

# VLCT NEWS

A PUBLICATION OF THE VERMONT LEAGUE OF CITIES & TOWNS

SERVING AND STRENGTHENING VERMONT LOCAL GOVERNMENTS

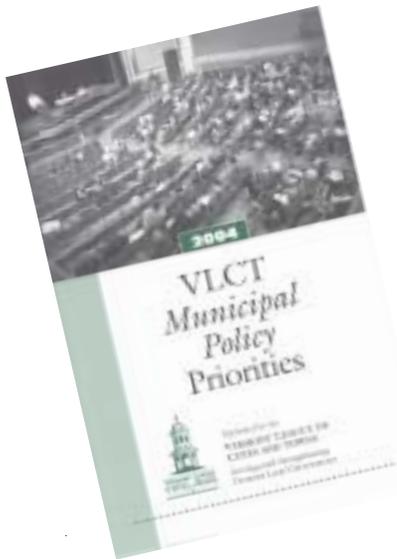
December 2003

## A FRESH APPROACH

### VLCT PREPARES FOR 2004 LEGISLATIVE SESSION

A complete rewrite of the 2004 VLCT *Municipal Policy*, publication of the new 2004 VLCT *Municipal Policy Priorities* booklet, and new, regional legislative meetings demonstrate the League's stepped up effort to bring a strong municipal voice to the State House in 2004.

The 2004 VLCT *Municipal Policy* was extensively rewritten over the summer by the municipal officials on VLCT's four legislative committees, and approved at VLCT's Annual Meeting at Town Fair on October 2. The full *Policy* can be found at [www.vlct.org](http://www.vlct.org), under



Member Services/Legislative Affairs. This year, the decision was made not to print the *Policy* in its entirety, but to print VLCT's legislative priorities, drawn from the *Policy*, instead. A copy of this new booklet was recently mailed to the selectboards, managers, mayors, administrative assistants, clerks and planning commissions in all VLCT member municipalities. It is hoped that the new format will result in a more focused and effective municipal effort at the State House.

In addition, VLCT legislative staff hosted five regional meetings around the state this fall to discuss the adopted 2004 VLCT *Municipal Policy* and priorities for action in the Legislature. In visits to St. Johnsbury, Burlington, Wilmington, Montpelier, and Rutland City, Karen Horn and Todd Odit, occasionally joined by Steve Jeffrey, talked about a proposed home rule amendment to the Vermont Constitution, extending local option taxes to cities and towns statewide, transportation funding, stormwater permitting, education funding and property tax assessment, corrections policy and more. Please see the article on Page Seven for a discussion of the issues Karen, Todd and Steve heard about from VLCT members on their "Legislature 2004 Tour."

- Karen Horn, Director, VLCT Legislative and Membership Services, and Katherine Roe, VLCT Communications Coordinator

## EFFECTIVE ADVOCACY FOR YOUR TOWN

As we think ahead to the 2004 legislative session, we consider again what are the most effective ways to contact our legislators and to get our points across to the people who call the shots under the gold dome in our Capitol. Legislators are most interested in the opinions of their constituents back home. Therefore, you, the elected and appointed officials working in the towns that your legislators are elected to represent, are the most effective advocates for your communities.

Whether at home or when visiting the State House, here are some tips to help you get the best results from your legislators or members of a legislative committee before whom you are testifying.

On an individual level:

**Get personally acquainted with your senators and representatives.**

Every legislator, in fact every person, has his or her story. If you take the time to find out, you may find your opinion of your legislator changes and your understanding of his or her motives will only increase. Contacting your legislators

(Continued on Page Ten)

## 2003-4 SALARY AND BENEFITS REPORT

The 2003-2004 VLCT *Salary and Benefits Report* was published earlier this month. Selectboard chairs or managers in municipalities that completed the initial survey should have already received their free copy in the mail. If you need a copy, please contact us for pricing information, or visit our Bookstore at [www.vlct.org](http://www.vlct.org).

We hope the *Salary and Benefits Report* is a

useful tool in planning and budgeting. This year we had an excellent response rate of 86% from member municipalities. The *Report* contains salary and benefits information on 236 cities, towns and villages, with separate sections for larger and smaller communities.

We welcome all suggestions for improving the 2004-2005 VLCT *Salary and Benefits Report* at [tfischer@vlct.org](mailto:tfischer@vlct.org).

### INSIDE THIS ISSUE...

Project Citizen Success .....	2
Legal Corner .....	4
Ask the League .....	6
Legislative Message .....	7
Group Services Comm. Ctr. ...	8
Tech Check .....	11
New VLCT Staff Member ...	14
MAC On-site Workshops ...	14
Classified .....	15
Calendar .....	16



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89 Main Street, Suite 4  
 Montpelier, VT 05602-2948  
 Tel.: (802) 229-9111 • Fax: (802) 229-2211  
 E-mail: info@vlct.org  
 Web: www.vlct.org

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*Director, Legislative and Membership Services*

**David Sichel**  
*Director, Group Services*

**B. Michael Gilbar**  
*Director, Administrative Services*

\*Partial List

**Katherine B. Roe**, Editor, VLCT News

The VLCT News is published monthly by the Vermont League of Cities and Towns, a non-profit, nonpartisan organization founded in 1967 to serve the needs and interests of Vermont municipalities.

The VLCT News is distributed to all VLCT member towns. Additional subscriptions are available for \$25 to VLCT members (\$60, non-members), plus sales tax if applicable. Please contact VLCT for subscription and advertising information.

# PROJECT CITIZEN STUDENTS VANQUISH TOBACCO COMPANIES

Last month, Attorney General William Sorrell announced that the principal tobacco companies who advertise in *Time*, *Newsweek*, and *US News and World Report* will remove advertising for their cigarettes from the student editions of these magazines.

What does this have to do with VLCT?

The impetus for the removal of the ads began with a Project Citizen portfolio at Marshfield's Twinfield Union School; Project Citizen is co-sponsored in Vermont by VLCT.

In 2002, six Twinfield eighth grade students developed a plan to remove the offensive advertising as their Project Citizen portfolio. They also brought the issue to Sorrell's attention, and he was able to incorporate the students' request into the State's tobacco settlement agreement.

"As one of the state sponsors of Project Citizen, VLCT is delighted that the Twinfield portfolio had such excellent results," commented Karen Horn, VLCT Director of

Legislative and Membership Services. The students' portfolio won the statewide Project Citizen contest in May 2003 (see July 2003 VLCT News) and went on to receive an honorable mention in the national competition.

Project Citizen is a hands-on civics education program for students in grades 6-12 that provides students the resources, public policy familiarity and confidence to tackle real problems in their communities. "VLCT has actively supported Project Citizen in the schools as a way to engage students in government and their communities at a young age, with the hope that the experience will carry over to government and public policy when those students reach adulthood," Horn said.

VLCT congratulates the six eighth grade students at Twinfield who identified the issue and developed a plan to remove the offensive advertising. The students are: Gregory Blackburn, Larry Dillard, Maegan Mears, Amber Miksic-Thomas, Rachel Rudi and Zachery Unteidt.

