

VLCT NEWS

A PUBLICATION OF THE VERMONT LEAGUE OF CITIES & TOWNS

SERVING AND STRENGTHENING VERMONT LOCAL GOVERNMENTS

November 2014



Left: Ken Canning, Director of RMS, VLCT, sits with three Board Presidents: Pat Scheidel, PACIF; Bill Shepeluk, HT; and Kathleen Ramsay, UIT.

Below: Town Fair attendees converse at the Conversation Café.

(see more Town Fair on page 12)



MUSINGS FROM A TOWN FAIR VIRGIN

Although I have served on the Benson, Vt. (pop. 1,056) Selectboard for many years, Town Fair 2014 was my first Town Fair. Quite frankly, had I not been newly appointed to the VLCT Board of Directors, this event would still be missing from my CV ... and I would never have learned what a fantastic experience it is! So listen up – particularly those of you in small- and medium-sized towns that do not routinely send a voting delegate to Town Fair.

(continued on page 16)

INSIDE THIS ISSUE

HEALTH AND UI TRUSTS TO MERGE

All members of the VLCT Unemployment Insurance Trust, Inc. and the VLCT Health Trust, Inc. who attended the trusts' annual meetings at Town Fair on October 9, 2014, voted to approve the merger of these two trusts into one as of January 1, 2015. The merged trust, which will be named the VLCT Employment Resource and Benefits Trust, Inc. (VERB), will continue to offer all of the programs that the two individual trusts currently do and will be well poised to provide additional products and services to its members. If you have any questions regarding the merger, please contact Ken Canning



(Director, Risk Management Services, VLCT, kcaning@vlct.org), Kathleen Ramsay (Middlebury Town Manager and President of the Unemployment Insurance Trust Board, kramsay@townofmiddlebury.org), or Bill Shepeluk (Waterbury Town and Village Manager and President of the Health Trust Board, wshepeluk@waterburyvt.com).



- The Quilt that Won't Quit 2
- Ask the League 4
- Legal and Regulatory Notes 6
- Prevent Winter Hazards 8
- Green Stormwater Infrastructure 9
- Risk Management Services 10
- Health Insurance Renewal 11
- Town Fair Thee Well 12
- Trivia 14
- Classifieds 17
- Upcoming Events 20



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THE QUILT THAT WON'T QUIT

Long, long ago, when Vermont was just emerging from New England's primordial ooze, the Vermont League of Cities and Towns launched its Local Government Quilt Project titled "Cities and Towns – Working Together, Making a Difference," which just happened to coincide with the theme of Town Fair 2005 (right).

To date, 69 Vermont municipalities have submitted handcrafted squares, namely: Arlington, Bakersfield, Barre (town), Bennington, Benson, Bethel, Bridgewater, Bridport, Brookfield, Cabot, Charlotte, Colchester, Concord, Danville, Dorset, Dover, Duxbury, East Haven, Enosburg, Fairfax, Fair Haven, Fayston, Franklin, Greensboro, Guildhall, Halifax, Hardwick, Hartford, Hubbardton, Killington, Manchester, Middlebury, Milton, Montgomery, Moretown, Mount Tabor, North Hero, Orange, Pawlet, Pitts-

field, Pomfret, Reading, Richford, Richmond, Rip-ton, Roxbury, Rupert, Rutland (city), Rye-gate, Sharon, Shoreham, South Burlington, Springfield, Strafford, Stratton, Thetford, Topsham, Tunbridge, Waltham, Wards-boro, Warren, Waterford, Weathersfield, West Windsor, Williamstown, Wilmington, Winhall, Woodstock, and Worcester.



The first 47 squares plus a VLCT square were bound into the first quilt, which former Governor Douglas unveiled at Town Fair 2005 (above left). A second quilt, introduced at Town Fair 2009, consists of another 12 squares; a third quilt contains eight more. Together these three tapestries make up the current Local Government Quilt (below), displayed at Town Fair 2014.



In a perfect world, every Vermont city, town, and village will be represented on a series of Vermont Local Government Quilts. And you can help: if your town hasn't already submitted a square – i.e., a 10"×10" square with an 8"×8" design – please consider doing so.



Care and feeding of the quilts still rests with erstwhile VLCT Claims Representative and continued quilter extraordinaire Pat Boyle (left), though Needle and Thread Wrangler Jessi Hill (jhill@vlct.org) can answer any related questions. And, if you already have a completed square ready to mail (please don't try to fax it!) and are looking for an addressee, look no farther than Jessi. Molte grazie!

*David Gunn, Editor
VLCT News*



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ASK THE LEAGUE

AUDITING SCHOOL DISTRICTS; CEMETERY MAINTENANCE FUNDING LIMIT

Are town auditors still in charge of auditing school districts?

No. In 2012, the Vermont Legislature decided to eliminate the role of town-elected auditors in school district finances. As of July 1, 2013, all supervisory unions must now employ public accountants to audit each member town's school districts. Elected town auditors are no longer school district auditors and current law clearly limits their authority and responsibilities to the town.

*H. Gwynn Zakov, Staff Attorney I
VLCT Municipal Assistance Center*

Are towns prohibited from spending more than \$500 on cemetery maintenance in any given year?

No. There is no such limit imposed by statute. The confusion surrounding how much money towns can spend on cemetery maintenance stems from the following provision of state law:

When lots or walks in a public burial ground become unsightly with weeds or by an unchecked growth of grass or from any other cause, or when headstones or

monuments have become displaced or out of repair, the selectmen or cemetery commissioners shall cause such lots and walks to be cleared of weeds and grass, the headstones or monuments to be replaced or repaired or other disfigurements removed, and may draw orders on the town treasurer for the expenses incurred. The amount drawn from the treasury of a town for such purpose in any year shall not exceed \$500.00. 18 V.S.A. § 5362. (Emphasis added.)

This statute provides a classic example of why it is important to interpret statutes within their legislative context. On its own, this statute seems to impose a \$500 spending cap for clearing weeds from cemetery grounds, cutting the grass, and repairing and replacing headstones and monuments. However, when considered in conjunction with other relevant statutes, a different meaning emerges.

(continued on next page)

UPCOMING MUNICIPAL ASSISTANCE CENTER WORKSHOPS

FALL SELECTBOARD INSTITUTE

Saturday, November 8, Lake Morey Resort

The *Fall Selectboard Institute* will expand our training on the unique roles and responsibilities of Vermont selectboard members. This workshop includes timely town meeting preparation topics of drafting articles, preparing the warning and dealing with petitioned articles, as well as preparing and managing the annual budget. In addition, the important topics of employee termination and ordinance adoption and enforcement will be reviewed. Designed for both newly elected and seasoned members, the program is highly interactive and allows members to learn from each other's experiences.

MUNICIPAL ATTORNEYS FORUM

Wednesday, December 3, Capitol Plaza Hotel and Conference Center

Co-sponsored by VLCT's Municipal Assistance Center and the Vermont Bar Association

This workshop is designed for municipal attorneys and the paralegals and staff who assist them. The goal of this year's Forum is to provide an opportunity for both seasoned and new attorneys to learn about and discuss important issues in Vermont municipal law including navigating the changes to Vermont's Open Meeting Law, avoiding missteps in the tax sale process, reclassifying and discontinuing town roads, and managing conflicts of interest in local government. **We anticipate that this workshop will offer 6 continuing legal education credits, including 1 ethics credit.**

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



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ASK THE LEAGUE

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For example, the statute that imposes penalties on selectpersons or cemetery commissioners who willfully neglect their duty to maintain cemeteries provides as follows: “A selectman, cemetery commissioner, or trustee, who violates a provision of this chapter, or willfully neglects any of the duties imposed by this chapter, for which other penalties are not provided, shall be fined not more than \$200.00.” 18 V.S.A. § 5363. But how can selectpersons or cemetery commissioners possibly fulfill their statutory duties if they are limited to spending only \$500 a year? The answer is that most cannot. The preceding statute, 18 V.S.A. § 5361, gives us some additional insight. It states that “[a] town may vote sums of money necessary for purchasing, holding, and keeping in repair suitable grounds and other conveniences for burying the dead ...” Giving voters the authority to approve whatever sums they deem appropriate for the keeping and repair of cemetery grounds is in stark contrast to a \$500 spending cap, if there is one.

