

# VLCT NEWS

A PUBLICATION OF THE VERMONT LEAGUE OF CITIES & TOWNS

SERVING AND STRENGTHENING VERMONT LOCAL GOVERNMENTS

December 2013

## AND VLCT'S NEW HOME IS ...

*"There's no place like home."* – Dorothy Gale in *The Wizard of Oz*.

After a seven-year seemingly quixotic search, VLCT's future home is right where it has been for the past 17 years. On October 26, 2013, Executive Director Steve Jeffrey executed  
*(continued on page 12)*



L-R, Pat Boyle sits at reception with Jessi Hill in VLCT's then new space in 1997. (See page 11 for more on Pat, who recently retired after almost 18 years at VLCT.) VLCT Executive Director Steve Jeffrey shakes hands with Doug Nedde, the owner of City Center, moments after signing VLCT's new 13-year lease.

## THE VLCT-VMCTA CONNECTION

The VLCT Board's newest Director is Colchester Town Clerk/Treasurer Karen Richard, whose involvement in municipal government has evolved over the years. She was first elected Clerk/Treasurer of Colchester Fire District No. 3 in 1981 and continued in that position for 18 years. She also worked part-time out of her home doing the water billing for the fire district. "I would visit town hall (the assessor's office) on a regular basis to check the property transfers and update the new owners," she said, as she became familiar with the property record cards and property information.

In 1985, Karen was elected lister and served on the Tax Appeals Board. Two years later, she was hired to work part time in the Colchester Assessor's Office, a position that eventually turned into full time and which she held until she was elected Town Clerk/Treasurer.

In that position, Karen immediately became involved first in the Chittenden/Grand

*(continued on next page)*

## VLCT'S TEMPORARY MAIN ENTRANCE

Theresa Bachand mans VLCT's temporary reception entrance, located near the first floor stairs at City Center. This will remain VLCT's primary entrance through the end of February.



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## KAREN RICHARD

*(continued from previous page)*

Isle County Clerk's Association and then VMCTA, the Vermont Municipal Clerks' and Treasurers' Association, where she attained both Certified Vermont Clerk (CVC) and Certified Vermont Treasurer (CVT) designations. In 2007, her VMCTA colleagues named her Town Clerk of the Year. While Karen has served on many VMCTA committees she has spent most of her time on the Legislative Committee, including as chairperson for several years.



**Karen Richard**

While on the Legislative Committee, Karen learned about VLCT and how it supports Vermont towns through training sessions and its lobbying presence at the State House during the legislative session. She says that her VLCT contacts have been a valuable resource when questions arise in her daily duties as a local official. They help her to understand legislative changes and how clerk/treasurers have needed to adapt their duties over the years.



Karen is not coming to VLCT with an agenda but rather with an interest in legislation. "VLCT is effective in promoting the best interests of the towns," she says. "I plan to support VLCT in its policy decisions and hope to garner support for the VMCTA when there is a need."

She is particularly interested in computerizing land records and other municipal records. When she was elected Clerk/Treasurer in 1998, Colchester had never microfilmed a land record book. So she started a weekly trek to Middlesex with four or five books at a time, but soon realized how inefficient that process was. Today, Colchester has a computerized land record system as well as a microfilm and digital image of every land record book in the town vault. "If we had a natural disaster in our town," she says, "we could call the land record company and have new books printed from the images. We have come a long way!"

In the process of moving Colchester's town records into the digital age, it became apparent that the Vermont statutes had not kept pace. So Karen contacted State Archivist Tanya Marshall and the Vermont