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# LEGAL CORNER



## WORKERS' COMP STRESS CLAIMS; EXECUTING A SEARCH WARRANT

### VERMONT SUPREME COURT ADOPTS "SIMILARLY SITUATED STANDARD" UNDER WORKERS' COMPENSATION STATUTE

The Vermont Supreme Court has issued an important decision involving a workers' compensation claim that all employers should be aware of. *Crosby v. City of Burlington*, 2003 Vt. 107 (November 21, 2003). The decision sets forth the applicable standard that will now be applied in Vermont to determine whether an individual has suffered a psychological injury that is compensable under the Vermont Workers' Compensation Statute. This case is

The plaintiff in *Crosby* worked as a firefighter for the City from 1975 until his employment was terminated in 1995. In 1994, prior to his termination, the plaintiff stopped working and sought workers' compensation, alleging that he was "experiencing stress at a level greater than he could handle." *Crosby v. City of Burlington*, 2003 Vt. 107 (November 21, 2003). The plaintiff alleged the stress was due to anxiety caused by a 1991 car fire, a 1994 building collapse, and a 1994 shift transfer that caused him to lose confidence in his superiors and in his ability to do his job safely. The City denied the plaintiff's claim for workers' compensation benefits, and the plaintiff appealed to the

related to fighting fires, being transferred, and engaging in conflicts with his superiors." *Id.* The plaintiff then sought a de novo jury trial in Superior Court. The jury awarded the plaintiff benefits and the City appealed, primarily contending that the trial judge erroneously instructed the jury that they should consider the "general population of employees" to determine whether the plaintiff was subject to unusual work-related stress. *Id.*

The Vermont Supreme Court has only addressed the issue of mental-mental injury in the context of workers' compensation benefits on one prior occasion. *Bedini v. Frost*, 165 Vt. 167 (1996). In that case, the Court upheld the commissioner's denial of benefits based on the finding that the claimant had not been subjected to unusual working conditions. The test for determining what constitutes "unusual working" conditions, however, was not clearly articulated by the Court.

The key issue for the Court in the present case is this: What is the appropriate "control group" that should be used to determine if a claimant has suffered "an unusual workplace stress" that constitutes a compensable injury under the workers' compensation statute?

The Court reviewed the three different

*(Continued on next page)*

*The take away messages from this case are: 1) Not all injuries caused by work-related stress are compensable under the Workers' Compensation statute; 2) Only work-related injuries caused by unusually stressful working conditions are compensable; and 3) To determine if an employee's psychological injuries were caused by unusually stressful working conditions, Vermont courts must compare the pressures experienced by the claimant against those encountered by all employees doing the same or similar job.*

particularly helpful to municipalities with a large proportion of employees working in highly stressful positions - such as emergency workers - because it creates a level playing field upon which determinations of whether employees have been injured by unusually stressful working environments must now be made.

The Vermont League of Cities and Towns filed a brief of *amicus curiae* ("friend of the court") in support of the City's interpretation of the case, which prevailed.

The Vermont statutes require employers to compensate "a worker [who] receives a personal injury by accident arising out of and in the course of employment." 21 V.S.A. § 618. There are generally four categories of injuries that have been held to be compensable under § 618. These general categories include: 1) physical injury caused by physical stimulus; 2) physical injury caused by mental stimulus; 3) nervous injury caused by physical stimulus; and 4) nervous injury caused by nervous stimulus. *Crosby* involves a claim alleging the fourth category of injury, commonly referred to as a "mental-mental" claim.

commissioner of the Department of Labor and Industry. The commissioner also denied plaintiff benefits, explaining that the "evidence demonstrated that the stress he was experiencing stemmed from normal workplace pressures

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## LEGAL CORNER -

(Continued from previous page)

approaches courts have employed to measure whether a claimant has experienced “unusual workplace stress.” The first approach requires claimants to show that they were subjected to “unusual pressures compared to other employees in the same workplace with similar responsibilities.” The second approach measures the pressures experienced by a claimant against those encountered by all employees doing the same job. And the third approach requires a showing that a claimant experiences pressures significantly greater than those generally encountered by all employees in the working environment.

The Court adopted the second approach, referred to as the “Wyoming Standard” or “similarly situated standard,” which looks to the “day-to-day mental stresses experienced by other workers employed in the same or similar jobs” as the control group for determining whether a claimant has or has not been injured by “unusual workplace stress.” The Court noted its decision was grounded in sound public policy by providing employees with compensation for legitimate work-related injuries while at the same time limiting employers’ liability to injuries caused by their industry. The Court further explained that a “control group comprised of similarly situated workers in the same general field provides a relatively precise, fair, and empirically workable standard.” *Crosby* at 6. Therefore, in this case, the control group used to determine whether the plaintiff was injured by “unusual workplace stress” should be other firefighters, not other workers in general.

This case is good news for employers for several reasons. First, it clearly sets forth the applicable standard that a claimant must meet in order to establish a compensable, psychological, work-related injury. Second, the standard articulated in the decision promotes consistency among similar cases by focusing on actual employment conditions in a specific field “rather than trying to take into account the level of stress placed on the workplace as a whole.” *Crosby v. City of Burlington*, 2003 Vt. 107 (November 21, 2003). And third, it reiterates the principle set forth in *Bedini* that not all employees who suffer mental injury from workplace stress are entitled to workers’ compensation benefits, and that in order to be entitled to such benefits, the claimant must meet a heightened standard of proof.

The take away messages from this case are: 1) Not all injuries caused by work-related stress are compensable under the Workers’ Compensation statute; 2) Only work-related injuries

caused by unusually stressful working conditions are compensable; and 3) To determine if an employee’s psychological injuries were caused by unusually stressful working conditions, Vermont courts must compare the pressures experienced by the claimant against those encountered by all employees doing the same or similar job.

- Julie Fothergill, Attorney, VLCT Municipal Assistance Center

### U.S. SUPREME COURT ISSUES TIMING GUIDELINE FOR EXECUTING CERTAIN SEARCH WARRANTS

A recent decision by the United States Supreme Court has established that a 15-20 second wait prior to using a battering ram in order to execute a search for cocaine satisfied the Fourth Amendment’s test of reasonableness.

The Fourth Amendment “protects the right of the people...against unreasonable search and seizure” and the Supreme Court in *United States v. Banks*, 540 U.S. \_\_\_\_ (2003)<sup>1</sup> identifies two factors to consider when carrying out a warrant to search. First, there is no template to determine when the actions of police officers satisfy Fourth Amendment requirements; rather, “the facts known to the police are what count in judging reasonable waiting time.” *Banks* at 8. Second, when executing a search warrant where an exigent circumstance exists, such as the destruction or loss of evidence, the time a reasonable officer must wait before entrance is the same as a “no-knock” warrant. A “no-knock” warrant permits law enforcement officials to enter the warranted premises unannounced.

#### Totality of Circumstances

Looking at the specific facts in *Banks* offers a glimpse at how to apply the Fourth Amendment reasonableness standard. The Court held, “when a warrant applicant gives reasonable grounds to expect futility or to suspect that one or another such exigency already exists or will arise instantly upon knocking” the officers may go straight in. *Banks* at 5.

In *Banks*, the North Las Vegas police acquired a search warrant for a suspected drug dealer’s apartment, knocked on the door, announced their presence and waited 15-20 seconds before forcibly entering the apartment. The police found Banks dripping wet as his afternoon shower had just been interrupted and, upon further search, discovered crack cocaine, drug paraphernalia and weapons.

The officers’ entrance was based on the fact

<sup>1</sup> Further citations from this recent decision are referenced to <http://www.supremecourt.us/opinions/03pdf/02-473.pdf>.

that at two o’clock on a Wednesday afternoon, with police officers posted at the front door calling out “police search warrant” and rapping hard enough on the door to be heard by the officers posted at the back door, “after 15 to 20 seconds without a response, police could fairly suspect that cocaine would be gone if they were reticent any longer.” *Banks* at 7. At this time the police did not know Banks was in the shower and based their entrance on an exigent circumstance, the potential destruction of evidence.