So, what should we make of the “shall not exceed \$500.00” language in 18 V.S.A. § 5362? A court of law would apply common

law principles of statutory interpretation to guide its analysis. Those principles instruct that “[w]hen interpreting independent statutory schemes with overlapping subject matters, we prefer to first look for a construction that will harmonize the seemingly-inconsistent statutes. Our ultimate objective, of course, is to implement the intent of the Legislature. We achieve that end by examining the language of the statute in question, and, if necessary, the statutory scheme in its entirety, keeping in mind its subject matter, its effect and consequences, and the reason and spirit of the law.” *Hartford Bd. of Library Trustees v. Town of Hartford*, 174 Vt. 598 (2002). (Internal citations removed.)

Following that guidance, the interpretation that appears to harmonize these seemingly contradictory provisions of Vermont cemetery law is that 18 V.S.A. § 5362 is not a limit on the authority of the selectboard or cemetery commission to spend money lawfully appropriated by the voters for cemetery purposes, but is rather a limitation on those making demands on the selectboard/cemetery commission for the care and maintenance of a town cemetery. In the event the voters do not appropriate any monies, a selectboard or cemetery commission could still draw orders upon the town treasurer for maintaining its cemeteries, but could not be required to draw more

than \$500 in any one year. This interpretation coincides with that of former Deputy Secretary of State Paul S. Gillies in his publication “A Book of Opinions”:

Aside from the national spotlight on the maintenance policy of one town's cemeteries where sheep are employed, there was a movement in some towns in the summer of 1991 on the question of a municipality's obligations to maintain cemeteries. Suppose a town neglected to appropriate any money at town meeting for the purpose. What then? Look at 18 V.S.A. § 5362. It says, ‘When lots or walks in a public burial ground become unsightly with weeds or by an unchecked growth of grass or from any other cause, or when headstones or monuments have become displaced or out of repair, the selectmen or cemetery commissioners shall cause such lots and walks to be cleared of weeds and grass, the headstones or monuments to be replaced or repaired or other disfigurements removed, and may draw orders on the town treasurer for the expenses incurred. The amount drawn from the treasury for such purpose shall not exceed \$500.00.’ There's even a penalty for a selectman, cemetery commissioner, or trustee who violates the section, or for those who fail to keep in repair fences around a public burial ground. 18 V.S.A. §§ 5363 and 5364.

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

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LEGAL AND REGULATORY NOTES



UTILITY EASEMENTS TAXES, TAX ASSESSMENTS, AND THE RIGHT TO PHYSICALLY ATTEND MEETINGS

Utility Easements and Rights-of-Way Are Not Subject to Municipal Property Taxes

In the case of *Vermont Transco LLC v. Town of Vernon*, 2014 VT 93A, the Vermont Supreme Court ruled in September that utility easements are not subject to Vermont's municipal property tax. This decision provides further guidance to listers regarding the tax assessment of property held by electric companies and located within a municipality.

The Court based its decision on the reasoning found in the 1985 case of *Village of Lyndonville v. Town of Burke*, 146 Vt. 435. In the *Lyndonville* case, the Court had ruled that utility easements held by a municipal utility are not "land" that may be separately taxed pursuant to 32 V.S.A. § 3659. That statute provides in part that "land and buildings of a municipal corporation, whether acquired by purchase or condemnation and situated outside its territorial limits shall be taxed by the municipality in which such land is situated." The Court's decision in *Lyndonville* was based in part on the practical difficulties of

identifying and taxing every interest in a piece of property, rather than making one assessment against the titleholder of the property. "It appears unreasonable to conclude that the Legislature intended to cast upon the listers the burden of determining the nature of the titles of various owners of different interests in a piece of real estate." *Lyndonville* at 438.

The *Vermont Transco* case extends the *Lyndonville* ruling such that utility easements are now clearly exempt from taxation even when they are held by private entities. Although distribution and transmission lines remain taxable as "business personal property" pursuant to 32 V.S.A. § 3618, it is clear now that the easements and rights-of-way underlying these lines should be "exclude[d] from the grand list of properties subject to tax." *Id* at ¶23.

The decision is archived at <http://info.libraries.vermont.gov/supct/current/op2013-243A.html>

*Sarah Jarvis, Staff Attorney II
VLCT Municipal Assistance Center*

Vermont Supreme Court Revisits Town's Tax Assessment of Properties' Development Potential

Earlier this year, we reported on a Vermont Supreme Court decision, *Lathrop v. Town of Monkton*, 2014 VT 9, in which the Court held that "a town may assess a parcel as including multiple house sites where the owner has subdivided the property into separate lots." (See "Vermont Supreme Court Upholds Town's Tax Assessment of Properties' Development Potential" at http://www.vlct.org/league-resources/search-vlctresources?zoom_sort=0&zoom_query=Monkton&zoom_per_page=10&zoom_and=0&zoom_cat%5B%5D=4.)

The *Lathrop* case left unresolved the question of what acts – short of obtaining subdivision approval – could be used as grounds for assessing one property as two parcels. In

(continued on next page)

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- **Brendan Keleher, Municipal Management and Finance Consultant**



BILL HALL

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BRENDAN KELEHER



LEGAL AND REG.

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July, the Court answered this question in the case of *Hoiska v. Town of East Montpelier*, 2014 VT 80. The taxpayer in this case, Elaine Hoiska, acquired a 16.2 acre parcel with a house and barn in East Montpelier in 1977. In 1978, the taxpayer had a survey prepared for her property which included a line dividing the property into two lots. The survey was not recorded until 1986. The town's zoning and subdivision regulations in existence from 1974 until 1982 only required subdivision approval when three or more lots were created.

In 2011, Ms. Hoiska's property was assessed as two lots on the basis of her survey. That separate assessment was challenged by the taxpayer but upheld by the Board of Listers, the Board of Civil Authority, and the State Appraiser in turn.

The question before the Vermont Supreme Court was whether a survey including a subdivision line automatically creates a subdivision for appraisal purposes. The Court held that it did not. "[A] survey alone, unaccompanied by any evidence manifesting an intent by the owner to actually subdivide along the lines reflected in the survey, does not effectuate a subdivision." The difference between this case and *Lathrop*, the Court ruled, was that the property owner in *Lathrop* had received a subdivision permit. In *Hoiska*, the taxpayer neither requested nor received such approval to subdivide her property and furthermore evidenced no such intent. "The intention to subdivide can be manifested in

many ways, including by recording the survey reflecting the subdivision, on one or both subdivided lots, conveying one or both subdivided lots, offering to sell one or more subdivided lots, or otherwise expressing an intention to prospectively treat the lots as separate. However, the mere preparation of a survey reflecting two lots, by itself, is not enough." While Ms. Hoiska did eventually record her survey, the Town's subdivision regulations at that time did not require subdivision approval for the two.

Though this case did not turn out in the Town's favor, it's nonetheless helpful to municipalities as, when taken in conjunction with

the *Lathrop* case, it provides clearer direction to listers and assessors as to how to determine and how to appraise "subdivided" property.