*(continued on page 10)*

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

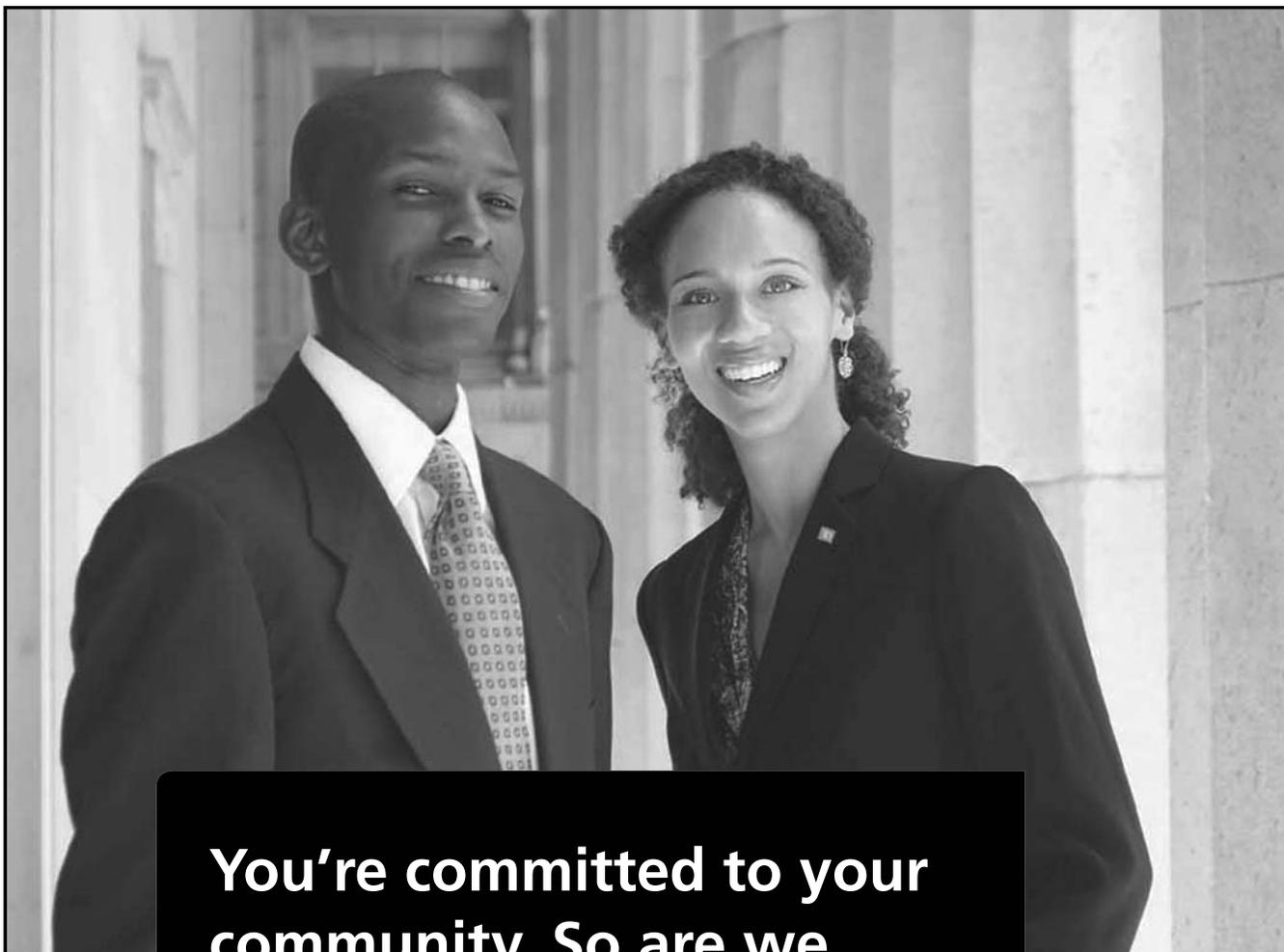


Jointly operated by VEDA and VTrans, the Vermont State Infrastructure Bank (SIB) has low-interest loan funds available for transportation-related projects that enhance economic opportunity and help create jobs. Municipalities, RDCs, and certain private sector companies may qualify for financing to:

- Construct or reconstruct roads, bridges, sidewalks and bike paths;
- Make safety improvements such as highway signing and pavement marking;
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- Construct rail freight and intermodal facilities.

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

# ASK THE LEAGUE

## DOES A TOWN'S TAX SALE CLEAR TITLE OF AN IRS LIEN?

*Our town took title to land through a tax sale last year and now hopes to re-sell the land to the owner of an adjoining property. However, an Internal Revenue Service (IRS) lien was recorded on the property several years before the tax sale. Did the town's tax sale operate to clear title of the IRS lien or does the IRS lien survive the tax sale process?*

Whether the town's tax sale operated to clear title of the IRS lien depends on whether the IRS filed a notice of lien in the town's land records more than 30 days prior to the sale and whether the town followed the proper process in notifying the IRS of the sale or obtaining the IRS's consent to the sale free of its lien. The process for giving the IRS notice and receiving consent is described in IRS publication 786. If the IRS' notice of lien was recorded in the town land

records more than 30 days prior to the sale, the IRS was not given proper notice of the sale, and it did not consent to the sale, then the lien was likely not discharged. 26 U.S.C. § 7425(b)(1)-(2). If there is a question about whether the lien was discharged or the proper process was followed, the town should consult with the attorney who assisted the town in conducting the tax sale.

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

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### SAMPLE PROJECTS:

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



## STAFF CHANGES AT THE MUNICIPAL ASSISTANCE CENTER

Two Municipal Assistance Center staff members have recently accepted tremendous career advancement opportunities: Stephanie Smith, Senior Associate, will be the Chief Policy Enforcement Officer for the Agency for Agriculture, Food and Markets; and Jim Barlow, Senior Staff Attorney, will become the Legal Counsel to the City of South Burlington Manager's Office.

Stephanie started working at the League in 2007. As a Certified Land Use Planner, she responded to members' questions regarding municipal officials' roles and responsibilities generally and conducted training on land use planning and zoning regulations. She reviewed zoning bylaws, assembled the Municipal Calendar, and wrote numerous articles for the *VLCT News*. Stephanie's last day at VLCT was October 25<sup>th</sup>.

Jim Barlow joined VLCT in 2004. During his tenure, he has trained municipal officials on many topics including the Open Meeting Law, the Public Records Act, and conducting effective property tax appeal hearings. He has written *amicus* briefs, handbooks, model policies and ordinances, as well as *Ask the League* and *Legal and Regulatory Notes* newsletter articles. Member officials have frequently sought Jim's advice on their duties and other matters of Vermont law. November 15<sup>th</sup> was his last day at the League.

We thank Jim and Stephanie for their valuable service helping municipal officials and wish them well in their new endeavors.

This change in personnel plus our imminent office renovation will in no way keep MAC from providing members with the high level of service they rely on. We have already started recruiting for both positions. And until they are filled, Steve Jeffrey, Karen Horn, and Jonathan Williams will pitch in to help Garrett Baxter (Staff Attorney II) and me respond to your questions.

Please feel free to contact me with any questions at 800-649-7915, extension 1926, or [afriedman@vlct.org](mailto:afriedman@vlct.org).