Reasonableness is to be “judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight.” *Banks* at 8. Upholding the decision of the officers to enter, the Supreme Court held that, “once exigency had matured...the officers were not bound to learn anything more or wait any longer before going in.” *Banks* at 9.

#### Exigent Circumstances

The main factor in *Banks* was “imminent disposal, not travel time to the entrance, that governs when the police may reasonably enter.” *Banks* at 9. The Court rejected the argument that reasonableness is to be based on the time it takes a defendant to reach the door. While executing a search warrant for drugs, the officers reasonably believed that announcing themselves and waiting longer than 15 to 20 seconds would allow Banks the opportunity to destroy evidence. It should be noted that when there is “no reason to suspect an immediate risk of frustration or futility in waiting at all, the reasonable wait time may be longer when the police make a forced entry.” *Banks* at 10.

#### Application to Law Officers

In a felony situation where the possibility of destruction of evidence exists, law enforcement officers can reasonably assume that announcing their presence may lead to an exigent circumstance allowing them to forcibly enter the premises. To ensure that the law enforcement officers in your municipality follow this rule, the development of departmental procedures regarding the execution of search warrants is suggested. When developing these procedures it is important to emphasize that facts specific to the scenario are what determine how long an officer must reasonably wait before entering.

In conclusion, whenever an exigent circumstance – such as the destruction of evidence – exists, the reasonable time an officer must wait to forcibly enter is the same as a “no knock” warrant.

- Daniel Phillips, Law Clerk, VLCT Municipal Assistance Center

(For help developing procedures regarding the execution of search warrants contact the VLCT Municipal Assistance Center, [dcloud@vlct.org](mailto:dcloud@vlct.org).)



# ASK THE LEAGUE

## SUPPORTING SOCIAL SERVICE ORGANIZATIONS; RESTORATION RESERVE FUNDS

### *Can public funds be allocated to a private institution such as a local preschool?*

The answer is yes, when this allocation serves a legitimate public purpose and is approved by the voters of the town. According to 24 V.S.A. § 2691, "at a duly warned town meeting for that purpose, a town... may appropriate such sums of money as it deems necessary for the support of social services programs and facilities within that town for its residents." Therefore, any social service organization that serves a legitimate public purpose and receives voter approval can become a recipient of town money.

In order for the voters to authorize this allocation, the question must be placed on the town meeting ballot. A request for appropriations can be placed on the ballot in one of two ways. *First*, the question can be placed on the ballot when the organization seeking funding files a petition with the town clerk that contains 5% of the voters' signatures, 40 days before the date of the meeting. 17 V.S.A. § 2642(a). *Second*, the selectboard can establish a policy for how social service appropriation requests will be included in the warning for the town meeting. A typical policy is to automatically place the previous year's appropriation on the ballot the following year. Under this policy, any organization that has not previously been appropriated funds by the town, or that desires an increase in funding, must petition the selectboard to have its request placed on the warning for town meeting.

Once the request has been placed on the ballot, it is up to the voters to decide whether or not to approve the appropriation. When considering this decision, the voters must look at the specific purpose for which these funds are to be used. The primary objective for the use of these funds must serve a public purpose. As long as this public purpose is the actual rationale for the appropriation, any private benefit that occurs will be considered incidental to the primary public purpose. "The test of a public purpose should be whether the expendi-

ture confers a direct benefit of reasonable general character to a significant part of the public, as distinguished from a remote or theoretical benefit." Eugene McQuillan, *Municipal Corporations* § 39.19, at 38 (3<sup>rd</sup> ed. 1995). Ideally, prior to the vote, the selectboard will have applied the public purpose test before placing any question on the warning. Therefore, this system of checks and balances will ensure that a public purpose is truly served with the use of these public funds.

It can be shown that a preschool that serves town residents is a legitimate public purpose. A preschool that provides daycare as well as a structured program to develop young minds provides a benefit to town residents. This opportunity prepares these children for the regiment of formal education while providing an educational daycare service for working families. Therefore, the preparatory education for the children, combined with the benefit conferred upon the parents of these children, can be defined as a legitimate public purpose that may be worthy of an allocation of town funds.

- Daniel Phillips, Law Clerk, VLCT Municipal Assistance Center

### *What can restoration reserve funds that are created under 32 V.S.A. § 1671(c) be used for?*

Restoration reserve funds are designated reserve funds established for the specific purpose of restoring, preserving, and conserving municipal records. Thirty-two V.S.A. § 1671 (c) authorizes legislative bodies to create reserve funds to preserve municipal records for posterity. These reserve funds are known as restoration reserve funds and may only be used for the restoration, preservation, and conservation of municipal records. This means that they cannot be used for general fund purposes.

Restoration funds are established or abolished only by an affirmative vote of the legislative body at a legally warned meeting of the body. Unless the fund is properly created, monies cannot be collected for, or expended from, the fund. These funds are primarily

funded by a portion of recording fees that are collected pursuant to 32 V.S.A. § 1671 (a) (1)-(6), but once established, a municipality can commit other monies to the fund in addition to recording fees.

The importance of municipal records cannot be overstated. They tell the story of a town's history, ensure the integrity of governmental actions, and provide certainty in property transactions. Restoration reserve funds provide the funding to ensure that these important documents are maintained not only for future generations, but also for use by the public today.

If you have any questions about whether your proposed expenditures of restoration reserve funds comply with 32 V.S.A. § 1671 (c), the Public Records Division of Buildings and General Services can assist you by providing general information about what it considers to constitute restoration, preservation, and conservation of municipal records.

- Julie Fothergill, Attorney, VLCT Municipal Assistance Center



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# BRINGING THE MUNICIPAL MESSAGE TO MONTPELIER

## WHAT IS ON LOCAL OFFICIALS' MINDS AROUND THE STATE

Conversations held with VLCT members around the state at our recent regional legislative meetings have proven invaluable to your VLCT legislative staff. This is because while VLCT is your voice in the State House, you are the people who have to work with and implement legislative initiatives in your hometowns.

Clearly, which municipal issues are most compelling varies from one part of Vermont to the next. Likewise, different office holders within our municipalities have different priorities. In the **Windham and Bennington County** areas, property tax bill information and the need to address how the Department of Taxes handles homesteads and grievances due to changes in the common level of appraisal (CLA), and the Department's lack of resources to support technical assistance to towns, are significant problems. Overweight trucks driving through towns because they choose to not go on the Massachusetts Turnpike and Department of Corrections populations lodged in municipalities with minimal oversight are significant quality of life issues in the southern part of the state.

In the southeastern part of the state, energy-related issues resonate. Entergy permits and related issues are of tremendous concern to the

municipalities within a short distance of the Vermont Yankee nuclear facility. Rockingham's efforts to assume ownership of the hydroelectric dam in its downtown has sparked intense interest. Wind generation and the location of windmills on highly visible mountaintops are close-to-home issues in southern counties.

As in the southern part of the state and **Rutland County**, corrections issues are huge in **Caledonia County** and particularly in St. Johnsbury, host to a prison population as well as persons under the supervision of the Department of Corrections. Lack of supervision is a major problem not only in St. Johnsbury, but also in communities hosting prisons and support services around the state. The fact that municipal police departments are the first line of response when offenders re-offend in the community is seen as part of a nationwide shifting of corrections costs to municipalities. Municipal attendees suggested that the Department of Corrections be required to notify a community when someone is released to that community, and to involve the Community Justice Committee in release decisions.