The decision is archived at <http://info.libraries.vermont.gov/supct/current/op2013-274.html>

Garrett Baxter, Senior Staff Attorney
VLCT Municipal Assistance Center

Court Rules on Constitutional Right to Physically Attend Open Meetings

On September 30, 2014, U.S. District Court Judge J. Garvan Murtha ruled that

(continued on page 14)

ON-SITE WORKSHOPS

LET THE VLCT MAC STAFF TRAVEL TO YOU!

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

Each workshop costs \$800, though VLCT PACIF members are eligible for a reduced rate of \$400 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
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PLAN NOW TO PREVENT WINTER HAZARDS AND CLAIMS

With the leaves down and snowflakes on the way, now is the time to plan how to minimize the risks created by various winter conditions. Winter is an active time for highway crews who must be out on roadways when no one else is. Snow and ice increase everyone's risk of slipping and falling. Freezing temperatures present special challenges as we all try to stay warm. Because many of these risks are predictable, you can implement prevention measures to reduce the potential for injury or other losses. With some care and planning, your municipality has a hope of experiencing fewer injuries to people and less damage to property, reducing the need to file insurance claims this winter, and perhaps saving money down the line. Following the guidelines below might help your cause.

The incidence of slips and falls always increases in the winter, affecting members of the general public as well as municipal employees. Among PACIF member employees who file slip and fall injury claims, law enforcement and highway personnel are at most risk off-site and administrative personnel are at most risk on municipal property.

- Support employee safety by enacting a winter footwear policy that encourages or requires the use of slip-resistant gear such as Icebugs or YaxTrax.
- Maintain municipal walkways and parking lots as well as possible. Use signs to point out hazards that can't be removed.
- Remind employees to get in and out of all vehicles carefully, as these are common causes of injury. Because steps and ladder surfaces on large vehicles might be slippery, using the Three Points of Contact technique – always having either both feet and one hand or both hands and one foot in contact with steps, rungs, or hand holds – and always facing the vehicle during entry and exit will reduce the potential for slipping and falling.

Plowing operations and equipment all present special concerns for the safety of people and property. The high number of plows in operation when road conditions are at their worst creates an increase in accidents, whether other vehicles are involved or not. Do the following to reduce risk.

- Carefully plan routes that minimize the

need for backing the plow vehicle.

- Before the plowing season starts, give all plow drivers time to refamiliarize themselves with their routes, identify poor roadway elements, and note obstructions such as high manhole covers.
- Because turning around at the end of routes or dead end roads is a frequent cause of vehicle damage, the plow driver should take careful note of all structures in turnaround areas, marking stumps and other obstacles if that will be helpful, and work with the property owner to keep the turnaround areas clear of vehicles and other obstructions. Doing turnaround dry runs with the actual plow vehicle that will be used on that roadway can go a long way in helping to reduce the number of plow-related claims.
- Ease new drivers into their routine by having them accompany a veteran driver during their first run or two. It is especially important for new drivers to become familiar with driving their route and anticipating its challenges before the season starts.
- When backing into a garage, use a spotter to prevent damage to the vehicle or the garage or both.
- Use back-up cameras to improve the plow driver's view while driving in reverse.
- Take advantage of PACIF's new plow driver training course. Contact your PACIF Loss Control Consultant for details about this new hands-on training.
- Chain-up as necessary when weather and road conditions require it. Having chains on before they are needed is the best practice.
- Check vehicles daily for safety and maintenance needs. If any work needs to be done, pause to think about the safe way to do it. Vehicle lights, the heating system, tires, brakes, wipers, strobes, and hydraulics are all crucial safety systems that should be checked frequently in winter. If a windshield needs cleaning in the middle of a plow route, find a safe place to pull over, then use a long-handled brush to clear the windshield rather than climbing up on a plow blade. Similarly, use an appropriately rated step ladder instead of climbing up on a wing blade to replace a wiper when back at the town garage.

- To reduce employee injuries caused by bending and lifting heavy parts, store plow blades and carbides on a sturdy rack that is 24 to 38 inches off the floor.

The intense cold can adversely affect sprinkler systems. Although burst sprinkler claims are not common, those that do occur are especially expensive and can be time-consuming to recover from. To reduce the potential for sprinkler-related claims:

- Have your system serviced by a qualified vendor at least annually. This service should include system tests and flowing water (as appropriate).
- For dry systems, learn where the system's low spots are and make sure that your vendor drains the water and condensation from them.
- For wet systems, make sure that buildings are kept at a reasonable temperature, and colder building locations such as closets and other nooks and crannies that have sprinkler lines or water pipes running through them receive enough heat for the water not to freeze.

Heating systems are often put to the test during Vermont winters. To ensure that they are reliable, safe, and energy efficient, have all heating systems inspected and maintained by a qualified vendor annually. This includes wood stoves and chimneys. Also be sure to remove all snow and ice accumulation from

(continued on page 10)



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TRAFFIC CALMING MEETS GREEN STORMWATER INFRASTRUCTURE IN THE VILLAGE OF SWANTON

When the Village of Swanton decided to construct a traffic calming island at the intersection of Academy Street and Route 7 – i.e., the heart of the village – Mike Menard, the village’s Public Works Director, wondered if the new traffic island might serve an additional purpose: to infiltrate and treat stormwater runoff ... that is, to make it “green.” To find out, the village contacted the Friends of Northern Lake Champlain, a non-profit organization whose mission is to improve the water quality of northern lakes by reducing land-use pollution. Denise Smith, Executive Director of the organization, followed through by applying for and receiving funds from the Vermont Department of Environmental Conservation’s Ecosystem Restoration Program (ERP). Jim Pease, the ERP Grant Manager, said that the project was a “good mix-match with the safety issues on the roadway.”



Instead of a traditional curbed traffic island, the village implemented a design of Stone Environmental, an environmental consulting firm, that created a shallow depression within the curbed area to promote infiltration of stormwater runoff into the deep, sandy soils prevalent in the village. This so-called green stormwater infrastructure – or GSI practice – effectively removed pollutants and reduced the volume of runoff that was previously being discharged, untreated, to the nearby Missisquoi River and then into Missisquoi Bay. The bay is polluted with high levels of phosphorus, a nutrient that activates the growth of algae blooms, unwanted aquatic plants, and toxic cyanobacteria, (also known as blue-green algae), making the water unsafe or unpleasant to be in, on, or around. The infiltration area was designed to store and treat runoff from a one-inch storm, or 90 percent of the rain that falls in areas draining to the infiltration area. Runoff from nearly one-half acre of impervious (hard) surface – approximately 500,000 gallons of water annually – has been directed to the infiltration area.

“Integrating stormwater management into a planned traffic improvement resulted in a win-win for the village and water quality,” said Julie Moore, Stone Environmental’s Water Resources Group Leader and the engineer responsible for the design. “These types of projects – where stormwater controls are incorporated into a planned infrastructure project – offer some of the most cost-effective opportunities to retrofit stormwater treatment into our village centers and downtown areas.” The key, she added, is to identify and evaluate stormwater management options early in the design phase, as opposed to after the design is largely complete.

Said Swanton Village Manager, Reg Beliveau, Jr., “We are really pleased with how it turned out, and we plan to put some planters in it in the springtime.” He believes that taking even small steps to reduce phosphorus runoff into Lake Champlain is crucial for its health.