*Abby Friedman, Director  
VLCT Municipal Assistance Center*

## 2014 VLCT Holidays

The VLCT office will be closed on the following holidays in 2014. Otherwise, we are open from 8 a.m. till 4:30 p.m., Monday through Friday.

| Holiday                | Celebrated On                          |
|------------------------|--|
| New Year's Day         | Wednesday, Jan. 1                      |
| Martin Luther King Day | Monday, Jan. 20                        |
| Presidents' Day        | Monday, Feb. 17                        |
| Memorial Day           | Monday, May 26                         |
| Independence Day       | Friday, July 4                         |
| Bennington Battle Day  | Sat., Aug. 16 (observed Fri., Aug. 15) |
| Labor Day              | Monday, Sep. 1                         |
| Veterans Day           | Tuesday, Nov. 11                       |
| Thanksgiving Day       | Thursday, Nov. 27                      |
| Thanksgiving Friday    | Friday, Nov. 28                        |
| Christmas Eve          | Wednesday, Dec. 24                     |
| Christmas Day          | Thursday, Dec. 25                      |



## UPCOMING MUNICIPAL ASSISTANCE CENTER WORKSHOPS

### TOWN HEALTH OFFICER WORKSHOPS

**Tuesday, December 3, DoubleTree Hotel and Conference Center, South Burlington**

**Thursday, December 5, Quality Inn Hotel and Conference Center, Brattleboro**

**Tuesday, March 11, Capitol Plaza Hotel and Conference Center, Montpelier**

**Thursday, March 13, Holiday Inn, Rutland**

*(Sponsored by the VLCT Municipal Assistance Center and VLCT PACIF)*

The Town Health Officer has a wide range of duties and responsibilities. This free workshop is designed to assist town health officers, selectboard members, and town managers or administrators who deal with local public health hazards and rental housing.

### 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 that 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.

### TOWN MEETING TUNE-UP

**Tuesday, February 11, Capitol Plaza Hotel and Conference Center, Montpelier**

*(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, recent pertinent court cases, and best practices for making it through Town Meeting unscathed.

**For registration, agendas, and other information, please visit [www.vlct.org/eventscalendar](http://www.vlct.org/eventscalendar), call 800-649-7915, or email [info@vlct.org](mailto:info@vlct.org).**



# LEGAL AND REGULATORY NOTES



## VIEWING PORNOGRAPHY ON A MUNICIPAL COMPUTER

### Viewing Pornography on a Municipal Computer and the Privacy Issue

The Vermont Supreme Court has held that any privacy interest in viewing and sending pornography on work computers while on duty at a public law enforcement agency is outweighed by the public's interest in knowing how the police department supervises its employees and responds to allegations of misconduct. *Rutland Herald v. City of Rutland and AFSCME Council 93, Local No. 1201*, 2013 VT 98.

At issue were records of Rutland Police Department employees who were investigated and disciplined for viewing and sending pornography on work computers while on duty. Section 317(c)(7) of the Vermont Public Records Act exempts from public disclosure "personal documents relating to an individual, including information in any files maintained to hire, evaluate, promote or

discipline any employee of a public agency, information in any files relating to personal finances, medical or psychological facts concerning any individual or corporation." 1 V.S.A. § 317(c)(7).

The Vermont Supreme Court has previously construed the term "personal documents" in section 317(c)(7) to apply "only to those documents that reveal intimate details of a person's life, including any information that might subject the person to embarrassment, harassment, disgrace, or loss of employment or friends." *Kade v. Smith*, 2006 VT 44, ¶8 (mem.). In determining whether such records must be withheld or disclosed, a court must "balance the public interest in disclosure against the harm to the individual." *Rutland Herald*, 2012 VT 26, ¶11. In doing so, it must "consider the significance of the public interest asserted; the nature, gravity, and potential consequences of the invasion of privacy occasioned by the

disclosure; and the availability of alternative sources for the requested information." *Kade*, 2006 VT 44, ¶14.

Applying this balancing test, the Vermont Supreme Court noted that very little privacy could be attached to viewing pornography on work computers, "[O]ne cannot reasonably expect a high level of privacy in viewing and sending pornography on work computers while on duty at a public law enforcement agency." On the other hand, the Court found, "there is a significant public interest in knowing how the police department supervises its employees and responds to allegations of misconduct. This is particularly true given the repeated instances of similar misconduct within the police department over a five-year period, as well as the apparent scope of the misconduct." The balancing of the interests required disclosure of the records

*(continued on next page)*

### MAC MUNICIPAL CONSULTANTS

MAC is pleased offer the services of our expert municipal consultants. To learn more or discuss a possible project, contact Abby Friedman at 800-649-7915, extension 1926, or [afriedman@vlct.org](mailto:afriedman@vlct.org).

MAC's consulting team consists of:

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





# LAKE CHAMPLAIN PHOSPHORUS TMDL PUBLIC DISCUSSIONS

The U.S. Environmental Protection Agency (EPA), in conjunction with the Vermont Department of Environmental Conservation and the Vermont Agency of Agriculture, Food and Markets, will hold six public meetings in December to discuss the new phosphorus plan under development by the EPA for the Lake Champlain Basin, referred to as a Total Maximum Daily Load (TMDL).

The meetings will be moderated by the Lake Champlain Basin Program staff and held around the Lake Champlain Basin. (See schedule below.) All interested persons are encouraged to attend. No pre-registration is required.

Phosphorus runoff and discharges from numerous sources within the Lake Champlain Basin are causing excessive growth of algae in the form of “blooms” in some areas of the lake that turn water murky shades of green, brown, or blue. Some of these algae blooms can be toxic to pets and people. Excessive phosphorus loading also increases the costs of drinking water and wastewater treatment, affects businesses that depend on clean water such as tourism and recreation, and depresses property values. Excessive phosphorus loading can also degrade the water quality of local streams and rivers that feed into Lake Champlain.

