubleTree, Burlington
December 5, Quality Inn, Brattleboro

**PROTECTING YOUR INCREASINGLY
INSECURE DATA – INFORMATION,
TECHNOLOGY, AND SECURITY FOR
MUNICIPALITIES AND SCHOOLS**
December 11, Capitol Plaza, Montpelier

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