Dispatching for municipal public safety personnel and constables who are trained and have law enforcement authority is a significant issue in **Caledonia County** and other rural areas. Questions about who should dispatch, at what cost to taxpayers and towns, how to acquire necessary communications equipment, and what should be the role of the state police

all need to be answered if dispatching problems are to be resolved.

Questions abound not only in **Chittenden County**, but also around the state about stormwater permitting. How are developments along municipal roads to be permitted? What is the responsibility of municipalities for stormwater from developments that makes it into the municipal road? How will the Legislature or Water Resources Board resolve the permitting, development and real estate transfer impasse created by invalidated water improvement permits (WIPS) in impaired waterways? How should the Department of Environmental Conservation negotiate activities required by erosion control permits? Smaller towns are struggling to find a way to address the immense costs they might be facing to cover salted sand piles and provide covered areas for washing vehicles. Above all, municipal officials urged VLCT staff to get out ahead of the stormwater permitting issues.

Closely related are the new rules and regulations for on-site septic systems and potable water supplies. In **Rutland County** we heard that municipalities need flexibility to be more restrictive than state law regarding septic if the municipality votes to be so. And questions continue to arise about when the state will have a rule in place that lets municipalities take delegation of the new on-site sewage and potable water supply program.

In the Rutland area as in other parts of the state, record keeping and record retention in clerks' offices are major issues. Confidentiality issues around documents bearing social security numbers, floor plans and security plans for buildings, and non-locatable addresses continue to concern those local officials who might be liable if information is given to someone who then abuses it. The suggestion was made to fund a project to "look at town offices in 2015" vis-a-vis technology needs and treatment of records. Likewise, a study was recommended to define "land records" and consider what that term should appropriately include.

These are just a few of the myriad issues that affect municipal governments and arise in the Legislature. Our visits around the state have proven that your perspectives and insight into how laws work or don't work at the local level are invaluable. We urge you to take the time during the session to let us and your legislators know how a proposal might impact your community. And, we would love to hear how the timing or agenda of the legislative preview meetings might be adjusted to make them more convenient for you to attend.

*- Karen Horn, Director, VLCT Legislative and Membership Services*

## TRIVIA

Well, she did it again. For the third month in a row, **Lisa Mancuso**, Administrative Assistant for the Town of Grafton, nailed our monthly Trivia question. Lisa knew that the Social Welfare Act of 1967 removed Vermont municipalities' authority to operate poor farms, and that the last one closed was in Sheldon (in 1968). Here is December's Trivia:

**This Vermont woman was a scientist who was able to demonstrate that a person's sex was determined by a particular chromosome, the results of her studies of mealworms. Who was she, when and where was she born, and in what year did she die?**

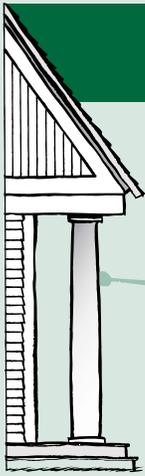
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**Full Day MAC seminar:** Non-PACIF Member rate \$75.00 per person, PACIF Member rate \$50.00 per person.

**Planning and Zoning Series:** Non-PACIF Member rate \$50.00 per person, PACIF Member rate \$40.00 per person.

**On-site workshops on a topic of your choice:** Non-PACIF Member rate \$700.00, PACIF Member rate \$350.00. Please see article elsewhere in this issue listing all the on-site workshops offered by VLCT MAC.

Take advantage of these great rates and sign up for trainings! Watch your mail for workshop announcements and check our Web calendar at [www.vlct.org/calendar](http://www.vlct.org/calendar). For more information, call VLCT at 800/649-7915.

### Upcoming Dates

### MARK YOUR CALENDARS - GROUP SERVICES DAY

THURSDAY, JUNE 3, 2004  
HARTNESS HOUSE  
SPRINGFIELD, VERMONT

### ATTENTION UNEMPLOYMENT INSURANCE TRUST MEMBERS

We want you to be aware of the following information! If an individual is working in your town through a community grant and is paid through your municipal payroll, your municipality will be charged if an unemployment claim is filed once the grant ends or the individual leaves employment. Some of our members pay individuals associated with the county court diversion program, for example, and other similar entities.

We will be surveying members for this information when we send out the annual wage reports in January.

### WELCOME!

The **Town of Montgomery** and the **Town of Middletown Springs** to the VLCT Health Trust.

**Jericho Fire District #1**, **Alburg Fire District #1** and the **Town of Weybridge** to VLCT PACIF.

**Francis "Tag" Taginski**, Williamstown Town Manager, as Alternate Board Member of the VLCT Unemployment Trust Board of Directors. Tag takes the place of South Burlington Manager **Charles Hafter**, who moved from the Alternate position into a regular Unemployment Board position upon Margaret "Peg" Picard's retirement from the Board in October. Thank you, Peg, for your years of service to the Board, and welcome, Tag.

Through Northeast Delta Dental, the Vermont League of Cities & Towns offers dental plans designed to meet the needs of your municipality.

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135 College Street  
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at 800-329-2011  
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## WRONG NUMBER

NEW STUDY REPORTS ON DANGERS OF CELL PHONES

A new study reports some disturbing news about cell phones and driving. The study by University of Utah researchers suggests that talking on a cell phone while driving disrupts your attention to the visual environment, leading to what the researchers call *inattention*

*blindness*, or the inability to recognize objects encountered in your visual field - other cars, for example.

In a previous study, the same researchers reported that talking on the phone while driving can lead to significant decreases in driving performance. Their research found that driver distractions can occur even when hands-free phones are used. And they reported that cell phone conversations created much higher levels of driver distraction than listening to the radio or audio books.

The researchers suggest that banning hand-held devices, but permitting hands-free phones, is not likely to solve the distraction problem. The problem, they say, is that phone conversations direct attention away from the external environment and toward an internal thought context associated with the conversation.

So, next time you reach for the cell while driving, think twice. If you have to make or take a call, pull over and give your full attention to the call. Then, when you're done, you can pay full attention to your driving.

## VLCT KICKS OFF 2004 WELLNESS PROGRAM

Don't let winter in Vermont turn you into a couch potato! Come learn how your municipal employees can join one of VLCT's health promotion programs, get active, have fun and win prizes.

VLCT Senior Health Promotion Consultant Heidi Joyce is offering six Wellness Coordinator workshops around the state in January and February. New and existing municipal wellness coordinators are urged to attend the workshops to learn about VLCT health promotion programs for municipal employees. The morning workshops are free and include lunch.

Heidi and Brian FitzPatrick, Manager, VLCT Health and Safety Promotion, will talk about their new Long Trail Pedometer Adventure, a fun step-counting program that plots participants' progress on a map of Vermont's Long Trail. The Adventure starts on February 9 and runs for ten weeks; prizes will be awarded at Group Services Day on June 3. Heidi will also present a new health promotion program, Motivating Health Behavior Changes, that she can bring to your municipality in 2004, along with the health screenings that have been so popular for so many years.



Please plan to join us for these workshops. You can pick up materials for the Long Trail Pedometer Adventure and plan a year's worth of fun activities to keep your employees active and healthy. To register, fax back the form that was mailed to municipalities earlier this month, call VLCT at 800/649-7915 or visit the Calendar section of the VLCT Web site, [www.vlct.org](http://www.vlct.org).