The TMDL will place a cap on the maximum amount of phosphorus that can be allowed to enter Lake Champlain and still meet Vermont’s water quality standards. It will allocate that maximum amount to each river basin draining to Lake Champlain and among the various phosphorus sources. Phosphorus sources include discharges from wastewater treatment facilities, runoff from developed lands, runoff from state and municipal road networks, runoff from agricultural lands and timber lands, and streambank erosion stemming from channel instability.

For more information, please contact Kari Dolan, [kari.dolan@state.vt.us](mailto:kari.dolan@state.vt.us).

1. **Monday, December 2**, 2-4 p.m., Bliss Room, St Albans Historical Society, 9 Church Street, St. Albans
2. **Monday, December 2**, 7-9 p.m., Swanton Municipal Building, 120 First Street, Swanton
3. **Tuesday, December 3**, 9:30-11:30 a.m., Pavilion Building Auditorium, 109 State Street, Montpelier
4. **Tuesday, December 10**, 2-4 p.m., ECHO Lake Aquarium and Science Center, 1 College Street, Burlington
5. **Tuesday, December 10**, 7-9 p.m., Founders Room, Middlebury Inn, 14 Court Square, Middlebury
6. **Wednesday, December 11**, 10:30 a.m.-12:30 p.m., Fox Room, Rutland Free Library, 10 Court Street, Rutland

## LEGAL AND REG.

*(continued from previous page)*

“without the need for redaction of the employees’ personally identifying information.”

The decision is archived at <http://info.libraries.vermont.gov/supct/current/op2012-368.html>.

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

## 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/](http://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
- Municipal Charter Adoption and Amendment
- Many specific topics for local land use boards

**PICK FROM  
THESE TOPICS  
OR DEVELOP  
YOUR OWN!**

## TWO WAYS THAT PROPERTY CLAIM FILING IS NOW EASIER

PACIF recently added two enhancements to how members can report **Auto, Property, and Liability claims**.

1. It's much easier to find the form you need. At [www.vlct.org](http://www.vlct.org), look on the right-hand side for the new "Report a Claim" link. This takes you to the reorganized Claim Reporting and Insurance Forms page, where you can select the claim form for the appropriate line of coverage: Workers' Compensation, Auto, Liability, or Property.
2. The forms for reporting Auto, Liability, and Property losses are **new PDFs to fill in and return electronically**. You no longer have to print the blank forms and write all the information by hand (although you still may, if you prefer). Now just type your information

into the PDF (tabbing from one field to the next), save the file, and return it as an email attachment using the email link on the form. It's that simple. You can still print it and either fax or mail it to us if you choose. Just by typing your form, you'll get fewer calls from us asking for help with reading your handwriting.

Please note: **The form for reporting a Workers' Compensation claim has not changed**, so we encourage PACIF members to **continue using our easy online WC claim reporting!**

### 2013 RMS CALENDAR

**EyeMed Open Enrollment.** Now through Friday, December 13, 2013, for coverage starting January 1, 2014. Whether groups are adding this employee benefit or changing the plan they offer to employees, and whether employees are enrolling themselves or adding or dropping spouses or dependents, all paperwork must be complete and submitted **no later than December 13, 2013**. 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.

**Deadline to add Health Advocate as a 2014 employee benefit.** Friday, December 20, 2013, for coverage throughout 2014. Please see "Health Advocate à La Carte" at right for more information.

**Vermont Forklift Train the Trainer Classes.** 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 CFR 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. The \$150 per person fee includes lunch and valuable handouts. For more information or to register, contact Bruce Gray at [Landrock@verizon.net](mailto:Landrock@verizon.net) or 518-562-1462.

- Thursday, Dec. 19, 2013, 8:30 a.m. to 3:00 p.m., Asa Bloomer State Office Building, Rutland
- Thursday, Jan. 9, 2014, 8:30 a.m. to 3:00 p.m., Vermont Technical College, Blair Park, Williston
- Tuesday, Feb. 11, 2014, 8:00 a.m. to 2:30 p.m., North Country Chamber of Commerce, Plattsburgh, N.Y.

**Deadlines for PACIF members with fire departments to submit 2013 Firefighter Rosters.** Friday, December 27, 2013, for departments with all-volunteer personnel (that is, they do not receive pay of any kind for their work with the department) **or** Monday, January 6, 2014, for departments with any personnel who receive pay of any kind (per-call, per-training, stipend, or wages). Return completed rosters with accurate financial information and supporting documents to Susan Benoit at [sbenoit@vlct.org](mailto:sbenoit@vlct.org). Please see article on page 9 ("Tis the Season for Volunteer Firefighter Rosters) for more information.

### HEALTH ADVOCATE À LA CARTE

We are pleased to announce that Health Advocate™ – an employee benefit available since 2011 only to members that purchase health insurance through the VLCT Health Trust – **is now being offered to other League members** on an à la carte basis. Groups that obtain their 2013 health insurance through the Health Trust will receive the Health Advocate benefit for no additional charge through the end of 2014. Other VLCT member groups may purchase this employee benefit at the low group rate of just \$1.55 per subscriber per month. And, in case you haven't heard, Health Advocate can help explain the plans offered through Vermont Health Connect (VHC).