Added Denise Smith, “this project would not have been possible without the leadership of the village and their willingness to consider this project’s impact on the environment. It is a valuable lesson for all communities and developers to consider how to create places and green infrastructure in our communities to slow the flow and filter the water before it discharges to our lakes and streams.” She said that there were thousands of potential projects like this one, and it was her organization’s task to identify and prioritize them, and find the resources to implement them. “By working together,” she concluded, “we can maximize resources that have a positive impact on our water quality.”

For more information about this project, contact Denise Smith (denisefnlc@gmail.com or 802-355-0694) and Julie Moore (jmoore@stone-env.com or 802-229-1881).

*Milly Archer, Water Resources Coordinator
VLCT Municipal Assistance Center*



L - R, Reg Beliveau, Swanton Village Manager, and Jim Pease, VTDEC-ERP Grant Manager.

VLCT UNEMPLOYMENT INSURANCE FOR 2015: SAME SERVICES IN THE NEWLY MERGED TRUST

VLCT Unemployment Insurance (UI) Trust members will receive their 2015 statements and initial invoices for the 2015 renewal by late November. As announced at the UI Trust Annual Meeting at Town Fair, overall UI costs for 2015 will be lower than in 2014, decreasing to 1.8 percent of average payroll for all members, although individual members' rates and contributions may be higher or lower due to their group's individual claims experience or payroll changes.

Two key factors have helped to control many members' UI costs for 2015:

- This Trust's claims stabilized in 2014.
- The UI Trust's Board of Directors voted to return **\$303,925** to members as contribution credits, which will be indicated on each member's bill.

If you have any questions about this information or your 2015 UI renewal statement, please contact Kelley Avery at VLCT (800-649-7915, ext. 1965, or kavery@vlct.org).

MODEST EYEMED RATES FOR 2015

January 1, 2015, will mark the VLCT Health Trust's first vision coverage rate increase in four years. The increase is quite slight – three percent or less – and the new rates are guaranteed not to rise again for another four years. This coverage is provided by EyeMed Vision Care®. The table below shows the new monthly vision premiums for January 1, 2015, through December 31, 2018.

(continued on page 16)

	Option 5: Packaged Plan	Option 6: Voluntary Standard Plan	Option 7: Voluntary Enhanced Plan
Single	\$4.61	\$6.74	\$9.06
2-Person	\$8.70	\$12.75	\$17.16
Family	\$12.76	\$18.69	\$25.17

PACIF Members:

Have you completed and returned your 2015 Renewal Application?

If yes, *excellent!* If no, please don't put it off **any** longer! It is important to return your accurately completed form no later than November 10th so we can bill you correctly accurately for 2015. Questions? Call 800-649-7915 to talk with an Underwriter.

WINTER SAFETY

(continued from page 8)

external wall vents to ensure proper operation and to reduce the potential for carbon monoxide accumulation inside the building.

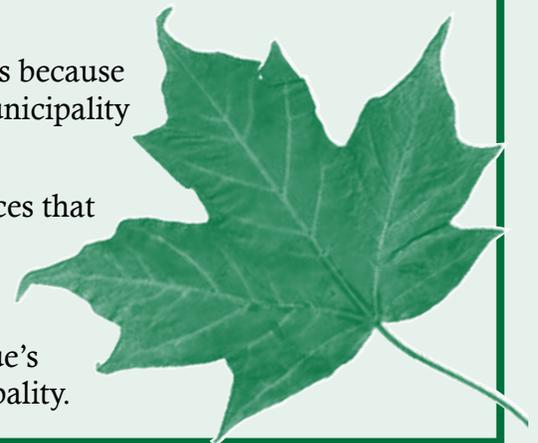
One final note, which is true year-round but most applicable in winter: do not allow municipal vehicles to be used to pull motorists, school buses, or other vehicles out of snow banks or ditches. Doing so exposes the municipality to liability if the other vehicle is damaged in the process. Instead, contact a wrecker and let the stranded vehicle's insurance company handle the cost and any consequences.

*Fred Satink, Supervisor,
Loss Control, Safety and Health Promotion*

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.



MENT SERVICES

2015 HEALTH INSURANCE RENEWALS FOR GROUPS WITH NO MORE THAN 50 EMPLOYEES

The 2015 health insurance renewal season has begun! The final 2015 Exchange plan rates are posted on the Vermont Health Connect (VHC) website at <http://info.healthconnect.vermont.gov/2015healthplans>. By now, your group should have received renewal packets and instructions from your carrier, and you should be well underway with November open enrollment so your employees will have their coverage on January 1, 2015. Because the small business portion of the VHC website is not yet functional, *all employers with 50 or fewer employees must renew for 2015 directly with their chosen insurance carrier.*

Please note that if your group moved to VHC at any time during 2014, state mandates require your group to renew in November 2014 for a January 1, 2015, effective date. This is the case regardless of the month in which your group's 2014 VHC coverage began.

During Open Enrollment:

- If your group offers more than one plan or if you offer the full choice of Exchange plans, you must offer all employees enrolled in your coverage the option to change plans.
- Employees not formerly enrolled may, if they are eligible, join your coverage.

- Employees not formerly eligible who have become eligible must be notified and extended an offer of coverage through your group.
- Employees enrolled may add or drop dependents.
- Employees electing new coverage must be provided a Summary of Benefits and Coverage (SBC) corresponding to the new plan (available at the carrier's website).
- The employer must follow their carrier's instructions and provide the carrier with all group and employee open enrollment changes no later than December 1, 2014. Note: If you take no action by December 1, 2014, your employee plans will renew *as is* for January 1, 2015, at the new rates. For assistance, Blue Cross Blue Shield of Vermont (BCBSVT) groups may call the Exchange Specialists Hotline at 800-255-4550, and MVP Health Care (MVP) groups may call 800-825-5687.

NEW from BCBS for 2015: BCBSVT is now allowing full employee plan choice for all of their Exchange plans. However, your group can decide to maintain the status quo

and continue with your current Exchange plan offerings. In other words, you are not required to offer all Exchange plans to your employees, but you may choose to do so. MVP continues to offer full plan choice for enrollment.

VHC PLAN DESIGN CHANGES FOR 2015

Standard Platinum: no plan changes (only premium changes).

Standard Gold: no plan changes (only premium changes).*

Standard Silver: copays are up from \$20 to \$25 for primary care and mental health visits and from \$40 to \$45 for specialist visits.*

Standard Bronze: the deductible for prescriptions (Rx) is \$300*; the BCBSVT plan has no deductible on Class 1 pediatric dental.

Standard Silver HDHP: the maximum out-of-pocket expense for prescriptions (Rx MOOP) is \$1,300 individual/\$2,600 family.

Standard Bronze HDHP: the Rx MOOP is \$1,300 individual/\$2,600 family.

Non-Standard Gold: the BCBSVT plan has no deductible on Class 1 pediatric dental.

Non-Standard Silver: the BCBSVT plan has no deductible on Class 1 pediatric dental.

Non-Standard Bronze High Deductible: the Rx MOOP is \$1,300 individual/\$2,600 family.

* The BCBSVT Rx deductibles for the Standard Gold, Silver, and Bronze plans are all per person. The MVP Rx deductibles for Standard Gold are \$50 single/\$100 all other coverage; for Standard Silver they are \$100 single/\$200 all other coverage; and for Standard Bronze they are \$300 single/\$600 all other coverage.

If you have any questions regarding the above information, contact Kelley Avery at kavery@vlct.org or Larry Smith at lsmith@vlct.org. Kelley and Larry can also be reached at 800-649-7915.

2014 RMS CALENDAR

Enrollment Deadline for Optional Life Insurance. Friday, November 14, 2014. For details, please contact Kelley Avery or Larry Smith at VLCT at 800-649-7915.