### A GROUP SERVICES PROGRAM

Meeting  
Vermont's  
Municipal  
Insurance  
and Risk  
Management  
Needs

Operating since 1978



### Unemployment Trust

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Information on current legislation and representation before the Vermont Legislature

An effective cost-control program of workshops, seminars and individual technical assistance

#### Unemployment Trust

89 Main Street, Suite 4  
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800.649.7915  
802.229.9111  
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## EFFECTIVE ADVOCACY -

(Continued from Page One)

only when you want their support on a legislative matter might be too little too late. It is better to be in touch throughout your legislators' terms of office.

**Recognize your legislators' problems.** Your legislators, once elected, represent all the constituents in your area – liberal, conservative, business, labor, conservation and municipal. Your legislators may have facts about a situation or piece of legislation that are not available to you. Try to take the time to understand their outlooks and objectives. Most controversial legislation is the result of compromise, and there may be times when legislation does not go your way. Try to refrain from being critical at the same time you assure municipal interests are not compromised into oblivion. Even if you lose today, you will need that legislator or he or she will need you tomorrow. We can all disagree without being disagreeable.

**Stay well informed and take the time to inform your legislator and your advocacy organization, VLCT.** The VLCT *Weekly Legislative Report* is the primary means through which the League communicates legislative information to its members. Every Thursday evening during the legislative session, VLCT legislative staff summarizes action of the week on bills that affect local governments. The newsletter is posted on the VLCT Web site ([www.vlct.org](http://www.vlct.org)), e-mailed and snail-mailed to members Friday afternoons. Occasionally VLCT legislative staff will also e-mail and post on our Web site *Legislative Action Alerts* to members, asking for you to contact your legislators on a particular issue that is going to be voted on in the following day or two and on which legislators need to have a municipal perspective. Because of the time factor involved, *Action Alerts* are not mailed to members. When you have contacted your legislator about a particular bill or requesting a particular vote, please remember to inform your legislative staff in Montpelier! We would far prefer to not blunder into some situation where we are saying something contrary to what you might have told your legislator. That only gives the legislator the freedom to do whatever he or she wants to do.

With the above actions, you have laid the groundwork for effective advocacy. Now, when you actually go to the State House, how can you and your colleagues be most effective?

When trying to convince a board, commission or legislators to revise their thinking about

an issue or to start thinking about an issue, remember this at all times: *You are the messenger. Your comments need to be directed to the issue and to supporting the views of the people for whom you are speaking. Your own personal feelings and beliefs are not the subject of discussion and may diminish the power of your arguments. Your credibility is everything in this game, and once lost it is very difficult to re-establish.*

An effective advocate's strengths:

- **Information.** This is a municipal official's long suit. You have made sure that you are well informed. Now the position you are supporting must be supported by the facts, and you are the one who can best provide them. Even more important, you must build credibility by proving to be an irrefutable source of impartial information.
- **Preparation.** Research the topic and the people before testifying. What is the topic? Which committee is hearing testimony? What will the opponents (if any) say and how can they be best contradicted? What are the possible alternatives to my proposed solution and why is mine better? Who are the important players and what are their biases? Where can I best compromise if need be? Try to ask only those questions to which you know the answers. Being blind-sided is difficult!
- **Consistency.** Make sure you say the same thing before all the different committees and to all legislators with whom you visit. If you have new issues, ideas or changes in your position, be sure to back track and alert all the previous players of the new situation and why it changed.
- **Honesty.** Tell them the truth, the *whole* truth and *nothing but* the truth. **Don't** tell them anything you wouldn't want to see attributed to you on the front page of the newspaper the next morning.
- **No personal opinions.** To be an effective spokesperson, you cannot offer publicly, or even privately, any personal opinion that differs from the marching orders from your board or constituents. Doing this even once destroys your ability to ever again represent them. Be careful about making jokes. So far, it appears that the weather and high school sports may be the only safe topics for personal opinions.
- **Don't overreach.** Testify on issues on which you are the expert or have been asked to comment on. Saying, "I don't know. I will get back to you." is OK. Offer to have the person who knows the answer contact the legislator, so that you are still being helpful. Stay away from topics that are not the subject of discussion.

- **Stay out of the water if you can't swim.** The "how a bill becomes a law" flow chart is only the calm and quiet surface of a very turbulent ocean with tides, current and rip tides beneath and out of sight. Bills in the Legislature become hostages, victims of personal retribution and weapons of partisan warfare. There is no way you can know all the reasons why legislators act the way they do, and you'll never be good enough to figure out the whole system. Stay on the top of the water and deal with the merits of the bill or proposal.
- **Formality.** During testimony, address legislators as "Rep. Smith" or "Sen. Jones." Address board or commission chairs as Mr. or Ms. Clearly state your name and affiliation every time you speak, and address your comments to the chair. Remember that the chairperson is the one who runs the meeting and will have the most to say about how a bill or proposal is handled. Be polite!
- **Handouts.** Keep any handouts informational and concise. Many legislators feel they don't have the time to read beyond the first page.
- **Be available and accessible.** Personal presence in the State House can't be beat, but make sure that the legislators have your phone number and e-mail address.
- **"You gotta know when to hold 'em, know when to fold 'em."** Knowing when to compromise instead of insisting on something you know is right and when to break all of the above rules are the two questions for which we have no answers. Let us know when you find out!

- Karen Horn, Director, VLCT Legislative and Membership Services

(Editor's Note: For a more detailed discussion of the legislative process – how a bill becomes a law – please see the preview edition of the VLCT *Weekly Legislative Report*, mailed to VLCT members in mid-December.)

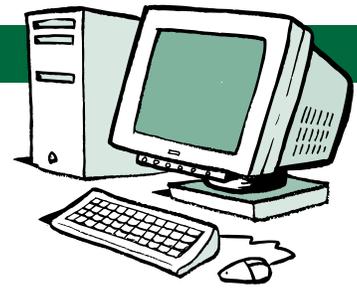
## KEEP IN TOUCH!

VLCT mails out approximately 1,600 paper copies of the *Weekly Legislative Report* each Friday during the legislative session. Approximately 900 electronic copies are e-mailed out early Friday afternoon; at the same time, the *Report* is posted on the VLCT Web site, [www.vlct.org](http://www.vlct.org).

If you would like to change how you are receiving the *Weekly Legislative Report* to an electronic copy from a paper one or vice versa, please contact Jill George, VLCT Information Systems Administrator, at [jgeorge@vlct.org](mailto:jgeorge@vlct.org).



# Tech Check



## IS IT WORTH IT?

### MAKING E-GOVERNMENT PURCHASING DECISIONS

Return on investment (ROI) is a concept that local officials should consider when attempting to make a case for technology or e-government purchases. Examining the returns that the technology investment will yield is an important first step toward making your case. If you're unable to do so, then maybe that investment isn't such a great idea.

This is especially true in this era of tight budgets, when decision-makers or taxpayers demand more accountability and it is tougher to convince them that new technology is worth the initial investment, not to mention the additional maintenance costs.

How is return on investment measured? ROI analyzes net earnings as a percentage of total assets. In other words, is your investment in assets performing as well as it should? In the private sector, the net earnings resulting from capital investment are a measure of ROI. In the public sector, ROI is measured by cost effectiveness or increased productivity. Service delivery or citizen/taxpayer convenience may also be considerations that can supersede cost effectiveness or productivity. In e-government,

where information and interactive processes may be available to your citizens, privacy issues arise that add political considerations to technology acquisition. These elements of municipal ROI all add up to a very messy sort of analysis not conducive to a simple quantitative measurement.