Health Advocate is a phone-based service that helps subscribers receive the full value of their health insurance. Callers can:

- get help resolving insurance claims and billing issues;
- have details of their health insurance coverage explained clearly;
- receive information about medications, tests, and treatments;
- learn cost estimates of common medical procedures in our area;

*(continued on page 14)*





# PACIF JEOPARDY!

## A & Q, PART 1: GENERAL LIABILITY

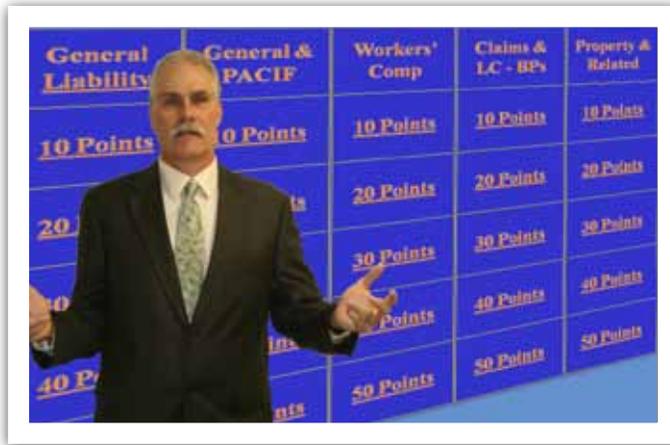
From now through April, you can test your knowledge of municipal property, casualty, and workers' compensation coverage right here in the *VLCT News*, thanks to the PACIF Jeopardy! game that VLCT's Loss Control and Claims staff members devised for Town Fair 2013.

In true Jeopardy! fashion, this is an A&Q instead of a Q&A: the board shows the answers, and contestants must supply the questions.

The answers are in the far right box. When you think you know the questions, turn to page 13 (PACIF Jeopardy!, continued) to see if you're correct. There you'll also find a brief (but enlightening) explanation of each question.

We'll begin with the General Liability category.

*(continued on page 13)*



*Fred Satink, Loss Control Supervisor, channels his inner Alex Trebec.*

| Points | Answer (on the Board)   |
|--------|---|
| 10     | Liability claims from this <b>roadway hazard</b> are common, but are usually denied.                              |
| 20     | This type of <b>financial claim</b> is on the rise and averages over \$160K each.                                 |
| 30     | When hiring Recreation Dept. personnel working with youth or the elderly, these <b>checks</b> are a must.         |
| 40     | It is best to consult with this <b>expert</b> before taking major disciplinary action or terminating an employee. |
| 50     | This improper <b>employment action</b> has resulted in over \$2M of PACIF claim costs in the past six years.      |



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Need help? Call Jim Carrien at 800-649-7915.

### KAREN RICHARD

*(continued from page 2)*

State Archives and Records Administration for help in updating the laws to recognize scanned images and electronic recording.

Karen has been married to her husband Ed for 40 years. She has two grown daughters and five grandchildren. In her spare time, she loves to quilt – some of her creations are on display in the Town Office and at the Colchester Meeting House (see photo on page 2).

We're confident that Karen's lifelong dedication to local government will likewise be on display during her tenure on the VLCT Board of Directors. Zapraszamy, Karen!



## STAFF NEWS AND NOTES



Elsewhere in this newsletter, you'll learn of two departures from the Municipal Assistance Center. Well, VLCT's ranks are being depleted by yet another employmental unit. Retiring from the workaday world to a life of leisure\* is Pat Boyle, who began her stint at VLCT in the summer of '97 (no relation to "The Summer of '42"). In 2004, she became a Claims Representative in the Workers' Compensation Section and has been there ever since. Throughout her tenure, she's also been known as *Donna favolosa trapunta*, or Fabulous Quilt Woman. We wish Pat as well as our two other erstwhile staffers the best. No really, we do!

\* Hah!

*Above, Pat Boyle stands in front of the VLCT Quilt she organized and stitched with squares from VLCT members.*



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## VLCT'S NEW HOME

(continued from page 1)

a new lease with Doug Nedde, the new owner of City Center on the corner of State and Main streets in beautiful downtown Montpelier. The lease, which secures VLCT office space through December 31, 2026, was approved by the VLCT Board of Directors at its August meeting, subject to negotiations over the final details. The lease calls for a slightly different footprint within the building and total gutting and reconstruction of the space, with demolition slated to begin in late November and the new space ready to be put into service by VLCT staff in late February. The total square footage is similar to our current space, but much of the area will be converted from numerous, tiny private offices to more open workspace with more meeting spaces.

The successful lease negotiation concludes a search that had two unsuccessful attempts end in ninth inning losses. In 2009, VLCT had negotiated a purchase of

“ Please bear with us during the next three months... we will try our hardest to continue to provide high quality service undeterred by the disruption. ”

the Montpelier Elks Club building (located on the outskirts of Montpelier off Route 2) only to have the Elks membership vote to retain ownership. VLCT last renewed its lease in City Center in early 2012 after plans to move to another building close to downtown Montpelier fell through due to the current tenants needing more time to vacate the premise than VLCT could manage. The expiring lease with the previous owner of City Center was renewed at that point under very favorable conditions to VLCT. The new lease – including the costs of renovations – does increase VLCT’s costs over its life, but they are phased in over time.