EyeMed Open Enrollment. Now through Friday, December 12, 2014, for coverage starting January 1, 2015. 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 Dec. 12, 2014. For any questions regarding the EyeMed plans, coverage, or providers, or to enroll your group, contact Kelley Avery or Larry Smith at VLCT at 800-649-7915.

Deadline to add Health Advocate as a 2015 employee benefit. Friday, December 12, 2014 for coverage throughout 2015. For more information, please visit <http://www.vlct.org/rms/health-trust/health-advocate/>.

TRUST

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

UI TRUST

Administration, Education
Claims Management
Advocacy, Appeals



Vermont League of Cities & Towns **TOWNFAIR2014**

TOWN FAIR THEE WELL

Typically, by the time October 9 rolls around, the swallows are long gone from the mission at San Juan Capistrano and Town Fair is a fading memory in the minds of Vermont municipal officials. Not so this year, as the later date of our annual event synchronized perfectly with peak foliage and agreeable temperatures. By the numbers, Town Fair 2014 comprised a dozen workshops, five annual meetings, one candidates' forum, one day-long program demonstration, and one large exhibit hall crazy busy with a roomful of vendors representing products for every conceivable municipal need to more than 500 attendees who could pick up oodles of free merch while inspecting the displays.

An Unemployment Insurance Mock Hearing was held at one of the morning workshops. Compelling employment law questions were explored by five aspiring thespians from VLCT's Risk Management Services department as they reenacted the case of an employee whose medical use of marijuana seemed to affect his work. Susan Vaters, our Client Relationship Manager at Equifax Workforce Solutions – the Unemployment Insurance Trust's business partner – coordinated the hearing. At the end, attendees delivered a split decision as to whether the employer or the former employee prevailed. The real case, which took place not long ago in Arizona, was won by the employer.

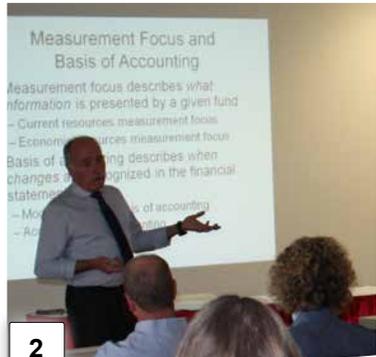
Another seminar titled Emerging Trends in Law Enforcement Liability featured presenters Jack Ryan, an attorney with the Legal & Liability Risk Management Institute, and Joe Farnham, of McNeil Leddy & Sheahan PC. Jack discussed recent case law on law enforcement liability issues concerning social media, dealing with mentally ill people, police use of body cameras, and filming of officers. Joe talked about public records issues in Vermont.

The annual meetings of VLCT's three self-insurance pools featured a history-making decision by members of the Unemployment Insurance (UI) Trust and the Health Trust. Those members cast their votes in separate motions brought before each trust and approved unanimously the proposal to merge their trusts into the single VLCT Employment Resource and Benefits (VERB) Trust, which will officially come into existence on January 1, 2015. Through December 31, 2014, the UI and Health Trusts will maintain their separate ways; after then, all of their programs will be offered through the VERB Trust. In the VLCT Property

(continued on next page)



1



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4



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7



6



8



TOWN FAIR THEE WELL

(continued from previous page)

and Casualty Intermunicipal Fund (PACIF) annual meeting that followed, Brendan Whittaker, Brunswick Selectperson, spoke on behalf of his fellow PACIF board members in acknowledging Board President Patrick Scheidel (Town Manager, Essex and Village Manager, Essex Junction) for the “tough gentleness” of his board management style and the conscientiousness with which he has overseen the administering of PACIF member contributions to this multi-million-dollar fund.

VLCT’s Senior Health Promotion Consultant Heidi Joyce demonstrated several components of PACIF WorkStrong’s One-to-One Consultations. As more members schedule Heidi to hold a day’s worth of these 30-minute individualized sessions, employees are responding positively to the specific information they get for how to feel more energized and balanced. This year, Invest EAP funded the two therapists who conducted chair massages throughout the day.

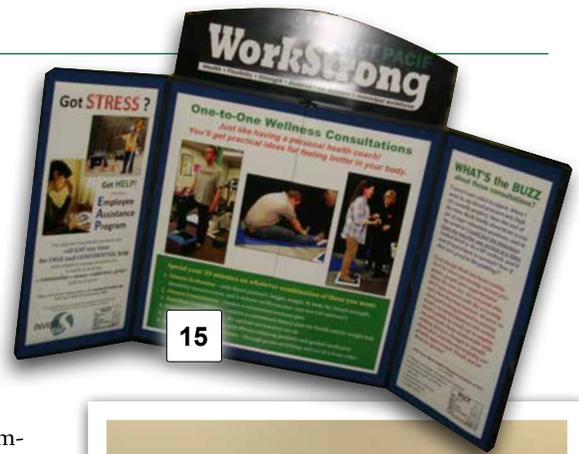
Meanwhile, VLCT’s annual meeting was predictably lively. Voting delegates representing 70 cities and towns – or 427,000 of Vermont’s population – as well as a number of additional local officials debated, amended, adopted and, in a couple of instances, rejected policies to guide the Vermont League of Cities and Towns in the 2015 legislative session. The 2015 Municipal Policy establishes municipal positions on matters ranging from the Open Meeting Law to the status of municipal plans and recommendations in the Public Service Board’s process to transportation and education funding and public safety.

The policy’s Preamble states that “Vermont must find ways to deliver government services to its citizens through the most efficient means available. ... Shifting costs and obligations from state to local government is not sustainable or acceptable. ... Where the Municipal Policy is silent on a public policy issue affecting municipal government, it shall be the position of the Vermont League of Cities and Towns to support provision of authority, autonomy and resources to cities and towns.” Armed with this policy, local officials will be ready to address the legislature when it reconvenes in January.

For a more personal view of Town Fair 2014, read Benson Selectperson Sue Janssen’s exposé on page 1. But to *really* appreciate what goes on at Town Fair, you have to *be* there. Next year, we’ll be back in Killington. We hope *you’ll* be there too!

*Ione Minot, Marketing Specialist
Risk Management Services
Karen Horn, Director
Public Policy and Advocacy
David Gunn, Editor
VLCT News*

Town Fair 2014 comprised a vast array of vendors (3, 12, 13), displays (15), informative workshops (1, 2, 8, 14), opportunities to network with colleagues (4), the most toothsome turkey luncheon imaginable (6), raffle of prizes (5, 7), and VLCT’s annual meeting (9, 10, 11), among others.





LEGAL AND REG.

(continued from page 7)

Addison-Rutland Supervisory Union (ARSU) officials violated a man's right to free speech under the First Amendment and due process under the Fourteenth Amendment of the U.S. Constitution when the district banned him from school property and prevented him from attending school board meetings. This ruling impacts not only Vermont school districts, but all municipalities in the state as well.

The case between the ARSU and Marcel Cyr began when Mr. Cyr and his wife became vocal critics of the ARSU and the Benson Village School that their son attended. The Cyrs were unhappy with the education their autistic son was receiving at Benson Village School and the couple filed several administrative complaints against the ARSU. The Cyrs put up yard signs, decorated their car, and handed out flyers advocating their views. School officials reported feeling threatened by Mr. Cyr's large stature and loud voice when interacting with him. There were reports that Mr. Cyr parked near school property and watched as school officials left meetings and did "drive-bys" of the school at odd hours. There were unsubstantiated allegations that

their son's teacher saw Mr. Cyr drive by her house in New York, and school officials read threatening comments on-line under a screen name Mr. Cyr had used previously. These occurrences, among others, led the Benson school principal and ARSU superintendent to issue two separate notices against trespass to Mr. Cyr barring him from all ARSU property for two years. Due to the no-trespass orders, Mr. Cyr was unable to physically attend school board meetings. ARSU offered Mr. Cyr the ability to attend school board meetings via telephone or by other "assistive" technological means, however Mr. Cyr contends he did not know what the technologies were, and did not have access to them.