And yet it is important to examine and justify costly purchases that are long-lived investments in order to ensure that the municipality is indeed maximizing its utilization of all capital assets, particularly its technology. New, expensive applications or equipment should improve productivity by increasing efficiency in the workflow and reducing the need for additional staff, as well as producing necessary data in a timely manner. This enhances the ability to make better decisions and increases the availability of information, a staple of a democratic society.

Before making a business case for those who are making the final decision to acquire a technology asset, it is incumbent on the requester to examine why he or she needs to make the purchase. Is it to solve a problem,

improve workflow, or simply to get the latest and greatest top-of-the-line gadget or software? Deciding on a purchase and then trying to justify it may be putting the cart before the horse. If you cannot clearly define a problem or need and how that purchase will resolve the problem or satisfy the need, then you probably haven't done your homework.

It should also be said that the mission or goals of your local government would determine the necessity and priority of various technology investments. If a significant number of your citizens demand credit card payment capability on-line, providing that service should be a priority. If one of the goals of your government is to provide quality service at the counter without long lines, perhaps developing a workflow that makes use of technology to speed up certain transactions such as tax payments should be a priority.

So what are the steps to developing a business case for your technology acquisition request?

*(Continued on next page)*



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## TECH CHECK -

(Continued from previous page)

- **First, define why you think you need the technology: what is the problem or perceived need?** Presumably, you've already examined the workflow associated with the desired technology and understand clearly at which point the technology will improve the process or resolve the problem. You should be able to explain and/or quantify the benefits, whether they are in time or cost savings, or they generate a new revenue stream, or they simply improve or enhance convenience and service delivery to your citizens.
- **Second, analyze all costs related to the investment.** Show both the initial cost of acquisition (purchase and set-up or installation, including delivery costs), as well as ongoing costs. These may include maintenance and training, design and development, and opportunity costs of choosing one option over another.
- **Third, analyze all benefits associated with the investment.** This includes improved efficiencies in the workflow, hard dollar cost savings in supplies, maintenance or personnel, more or better access to information, increased accuracy, and enhanced delivery and quality of service. The intangible costs should be accounted for, if not quantitatively, at least in a narrative form. My experience with trying to quantify intangible costs or benefits is that decision-makers tend to be very skeptical when you try to assign numbers to something that clearly defies such an exercise.

When you assert that there will be a 15% increase in quality of service, you'd better have a straight-faced explanation to go along with it or you may find that you lose credibility, along with funding, for the acquisition. If you have no good explanation, quantified or otherwise, for a benefit you list, it is a good policy not to include it.

*Anexsys*, an e-government solutions provider, along with Indiana University and Meta Group, a research and consulting firm, have developed a primer that outlines the process for measuring ROI for e-government purchases. They specify three tools or formulas to use after determining the costs and benefits:

### 1. NPV or Net Present Value Analysis.

This works best for projects or purchases with tangible costs and benefits, usually those associated with internal management processes that are looking for cost effective solutions or increases in productivity. Taking your benefits less the costs for each year of the life of the project or purchase and discounting the results to get their present value will show whether or not there is a net gain or loss. When you discount the numbers, you are simply dividing them by the discount rate plus 1 (an acceptable discount would be the latest municipal bond rate, available through the Vermont Municipal Bond Bank): Difference between benefits and costs over 5 years = \$20,000 / (1+.04) = \$96,154. When comparing options, choose the one with the highest NPV.

### 2. CBA or Cost/Benefit Analysis (Anexys refers to this as BCA).

Determine your net benefits and costs, then

divide net total benefits by net total costs. If you have a factor of 1 or more, your benefits exceed costs. When comparing options, choose the one with the highest ratio.

### 3. CEA or Cost-effectiveness Analysis.

This formula looks at total cost as a ratio of total output and is a quick and dirty method for looking at projects or purchases where the benefits are difficult to ascertain or quantify, but output is easily determined. Comparing automated systems for processing transactions would be a good example. Speed of output may allow you to process more per year with one system than with another, yet may cost more. A way to compare the two would be to look at total cost over the life of each system divided by total output over the same period. The one with the lower ratio is your best option.

In summary, when you make technology investments, remember that there should be some sort of return or net benefit for the cost of the investment, if it is indeed a wise expenditure of funds. If you can't identify and adequately justify that return, then the expenditure may not be fiscally responsible and should not be made.

Some good resources for learning more about ROI are available on-line through *Anexsys* at [www.anexsys.com](http://www.anexsys.com) (including the primer I referred to), *Darwin Magazine* at [www.darwinmag.com/read/010103/roi.html](http://www.darwinmag.com/read/010103/roi.html) and the National Electronic Commerce Coordinating Council at [www.ec3.org](http://www.ec3.org). In addition, *SIMX* Corporation has an ROI calculator on-line at [www.simx.com](http://www.simx.com).

- Michael Gilbar, Director, VLCT  
Administrative Services

## Happy Holidays from all of us at VLCT!

The VLCT offices will be closed Thursday, December 25 and Friday, December 26 for the Christmas holiday and Thursday, January 1, for New Year's. In addition, the office switchboard will be closed on Wednesday, December 24. However, some staff will be working that day and you will be able to reach them by telephone by listening to the staff directory and dialing their extension. The switchboard message will also have instructions on how to reach a claims staff person in case of a claims emergency.

Best wishes for a joyful and peaceful holiday season and new year.

## MUNICIPAL SERVICES

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## ALL-AMERICA CITY AWARD

The National Civic League is now accepting applications for the 55<sup>th</sup> annual All-America City Award, which recognizes exemplary grassroots community problem-solving.

"It's been described as 'a Nobel prize for constructive citizenship,'" said Christopher Gates, President of the National Civic League. "That's how George H. Gallup, the famous pollster and one of the Award's founders, described the All-America City Award 50 years ago. That description holds true today."

The Award honors communities of all sizes – cities, towns, counties, neighborhoods and regions – in which citizens, government, businesses and volunteer organizations work together to address critical local issues. Innovation and collaboration are key characteristics of Award winners.

For more information, or to receive an application for the All-America City Award, contact the National Civic League, tel. 303/571-4343; e-mail, [aleksh@ncl.org](mailto:aleksh@ncl.org). Applications and information can also be accessed at [www.ncl.org/aac/](http://www.ncl.org/aac/). **Applications are due March 11, 2004.**