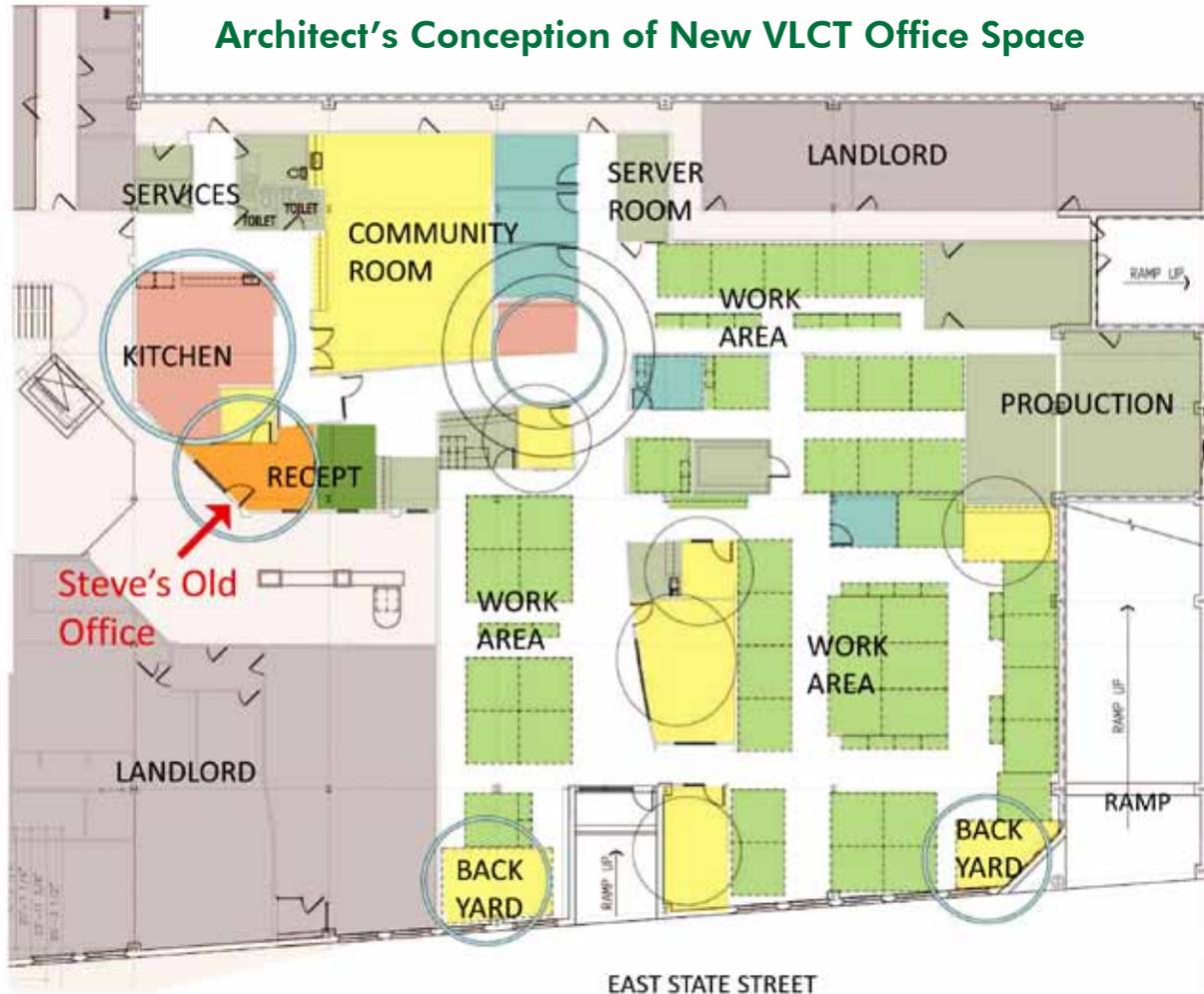
VLCT first moved to City Center on April Fool’s Day in 1997 with 25 staff members. With the expansion of PACIF coverage and the growth in Municipal Assistance Center services, VLCT kept growing, peaking in 2008 at just over 50 full-time

equivalent (FTE) staffers. Over the same period, VLCT’s footprint grew from 10,025 “usable” square feet of office space to 12,700, keeping pace with its staffing. Our growth spurt seems to be over as we have settled in at 48 FTEs and appear to be in for a period of static size. The new office space measures 14,700 “gross” square feet, with much of the difference in the two definitions of space explained by walls and other “unusable” space. We hope the new space won’t remain “gross” for long as it will feature higher ceilings, new lighting and carpets, fewer walls and hallways, and more access to the limited amount of natural light available for an office space located almost entirely under a two-story parking garage.

VLCT has had many homes since its creation in 1967. It was first located in donated space on the University of Vermont campus

(continued on next page)

## Architect’s Conception of New VLCT Office Space





## VLCT'S NEW HOME

(continued from previous page)

at 475 Main Street in Burlington. Montpelier has been homeport since its move in 1970 to 27 Langdon Street. It then had stints at 118 Main Street (where the front door of the offices over the Lobster Pot restaurant proclaimed VLCT as "The Embassy of Local Government") and 52 State Street, before it bought its one and only office building at 12½ Main Street. Unfortunately, that purchase, made when VLCT had six staff members, coincided with the explosive growth of PACIF membership and our staff quadrupled in the following nine years. We quickly outgrew that "permanent" home before moving to City Center, and the rest, as they say, is history.

Please bear with us during the next three months as we evacuate our old offices, move to temporary swing space located in the building (right next to the construction site), and then back into the finished product. We will try our hardest to continue to provide high quality service undeterred by the disruption.

*Steve Jeffrey, Executive Director  
VLCT*

## PACIF JEOPARDY! CONTINUED

(continued from page 10)

| Points | Question   | Explanation   |
|--------|--|---|
| 10     | What are pothole claims?                               | Potholes and similar claims can use a sovereign immunity defense. Proper road monitoring and warning signage also help!   |
| 20     | What are embezzlement claims or employee crime claims? | Implementing basic controls, such as requiring dual check signatures and having a member of the governing body open and reconcile bank statements, is a good start for controlling this risk.     |
| 30     | What are background checks?                            | A background check for personnel working with "sensitive populations" is a basic measure of due diligence. Use of Vermont Criminal Information Center (VCIC) is free when used for this purpose.  |
| 40     | What is an employment law attorney?                    | Before taking action, consulting with an attorney familiar with employment law, the situation, and your municipal policies can avoid huge problems (and claims) later.                            |
| 50     | What is wrongful termination?                          | Wrongful termination claims are very costly! Defense costs alone are often a significant portion of the claim cost. Seek counsel from a lawyer familiar with employment law before taking action. |

### WHAT DO MORE AND MORE VERMONT MUNICIPALITIES HAVE IN COMMON?

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**Anita:** 802-865-1641, [abourgeois@mbvt.com](mailto:abourgeois@mbvt.com)



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## RISK MANAGEMENT SERVICES

(continued from page 8)

- be connected with local eldercare resources;
- and much more.