Mr. Cyr filed suit against the ARSU alleging the notices against trespass which prevented him from physically attending school board meetings violated his constitutional rights to access to information, free speech, and due process. Judge Murtha ruled that the ARSU violated Mr. Cyr's right to free speech under the First Amendment and due process under the Fourteenth Amendment of the U.S. Constitution. With regard to Mr. Cyr's right to access claim, the judge ruled that there is no First Amendment right to access to school board meetings and, therefore, there was no violation of the First

Amendment by the ARSU.

Judge Murtha held that the notices against trespass issued to Mr. Cyr violated his First Amendment right to free expression by preventing him from physically attending school board meetings, which are a type of "limited public forum" under federal Constitutional analysis. Governments may impose content-neutral time, place, and manner restrictions on speech within this designated category so long as those restrictions are "narrowly tailored to serve a significant government interest and leave open ample alternative channels of communications." The judge ruled that although the trespass order was a "content neutral" restriction, the two-year ban was not "narrowly tailored," and did not leave open "ample alternative channels of communication." Murtha explained that ARSU's "categorical ban" was not tailored to respond to the "threat" that Mr. Cyr posed to school staff, "a threat that was never articulated as anything more specific than 'a potential risk of violence to [the principal and director,] or their staff.'" ARSU could have relocated the school board meeting to a neutral and secure location, as well as drafted a

(continued on next page)



Make oral health a priority.

Dental insurance programs prompt health conscious lifestyle behaviors and, by design, emphasize diagnostic and preventive services. Seeking care early is encouraged, which often helps minor problems from escalating.

Through your membership in the Vermont League of Cities and Towns, you have access to Northeast Delta Dental's dental plans designed with you and your employees in mind.

For more information, contact the VLCT Member Relations staff, or Kelley Avery at 1-800-649-7915, or Northeast Delta Dental at 1-800-329-2011.

www.nedelta.com

TRIVIA

A tourist was driving along Route 114 in the Northeast Kingdom when he spotted a farmer out in a field holding a handful of rocks. The tourist asked the farmer what he was doing. "Pickin' up rocks," said the farmer. "Where'd they come from?" asked the tourist. "Glacier brought 'em," replied the farmer. "Well, where did the glacier go?" pressed the tourist. Astute trivialogists Herb Durfee and Joel Cope – Fair Haven Town Manager and Brighton Town Administrator, respectively – knew the farmer said "Reckon it went back to fetch more." *Back to fetch more*, by the way, anagrammatizes to "Fort Bock machete," one of which the tourist had in his pocket – how's *that* for serendipity?!

Today's trivia question steps back in time to 1777: The creation of the Republic of Vermont also created independence-minded inhabitants who had no truck with paying taxes. Nevertheless, a rudimentary government had to function. So, what funded it? Sure, bake sales, car washes, and coin drops, but what *else*? Once you've Googled figured out the answer, email it to dgunn@vlct.org. The answer will appear in the distinctly descriptive December issue.



LEGAL AND REG.

(continued from previous page)

trespass notice that was in effect only during school hours or they could have posted a police officer at public meetings held on ARSU grounds. Added Murtha, the ASRU unreasonably singled out Mr. Cyr from school board meetings via the no-trespass orders, while others were still permitted to attend.

The ARSU was also found to have failed to provide adequate alternative channels of communication. "Participating by telephone would have substantially diminished Mr. Cyr's ability to communicate not only with the school board, but the community members," said the judge, adding that "physical participation in open school board meetings is a form of local governance, and to the extent that Mr. Cyr cannot be present at these meetings to communicate directly with elected officials, his First Amendment right to free expression is violated." Therefore, the "First Amendment does not permit the ARSU to confine Mr. Cyr's speech to telephone or 'assistive technologies' by issuing a blanket notice against trespass when less burdensome alternatives exist."

Mr. Cyr's other successful claim was that the ARSU stripped him of his Fourteenth Amendment right to due process when officials issued him the notices of trespass. A procedural due process claim is composed of two elements. First, there must be a property or liberty interest that is deprived; second, there must be deprivation of that interest without due process. Judge Murtha recognized that Mr. Cyr had a strong interest in attending school board meetings, where he had a right to express himself. The notices created a "high risk of erroneous deprivation because they were not issued pursuant to any protocol, because they did not set out a process to contest the ban, and because Mr. Cyr did not receive a meaningful opportunity to contest the ban." And because the notices were not issued pursuant to any protocol, did not specify a process for contesting them, and Mr. Cyr had no meaningful opportunity to contest them, "the notices posed a high risk of erroneously depriving Mr. Cyr of his First Amendment right to freedom of expression." Lastly, the judge noted that although the ARSU had a significant interest in protecting the safety of school staff, that interest was "not so overwhelming, taxing, or immediate that the ARSU did not have time to set out reasons for their decision and provide Mr. Cyr and opportunity to be heard."

All municipalities in Vermont should take note of this ruling because they sometimes face situations where certain citizens become vocal critics of the town and town officials, creating a potentially threatening situation. If town officials want to limit a citizen's access to certain town buildings or even themselves to respond to a particularized danger or threat, they should be very careful to create narrow solutions that address these specific issues and nothing more. Any similar restriction placed upon a citizen should still allow that person to physically attend open meetings, and the town should address any concern for safety, for example, by moving a meeting to a neutral location and having law enforcement present. By taking these steps, a town will ensure that constitutionally-protected rights are not

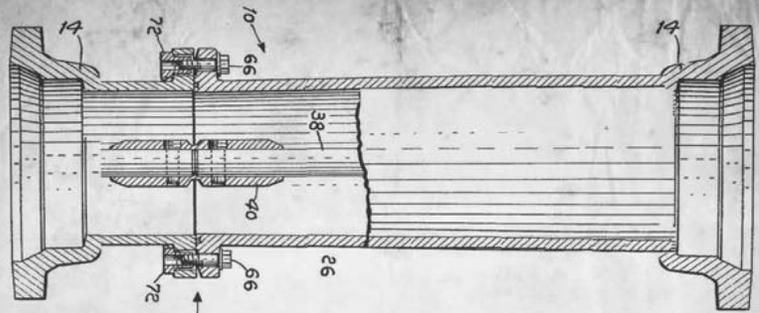
violated. Additionally, if a ban similar to a no-trespass order is issued to a citizen, the town needs to provide due process. Any ban on access should be mindful of "protocol" in the first instance, and there needs to be a "set out process for contesting" a ban, giving the person a meaningful opportunity to contest it.

Due to the serious nature of these matters and the legal implications that follow, a town should always work with its town attorney prior to taking any steps that restrict a person's access to town property and open meetings.

The decision is archived at <http://docs.justia.com/cases/federal/district-courts/vermont/vtcdce/1:2012cv00105/21931/33/>.

H. Gwynn Zakov, Staff Attorney I
VLCT Municipal Assistance Center

Are you still specifying like it's 1955?



Time to raise your exSPECtations!

Team EJP presents a new direction in specifications—beyond materials, dimensions and brands—to meet your *total* needs for the future:

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WATER, WASTEWATER & STORMWATER SOLUTIONS



EYEMED RATES

(continued from page 10)

Please note that Option 5 is non-voluntary. To get these rates, all employees who participate in the employer's medical coverage *must* be enrolled in this plan. Options 6 and 7 do not require full employee participation – any employee may choose to enroll or not.