## LWCF GRANTS PROGRAM

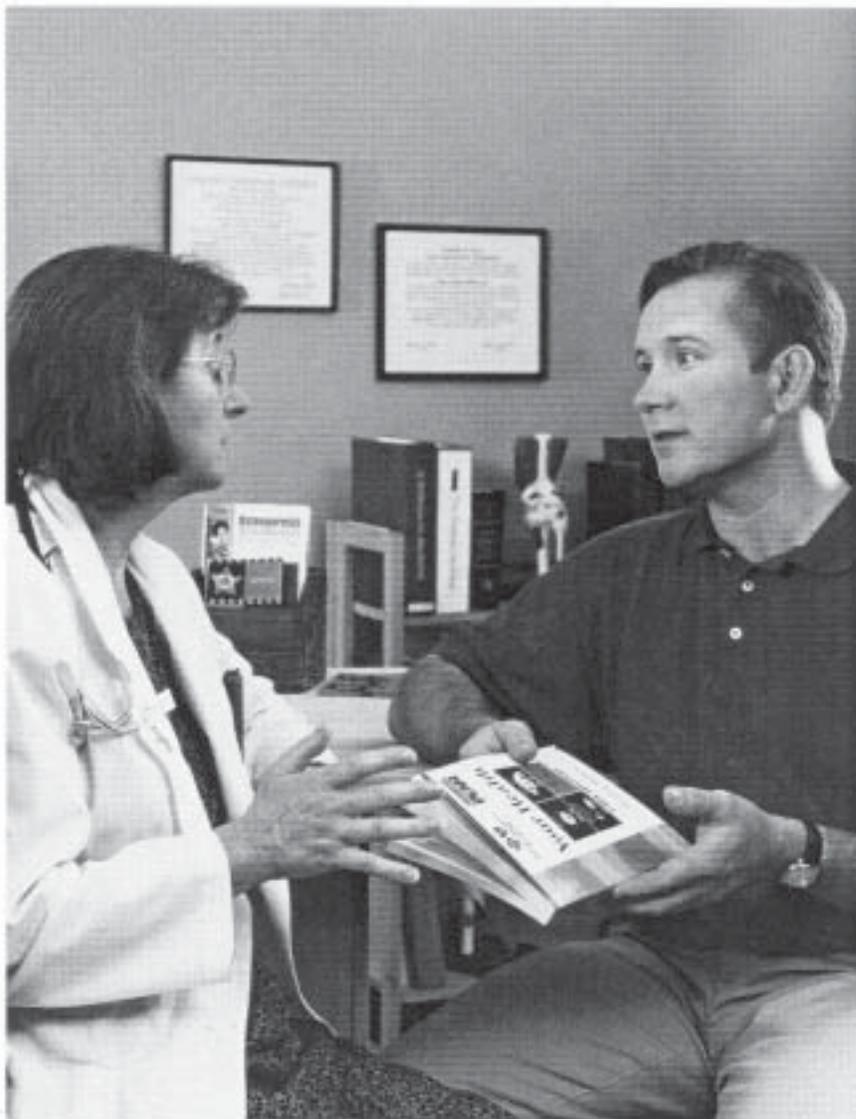
The Vermont Department of Forests, Parks and Recreation is soliciting proposals from municipalities for grants under the Land & Water Conservation Fund (LWCF) Program. The LWCF program helps to create and maintain high quality municipal recreation areas and facilities throughout the State.

Approximately \$400,000 in federal matching funds was available for competitive grants last year and a similar amount is expected for the current year. A minimum 50% local match will be required. Only governmental entities are eligible applicants under this program. Eligible projects include acquisition and development of public outdoor recreation areas and facilities.

Applications must be received no later than **4:30 p.m. on Friday, February 27, 2004** in order to be considered under this round of funding. Upon approval, funding will be made available to the highest ranked projects in the summer of 2004.

For a grant application and grant guidelines visit <http://www.state.vt.us/anr/fpr/recreation> and click on the Land & Water Conservation Fund. For more information, contact Sherry Smecker, LWCF Grants Administrator, or Rebecca Brown, Grants Program Assistant, Vermont Department of Forests, Parks and Recreation, 103 South Main Street, Bldg. 10 South, Waterbury, VT 05671-0604, or call 802/241-3653.

the signs of a healthier vermont.



When a patient has the knowledge to ask his doctor the right questions

...when health support and information are just a phone call or click away, these are the signs of a healthier Vermont. Blue Cross and Blue Shield of Vermont's *Your Health* Program provides subscribers with state-of-the-art tools including a handbook, website and 24-hour, nurse-staffed phone line, to help them make informed decisions about their health. For information about Blue Cross and Blue Shield of Vermont coverage, call 800-255-4550 or visit us at [www.bcbsvt.com](http://www.bcbsvt.com).



BlueCross BlueShield of Vermont

Blue Cross and Blue Shield of Vermont is an independent licensee of the Blue Cross and Blue Shield Association.



## VLCT WELCOMES NEW STAFF MEMBER

**Tara Fischer** began work at the League last month as the Research and Information Assistant in the Municipal Assistance Center. Her position, a new one for VLCT, was created



*Tara Fischer*

when **Deb Solomon** left her Administrative Assistant position last summer to move to Brattleboro.

While we miss Deb, Tara brings a variety of experiences that will help the new Municipal Assistance Center better meet municipal officials' needs for information and background materials. Tara is a 1997 graduate of the University of Wisconsin-Milwaukee and received her degree in Communications, with a minor in General Business. Following graduation, she worked on a series of projects as an intern with the U.S. Department of Interior, and on implementing water quality grant programs for Native American tribes for the U.S. Environmental Protection Agency.

Her next position took her to the Cote d'Ivoire, West Africa as a U.S. Peace Corps rural health education specialist. Tara focused on health and hygiene issues for two years in a small, rural farming community. Since returning from Africa, Tara has worked as a teaching assistant in her hometown of Monroe, Wisconsin and as an office nurse in western North Carolina.

Tara resides in Montpelier with her husband, who is a student at the Vermont Law School. Welcome, Tara!

## MUNICIPAL ASSISTANCE CENTER ON-SITE WORKSHOPS

The following workshops can be delivered on-site in your town or village. Workshops generally last 2.5 hours; the cost is \$700 for VLCT members and \$350 for VLCT PACIF members (sharing the cost with nearby towns is possible). Please contact Dominic Cloud, tel., 800/649-7915, e-mail, [dcloud@vlct.org](mailto:dcloud@vlct.org), for more information.

**Welcome Aboard: An Orientation for New Selectboard Members.** This workshop can be customized to the needs of your local legislative body and covers the basics of Vermont local government. Specific attention is paid to the Open Meeting Law, Executive Session, Dylan's Rule, the Role of the Town Manager, and the Role of the Chairperson.

**Retreats and Goal Setting Sessions.** On a small board (3 to 7 people), one new person can dramatically change the dynamic, goals, and effectiveness of the group. Let VLCT help ensure the board gets off on the right foot or help get things back on track.

**Conducting Effective Meetings and Hearings.** This workshop covers the basics of running effective regular meetings, as well as conducting hearings and quasi-judicial proceedings. Particular attention is paid to adopting Rules of Procedure, managing public participation, use of executive session, and ex-parte communication.

**Is a Development Review Board Right for Our Town?** This workshop covers the statutory process and choices involved in converting from a planning commission/zoning board of adjustment model to a planning commission/development review board. Particular attention is paid to changes in the role/responsibilities of the zoning administrator and board members.

**Making it Stick: The Art of Writing Effective Quasi-Judicial Decisions.** The prospect of writing a formal decision for your quasi-judicial board is often perceived as a daunting task. This workshop de-mystifies this perception by providing local officials with the tools they need to write effective decisions.

**Understanding Your Town's Finances.** This workshop shows you how to analyze the town budget and understand the story it tells. Particular attention is paid to capital budgeting and compliance with generally accepted accounting principles.

**The Property Tax Appeals Process.** This workshop focuses on the legal requirements for grievance hearings and Board of Civil Authority (BCA) hearings. Particular attention is paid to the burden of proof, the role of evidence, and rules of procedure.

## Municipal Assistance Center



*Serving and  
Strengthening  
Vermont Local  
Governments*

VLCT's Municipal Assistance Center specializes in the issues confronting Vermont municipalities today. Please give us a call if we can provide your municipality with any of the following services:

- ♦ *Counsel by municipal attorneys and VLCT staff*
- ♦ *Review of proposed ordinances, policies, and contracts.*
- ♦ *Onsite workshops on topics such as financial management, land-use planning, and the proper functioning of municipal boards and commissions.*
- ♦ *Consulting services such as meeting facilitation, mediation, and personnel recruitment.*
- ♦ *Manuals and handbooks which provide a plain-English guide to state and federal laws.*
- ♦ *Regular surveys on salaries and benefits, municipal practices, rates and fees, etc.*
- ♦ *Model ordinances, bylaws, and policies.*

**89 Main St., Ste. 4, Montpelier, VT 05602; tel., 800/649-7915; fax, 802/229-2211; e-mail, [dcloud@vlct.org](mailto:dcloud@vlct.org)**



## RUNNING FOR LOCAL OFFICE BROCHURE AVAILABLE

VLCT has a limited number of our "Running for Local Office" brochures available for distribution to citizens who are interested in holding local, elective office.