Health Advocate is neither an insurance entity nor a medical provider, but its employees have experience in both fields. Each call is handled by a Personal Health Advocate, typically a registered nurse, who is supported by medical directors and benefits and claims specialists. Health Advocate relieves subscribers of the stress and time involved in figuring out how to speak up for themselves in the complex, frustrating, and daunting world of healthcare and health insurance. And the benefit also covers subscribers' spouses, children, parents, and parents-in-law. Calling Health Advocate can help your employees keep their attention on their work, not their worries. It also saves your staff the trouble of trying to answer coverage-related questions.

Particularly useful these days is the fact that the people who answer the calls at Health Advocate **know about the plans**

available on Vermont Health Connect (VHC) and can anticipate the ins and outs of different plans and payment situations. They are well prepared to explain, inform, and educate the people who call them. They will not advise on what plan choice is best, and they cannot enroll anyone in a VHC plan, but they will try to help callers understand the choices they are faced with so they can identify which 2014 VHC plan will best meet their needs. These days, that can be a big help!

You will find informative videos about Health Advocate at [www.vlct.org/rms/health-trust/health-advocate/](http://www.vlct.org/rms/health-trust/health-advocate/). To sign your group up for Health Advocate, please contact Kelley Avery by Friday, December 20<sup>th</sup> at [kavery@vlct.org](mailto:kavery@vlct.org) or by calling her at 800-649-7915.

## WANT DENTAL FOR CY 2014? EXPLORE VLCT'S OPTIONS

VLCT members that don't currently offer dental insurance to employees might be interested to know that they can obtain Northeast Delta Dental (Delta) coverage for the 2014 calendar year through the VLCT Health Trust. Delta's plans usually cover

from July 1 to June 30, yet calendar-year coverage is an option, and it might be a perfect fit now for your municipality's needs.

How does this compare to the alternatives? The health insurance plans offered on Vermont Health Connect (VHC, a.k.a the Exchange) do not include any dental coverage for adults, and the pediatric dental that they offer is less comprehensive than what the VLCT dental program offers. Groups and individuals can buy Delta plans on the Exchange separately from health insurance. However, **the plans that your Health Trust offers are more affordable and more comprehensive** than the ones on the Exchange, thanks to our long-term relationship with Delta.

Consider taking advantage of VLCT group dental rates. Plan information and rates for calendar year coverage are posted at <http://www.vlct.org/rms/health-trust/dental-insurance/>.

## TRIVIA

Last month's query (On Wednesday, August 3, 1927, the image of a man dressed in buckskin and leaning on a rifle appeared in Bennington, Vermont. Why?) drew a correct response (It was the image on Vermont's commemorative 2¢ postage stamp, which was first placed on sale on that date in Bennington and Washington, D.C.) from Marianne Blake, Louise Luring, John Weir, Heidi Racht, and Earl LaBatt of Windsor, Saxtons River, Moretown, Huntington, and Arlington, respectively. Nicely reasoned, folks!

Because cooler autumnal zephyrs have begun to influence our thermostatic settings, I figured now would be a good time to look ahead to more clement weather – say, next June! Ergo: A West Colbyville weigher of coal is fishing in Joe's Pond on June 7 – one day *before* Vermont's large-mouth bass season opens, but that's another story. Anyway, the fellow reels in a 15-inch long bass. Its head is as long as its tail. If its head were twice as long, the combined head and tail would be as long as the fish's body. **How long is each portion of the fish?**

Once you have sussed the answer, with or without a piscine slide rule, email it *posthaste\** to [dgunn@vlct.org](mailto:dgunn@vlct.org). Then bide your time 'til the icicle-enhanced January issue reveals the answer.

\* One attentive trivialist answered last month's query a mere 16 minutes after the newsletter was posted!



The VMBB provides bond financing to Vermont Municipalities at low interest rates with a very low cost of issue.

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# CLASSIFIEDS

Please visit the VLCT website [www.vlct.org/marketplace/classifiedads/](http://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](mailto: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 and find information on print ad requirements, sizes, and prices at [www.vlct.org/advertising-information](http://www.vlct.org/advertising-information).

For answers to specific questions about print advertising, email [vlctnews@vlct.org](mailto:vlctnews@vlct.org).