EyeMed's features include:

- continued access to your current independent provider;
- rich out-of-network benefits;
- access to national leading retail chains such as Lenscrafters, Pearle, Target, Sears, and JC Penney Optical;
- a 40 percent discount for an additional pair of prescription eyewear, with no same-day or same-doctor purchase required;
- contact lens fit and follow-ups no longer come out of the materials benefit; and
- customer service available seven days a week.

New for 2015, EyeMed is offering a \$60 discount on subscriber non-prescription Ray-Ban sunglasses.

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Comparisons of the three plans and EyeMed enrollment forms are located on our Vision Coverage web page at www.vlct.org/rms/health-trust/vision-coverage/. We look forward to continuing to provide you with the best value for you and your employees. Please direct any questions regarding EyeMed Vision Care plans, coverage, or providers to VLCT's Kelley Avery or Larry Smith at 800-649-7915.

OPTIONAL LIFE INSURANCE NOW FROM LINCOLN FINANCIAL GROUP

Optional Life and Accidental Death and Dismemberment (AD&D) insurance options are now available from Lincoln Financial Group to employees of VLCT members. These new term life insurance options are completely selected and paid for by any employee who chooses to participate. The employer will simply handle payroll deductions and paperwork. Note that your group *must* have a non-voluntary base group life plan in place for employees to participate in this Optional Life program.

Coverage for the new Optional Life and AD&D product is as follows:

- All coverage is guaranteed issue: no medical questions will be asked and no medical exam is required.
- Employee coverage may be purchased in increments of \$10,000, up to \$100,000.
- Spouse coverage may be purchased in increments of \$5,000, up to \$30,000.
- Child/children coverage is a flat \$10,000 for all children ages six months to 19 years.
- No minimum participation is required.
- Coverage includes free access to Lincoln's Life Keys and Travel Connect services.
- Employees must sign up by **Friday, November 14**, for an effective date of January 1, 2015.

Costs vary by age, by who is covered (employee, spouse, or child/children), and by increments of coverage purchased. If your group already has a non-voluntary Lincoln group life plan, adding this optional employee benefit only requires a simple policy amendment by email and signing up your interested employees.

This new employee benefit is competitively priced and simple to implement. Please contact Kelley Avery (kavery@vlct.org or at 800-649-7915) for additional information.

TOWN FAIR MUSINGS

(continued from page 1)

This is why you should be involved:

First, you have the opportunity to see the faces behind the names that you contact when you call 802-229-9111. All VLCT staff are present and ready, willing, and able to assist you. You can speak directly to representatives from the Municipal Assistance Center as well as from the Risk Management Services.

Second, for your \$50 you can attend multiple workshops covering a range of topics so diverse (from sewage to the sun) that you will be challenged to pick only one to attend during each of the three sessions. That's right, your \$50 buys you *three* sessions of informative presentations, questions, and answers led by experts in their fields.

Third, one-stop shopping. Is your town considering bonding your new garage? Are you looking for an engineering firm to design your new bridge? Do you need help complying with the vagaries of the revisions to the Open Meeting Law as they impact your website? Are you considering whether you should purchase or lease your town office equipment? Vendors are on-site and you can meet dozens of them in one day – and acquire enough free pens to equip your town office for the upcoming year!

Fourth, admit it. You became involved in municipal government in part because you are a democratic process junkie. At Town Fair, you get a mini-town meeting with all the procedural bells and whistles. And you get to participate, not explain or moderate. It doesn't get much better than that!

Fifth, there is an incredible luncheon.

Finally – and truly firstly – this is the *only* time that I know of where each town's vote is equal. That's right, the vote from Benson has just as much weight as the vote from Burlington. One town, one vote. VLCT policy strives to represent *all* municipalities in Vermont and that is patently obvious at the annual meeting where the policy for the forthcoming legislative season is discussed, revised, and adopted by the voting delegates who are in attendance.

So, start looking around your town now for someone to represent you at next year's VLCT Town Fair: October 8, 2015, at the Killington Grand Hotel. I promise you that you will not regret the decision to be involved with this event.

*Sue Janssen, Selectperson
Town of Benson*



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 and find information on print ad requirements, sizes, 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

Audit Services. The Town of Panton is requesting proposals from qualified firms of Certified Public Accountants to audit its financial statements for the fiscal year ending June 30, 2015, with the option of auditing its financial statements for each of the two subsequent fiscal years. The complete RFP is posted at www.vlct.org/assets/Marketplace/panton_audit_services.pdf. **Proposals are due by Monday, December 1, 2014.** For more information, please contact Diane Merrill, Panton Town Treasurer, at 802-475-2333. (09-26)

Assistant Town Manager. The historic town of Concord, Mass. (pop. 17,668) seeks a progressive, forward-thinking manager to perform administrative, planning, and management work in connection with

the duties and responsibilities of the Town Manager's Office. As a member of our Senior Management Team, the Assistant Town Manager will take a lead role in enhancing and managing the Town's public and inter-departmental communications through a variety of forums while also providing direct support to the Town Manager in planning and coordinating town services and operations, supervising several department/division managers, coordinating facilities maintenance, and participating in budgeting, policy development, collective bargaining, and general liability insurance management. Must be highly motivated with the ability to use independent judgment and have exceptional interpersonal, organizational, written, and verbal skills. Also requires extensive knowledge

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Since 1970*

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Pownal Town

For more information contact:

Vermont Municipal Bond Bank
Champlain Mill
20 Winooski Falls Way, Suite 305
Winooski, VT 05404

(802) 654-7377 (phone)
(802) 654-7379 (fax)
Bond-bank@vtbondagency.org
www.vmbb.org



CLASSIFIEDS

(continued from previous page)

of public administration, finance, human resources, and supervision. Salary range: \$81-\$123K. **Application deadline: Monday, November 3, 2014.** For additional information, visit www.concordma.gov and click on Job Opportunities. (10-01)

Zoning Administrator. The Town of Newbury is seeking applicants for the part-time position of Zoning Administrator. The position requires working a few evenings a month as support to the Development Review Board and Planning Commission. A degree in Planning is a plus; prior experience in zoning and planning, preferably in Vermont, is a must. The successful candidate must also be self-motivated, organized, proficient with the computer, and possess good people skills. Salary will be negotiated at the time of hire. For a full job description, call the Newbury Town Office at 802-866-5521. To apply, submit a letter of interest and resume by Monday, November 10, 2014, to Newbury Town Office, PO Box 126, Newbury, VT 05051. (10-06)

City Manager. The City of Rockland, Maine, is seeking an experienced, progressive, and forward thinking City Manager. Rockland, located in the heart of Mid-coast Maine, enjoys a thriving working waterfront, vibrant economy, and downtown district. The City has 100 full-time employees and a \$16 million operating budget; it operates under a city charter, council-manager form of government with a five-member council

elected city-wide and serving three year staggered terms. The ideal candidate will have strong finance, operations, labor and management skills; experience as a town or city manager; the ability to work effectively and with transparency with elected officials, citizen groups, employees and the legislature; and a BA in business or public administration (Master's preferred), with at least five years of progressive municipal leadership experience. This is a unique opportunity for the career minded individual who thinks strategically, works collaboratively, listens attentively, and can make tough decisions. Rockland is facing some unique challenges over the next five years, including a need for increased economic development, an aging infrastructure that needs addressing, aging housing, and a municipal government that needs refocusing and reenergizing. Rockland offers an attractive salary and comprehensive benefit package along with the opportunity to grow your career in a vibrant, supportive community. To apply, email a resume and salary history to Rick Dacri of Dacri & Associates Executive Search at rick@dacri.com. For more information, call 207-967-0837. (10-06)