## HELP WANTED

**Jetter/Vacuum Pipeline Cleaner Trailer.** The Town of Morristown is seeking sealed

bids for the manufacture and delivery of a three-cubic yard combination jetter/vacuum pipeline cleaner trailer. You may examine the contract documents at the town offices (Town of Morristown, 43 Portland Street, Morrisville, VT 05661), or we will email them to you upon request. The deadline to receive bids is **Monday, December 2, 2013**. Bids will be publicly opened and read aloud at 2 p.m. on that day. Each bid must be accompanied by a certified check payable to the owner for five percent of the total amount of the bid. A bid bond may be used in lieu of a certified check. The award will be to the lowest responsive and responsible bidder. To receive updated information and responses to bidder's questions, please provide your email address to the Town of Morristown at [dlindeley@morristownvt.org](mailto:dlindeley@morristownvt.org). Any amendments will be distributed to all vendors that requested the contract documents. The Town of Morristown reserves the right to reject any and all bids. (10-16)

**Director of Parks and Recreation.** The Town of Killington is seeking to hire a Director of Parks and Recreation, a year-round, part-time position with a full-time schedule during the summer months. The Director is charged with overseeing the department and its personnel and budget and with organizing year-round recreation activities for people of all ages. The Director reports to the Town Manager and works closely with the Parks and Recreation Commission to establish philosophy, policies, and long-range planning for the department. A full job description is available at [www.killingtontown.com](http://www.killingtontown.com) under Employment Opportunities. The Town is seeking the fill the position immediately. Applications will be evaluated on a rolling basis. Interested candidates should email a letter of interest and resume to Seth Webb, Town Manager, at [sethwebb@town.killington.vt.us](mailto:sethwebb@town.killington.vt.us), or mail to Seth Webb, Town Manager, PO Box 429, Killington, VT 05751. (10-29)

**Snow Plow Operator.** The Town of Jericho seeks a temporary, part-time, experienced snow plow operator. Hours vary according to need. Requirements: must have a valid Vermont driver's license (CDL preferred) and pass a drug screening; must be available to report to work 24/7, holidays and weekends, and to work flexible shifts and hours; and

must be able to respond promptly. Starting hourly wage: \$15.00 depending on qualifications. Download an application from [www.jerichovt.gov](http://www.jerichovt.gov) or pick one up at the Jericho Town Hall, 67 Vermont Route 15 in Jericho, Monday-Friday 8:30 a.m. to 2:30 p.m. To apply, submit completed application to Paula Carrier in person, via email at [pcarrier@jerichovt.gov](mailto:pcarrier@jerichovt.gov), or via U.S. mail to Town of Jericho, PO Box 39, Jericho, VT 05465. Applications accepted until position is filled. (11-7)

**Solid Waste Facility Manager.** The Bethel-Royalton Solid Waste Management Board of Directors seeks a collaborative and dynamic Solid Waste Facility Manager. The facility includes a transfer station and recycling center that serves eight towns in central Vermont. The Solid Waste Facility Manager reports to the Bethel-Royalton Solid Waste Management Board of Directors and is employed by the Town of Bethel. The Solid Waste Facility Manager oversees and ensures the successful daily operation of the facility and the Alliance Solid Waste Program, which includes aggregation and shipment of municipal solid waste, recyclables, and a variety of hazardous waste materials. The Solid Waste Facility Manager also administers a \$1.1 million budget and supervises three full-time employees and two part-time and seasonal employees. A detailed job description is available at [www.bethelvt.govoffice3.com](http://www.bethelvt.govoffice3.com). Salary range is \$40,000-\$45,000, plus an excellent benefits package. A Bachelor's degree is required in engineering, sciences, public administration, business administration, or an equivalent combination of experience and education. Three years' previous experience in solid waste, facility maintenance, municipal government, and environmental studies is preferred; experience as a solid waste facility manager is a plus. To apply, please send a confidential cover letter, resume, and three references to Bethel-Royalton Solid Waste Facility Manager Search, c/o VLCT, 89 Main Street, Montpelier, VT 05602-2948. You may also email your application to [municipal.recruitment@vlct.org](mailto:municipal.recruitment@vlct.org) with Solid Waste Facility Manager in the subject line. The deadline to apply is **Friday, December 13, 2013**. This institution is an equal opportunity provider and employer. (11-8)



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# PROTECTING YOUR INCREASINGLY INSECURE DATA - DECEMBER 11, 2013

## WHO SHOULD ATTEND AND WHY

Is your electronic data secure? How can you be sure? Every function in municipal and school governance 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. Now, more than ever, this information is at risk. Come hear experts from banking, academia, and business describe threats to your technology and data and discuss how to make your computer systems and business practices more secure. This workshop is for municipal and school officials who use and manage computer systems, including administrators, managers, clerks, treasurers, and their assistants. School board and select-board members are also encouraged to attend.

## SESSION TOPICS AND SPEAKERS

Session topics include “So You Think Your Data is Safe?”, “Network and Data Security 101: Common Vulnerabilities and How to Address Them”, “Cyber Risk: Threat Exposures, Liability, Loss Control, and Claims Data Breach: It’s not a matter of “if” but “when,” and a Secure Banking: Best Practices roundtable discussion. And our presenters comprise information experts from Champlain College’s Leahy Center for Digital Forensics, NetDiligence, People’s United Bank, Merchants Bank, Washington South Supervisory Union, and VLCT PACIF.



### REGISTRATION FEE (PER PERSON):

\$60.00... VLCT PACIF Members  
\$90.00..... VLCT Members  
\$150.00..... Non-Members

**PLEASE REGISTER  
BY DECEMBER 4\***

To see a detailed agenda and register online, visit [vlct.org/eventscalendar](http://vlct.org/eventscalendar), and click on the workshop title.

Questions? Contact VLCT at 800-649-7915 or [info@vlct.org](mailto:info@vlct.org).

*\* Please include an additional \$10.00 per person for registrations received after the deadline above. For a full refund, please cancel in writing by the same deadline.*

**REGISTRATION BEGINS AT 8:00 A.M. THE WORKSHOP ENDS AT 3:30 P.M. A LIGHT BREAKFAST AND LUNCH ARE INCLUDED.**

To see a detailed agenda and register online, visit [vlct.org/eventscalendar](http://vlct.org/eventscalendar) and click on the workshop title.