Program Coordinator. The Central Vermont Solid Waste Management District seeks a full-time Program Coordinator. This position provides the qualified candidate with an opportunity for a unique blend of administrative work in our Montpelier office, work in the field at special collection events in the District's 18 member towns, and at the CVSWMD's innovative Additional Recyclables Collection Facility in Barre, Vt. Preferred qualifications include

experience or education in environmental science or sustainability, recycling or solid waste management; skill using the Microsoft Office suite and performing data management; experience in special collection events coordination; ability to lift objects weighing up to 50 pounds; and ability to pass a criminal background check. Fieldwork takes place outdoors in all kinds of weather, including up to 20 Saturday collections each year. Travel in the 18 member towns of the Central Vermont Solid Waste Management will be required on a regular basis. Compensation, \$15.38 per hour, plus paid benefits including sick and vacation time and employer sponsored health, dental and vision insurance. Additional information is posted at www.cvswwd.org. To apply, email resume, cover letter, and three references to administration@cvswmd.org, or mail to Program Coordinator Search, CVSWMD, 137 Barre Street, Montpelier, VT 05602. Position open until filled. (10-06)

Highway and Grounds Superintendent.

Concord, Mass., Public Works (CPW) is seeking an experienced, talented, and innovative manager to lead a strong, committed and well-equipped 30-person team. Reporting to the Public Works Director, the Superintendent plans, organizes, and directs the care and maintenance of the Town's roads, sidewalks, shade trees, drainage, park and athletic fields, historic cemeteries, and public work's buildings and equipment. The Superintendent is responsible for winter snow removal and emergency support services. He or she works closely with other CPW managers and Town of Concord staff and provides administrative support to the Town's Cemetery Committee. Requirements: 5-7 years of progressively responsible related experience or equivalent; Bachelor's degree in Public/Business Administration, Engineering, or a related field. Salary range: \$64,880-\$97,865. To obtain the required application form and for further information, visit www.concordma.gov/hr or contact HR, Town House, 978-318-3026. Applications accepted until position is filled. EOE. (10-09)

Property/Tax Specialist. The Town of Colchester is seeking qualified applicants for the full-time position of Property/Tax Specialist. Qualified applicants must be highly motivated, detail-oriented, organized, possess strong math skills, and be able to work independently and with others. Strong

(continued on next page)

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 loan funds available at interest rates as low as 1% 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





CLASSIFIEDS

(continued from previous page)

customer service skills are required. Duties will include work in the Clerk/Treasurer's office and Assessor's Department including recording vital records, tax bill generation and collection, tax exemptions, property inspections, property data compilation, analysis, and reporting. A full job description is posted at www.colchestervt.gov/HR/descriptions/PropertyTaxSpecialist.pdf. To apply, email a town application (available at www.colchestervt.gov), cover letter, and resume to slabarge@colchestervt.gov, or mail to Sherry LaBarge, Human Resource Manager, Town of Colchester, PO Box 55, Colchester, VT 05446. Position open until filled. E.O.E. (10-09)

Library Associate I: Young Adult Services.

The Town of Colchester is seeking qualified applicants for the position of Library Associate I: Young Adult Services. Under the administrative supervision of the Library Director and Assistant Director, the Library Associate will perform patron service, age-appropriate programming, collection maintenance, and community outreach. Hours (35-50 per week) are still to be determined. A full description is at <http://colchestervt.gov/HR/hrVacancies.shtml>. To apply, email a town application (available at www.colchestervt.gov), cover letter, and resume by **Wednesday, November 5, 2014**, to slabarge@colchestervt.gov, or mail to Sherry LaBarge, Human Resource Manager, Town of Colchester, PO Box 55, Colchester, VT 05446. (10-14)

Executive Director. The Connecticut Conference of Municipalities (CCM) is seeking well qualified candidates with association management or other relevant experience for its Executive Director position. CCM, the statewide, nonpartisan, member-driven association of Connecticut towns and cities, maintains offices in New Haven and Hartford. CCM represents municipalities at the General Assembly, before state executive branch and regulatory agencies, in the courts, and on federal issues with the National League of Cities. It also provides a broad array of other services to municipalities and municipal officials. Insurance and risk management services are offered through the Connecticut Interlocal Risk Management Agency (CIRMA), a member-owned and governed agency established by CCM in 1980. CIRMA reports to a separate Board of Directors and CEO. The Executive Director is

appointed by the 25-member CCM Board of Directors, and is elected by and representative of member municipalities (155 member towns and cities, 94% of state population). The Executive Director supervises a staff of 17 (two department directors and an executive assistant), and administers a budget of \$3 million. Municipal officials oversee and participate actively in CCM policy development and services. Qualifications: The successful candidate must engage citizens and be a visionary leader with a hands-on entrepreneurial approach to creating meaningful service programs for municipalities. He or she should have a Master's degree in Public Administration or related field from an accredited institution, with at least 15 years of progressively higher levels of responsibility in

administration of governmental or association programs and services, demonstrated supervisory and organizational development ability, and relevant experience with intergovernmental issues and processes, or an equivalent combination of education, skills, and experience. To apply, email a letter of interest, resume, and salary history to Ellis Hankins, Senior VP, The Mercer Group, Inc., at ellis.hankins@gmail.com. For more information, contact Mr. Hankins at 919-349-8988 to request a recruitment brochure. Review of applications begins on **November 22, 2014**, with search committee interviews of semi-finalists in December. Competitive salary, depending on experience and qualifications; excellent benefits. Equal Opportunity Employer. CCM values diversity. (10-16)

Planning
Transportation
Land Development
Environmental



Complete Streets

FOR YOUR COMMUNITY

VHB is helping municipalities transform roadways, making them sustainable, more livable, and welcoming. Our Complete Streets strategy helps create roadways for all users, promoting healthy, active lifestyles and stimulating local economies.

Contact Mark Colgan, PE
at 802.497.6156 or
mcolgan@vhb.com

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UPCOMING EVENTS

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

FALL SELECTBOARD INSTITUTE

Saturday, November 8, Lake Morey Resort

The *Fall Selectboard Institute* will expand our training on the unique roles and responsibilities of Vermont selectboard members. This workshop includes timely town meeting preparation topics of drafting articles, preparing the warning and dealing with petitioned articles, as well as preparing and managing the annual budget. In addition, the important topics of employee termination and ordinance adoption and enforcement will be reviewed. Designed for both newly elected and seasoned members, the program is highly interactive and allows members to learn from each other's experiences.

MUNICIPAL ATTORNEYS FORUM

Wednesday, December 3, Capitol Plaza Hotel and Conference Center

Co-sponsored by VLCT's Municipal Assistance Center and the Vermont Bar Association

This workshop is designed for municipal attorneys and the paralegals and staff who assist them. The goal of this year's Forum is to provide an opportunity for both seasoned and new attorneys to learn about and discuss important issues in Vermont municipal law including navigating the changes to Vermont's Open Meeting Law, avoiding missteps in the tax sale process, reclassifying and discontinuing town roads, and managing conflicts of interest in local government. **We anticipate that this workshop will offer 6 continuing legal education credits, including 1 ethics credit.**

**Save these
2015 Dates!**

TOWN MEETING TUNE-UP

February 10

Capitol Plaza, Montpelier

LOCAL GOVERNMENT DAY

February 18

Capitol Plaza, Montpelier



Vermont League of Cities & Towns

TOWNFAIR2015

October 8, Killington Grand Hotel

Check out all of the upcoming MAC workshops online at www.vlct.org/eventscalendar!