Designed to encourage local government participation, the educational brochures outline the steps a person needs to take to get on the ballot, the eligibility requirements for holding local office, and some of the issues and

procedures a person might expect to encounter as a new local official.

The brochures were printed last year, and a free, starter supply was mailed to each VLCT member municipality for use as handouts in the weeks leading up to Town Meeting ballot deadlines.



Please contact us at [info@vlct.org](mailto:info@vlct.org) or call 800/649-7915 to order these free brochures. You may also print copies from the VLCT Web site, [www.vlct.org/local.htm](http://www.vlct.org/local.htm).

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Drinking Water

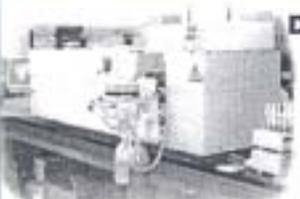
Wastewater

Landfill Monitoring

**Serving VT Municipalities**

**802-728-6313**

**[info@scitestlabs.com](mailto:info@scitestlabs.com)**



## Classifieds

### FOR SALE

#### Okidata Microline 591 Wide-Carriage

**Dot Matrix Printer.** \$300. 24-pin wide-carriage dot matrix printer, used only four months. Connects via parallel. 450 CPS in High Speed Draft Mode. Comes with original documentation and software. Drivers to support Windows 95, 98, ME, 2000, NT can be downloaded. Contact VLCT, 800/649-7915 or [jgeorge@vlct.org](mailto:jgeorge@vlct.org).

**Fire Truck.** The Town of Groton, Vermont is accepting bids for the following used fire truck: Make: 1976 Chevrolet; Model: C65 Custom Deluxe; VIN: CCE6676100684; Odometer: 9265 miles; 427 V-8 gasoline engine; 5-speed tran. w/ 2-speed rear; 1600 gallon water tank; 250-300 PTO pump. This vehicle will be sold "as-is" without any warranties, expressed or implied, as to the condition of such vehicle. The vehicle is expected to be available during January 2004. All bids shall be delivered to the Groton Town Clerk in a sealed envelope marked "Fire Truck Bid" prior to the deadline of 3:30 pm January 20, 2004. Appointments to inspect the vehicle may be made by calling 802/584-3276. The Groton Selectboard reserves the right to reject any or all bids and also reserves the right to give preferential consideration to surrounding communities.

**I-Beams.** The Town of Berlin, Vermont is accepting bids on 3 I-Beams (3' H x 73' L). I-Beams may be seen at the Town Garage by calling 802/223-7337. Please submit bid to the attention of: Town Administrator, Municipal Office Building, 108 Shed Road, Berlin, VT 05602.

The Selectboard reserves the right to accept or reject any and all bids. No closing date.

### HELP WANTED

**Mechanic.** Full-time position in central Vermont, responsible for maintaining Green Mountain Transit Agency (GMTA) vehicles, equipment and its facility. Must have or be able to obtain CDL. Must have experience and formal training on diesel engines and climate control systems. Please call toll-free 866/864-0211 for an application, or fax cover letter and resume to 802/864-5564. GMTA offers excellent wages and a full benefits package to all full-time employees. EOE.

#### Assistant to the Sewer Commission.

The Town of Berlin, Vermont Sewer Commission is accepting resumes for the position as Assistant to the Sewer Commission. Persons interested in this position must have good computer and administrative skills, experience in billing and financial reporting, ability to read meters, and possess a valid Vermont Driver's License. Salary for the part-time position is commensurate with education and experience. The position requires approximately 20 hours per week including two (2) evening meetings per month. Persons interested in the position may submit a cover letter, resume, and three (3) references to the attention of: Town Administrator, Municipal Office Building, 108 Shed Road, Berlin, Vermont 05602. Resumes will be accepted until 4:00 PM on December 19, 2003. Information may be obtained by contacting the Town Administrator's Office at 802/223-4405.

### VLCT NEWS CLASSIFIED ADVERTISING POLICY

The *VLCT News* welcomes classified advertisements from municipal entities, public agencies, businesses and individuals. This service is free for VLCT members (regular, contributing and associate); the non-member rate is \$37.00 per ad.

The *VLCT News* is published every month and usually reaches readers by the third week of the month. Ads are also placed on the VLCT Web site as soon as they are received.

The copy deadline for advertisements is the first Friday of the month for that month's issue. However, space is occasionally available for late additions. Please feel free to check with the editor for availability. For more information on advertising in the *VLCT News*, please call 800/649-7915 or e-mail [kroe@vlct.org](mailto:kroe@vlct.org).



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## Calendar

**Annual Wellness Coordinator Workshop.** Friday, January 9, Hampton Inn, Colchester; Friday, January 16, Capitol Plaza, Montpelier; Thursday, January 22, Black Bear Tavern & Grill, St. Johnsbury; Friday, January 30, Cortina Inn, Mendon; Thursday, February 5, St. Anthony's Country Club, Bennington; and Thursday, February 12, 2004, Holiday Inn, Brattleboro. Please see article on Page Nine for more information about these VLCT sponsored, regional workshops.

**The Policy Issues Surrounding Wind Power.** Thursday, January 15, 2004, Suzanna's Restaurant, Berlin. Sponsored by the VLCT Municipal Assistance Center for local and regional planners, town managers and administrators, selectboard members, citizens, and land use or energy professionals. The day-long workshop includes sessions on Vermont's energy policy issues, the positives and negatives of wind power, a policy roundtable, and collaborative

decision-making for solving tower siting disputes. Please contact Jessica Hill, VLCT Conference Coordinator, tel., 800/649-7915; e-mail, [jhill@vlct.org](mailto:jhill@vlct.org), for more information. For online registration, visit [www.vlct.org](http://www.vlct.org), select the Calendar, and select this workshop.

**Municipal Lands Management.** Thursday, January 29, 2004, Hulbert Outdoor Center, Fairlee. Sponsored by the VLCT Municipal Assistance Center, this workshop will focus on the legal, insurance, and management issues involved with town forests, parks and natural areas. Please contact Jessica Hill, VLCT Conference Coordinator, tel., 800/649-7915; e-mail, [jhill@vlct.org](mailto:jhill@vlct.org), for more information. For online registration, visit [www.vlct.org](http://www.vlct.org), select the Calendar, and select this workshop.

**Local Government Day in the Legislature.** Wednesday, February 11, 2004, Capitol Plaza Hotel, Montpelier. Co-sponsored by VLCT and the Vermont

Municipal Clerks and Treasurers' Association, this day-long program features presentations by VLCT and VMCTA on important legislation, meetings with legislators and testimony before legislative committees. Please contact Jessica Hill, VLCT Conference Coordinator, tel., 800/649-7915; e-mail, [jhill@vlct.org](mailto:jhill@vlct.org), for more information. For online registration, visit [www.vlct.org](http://www.vlct.org), select the Calendar, and select this event.

**VLCT Town Fair and Field Day.** Wednesday, September 29 and Thursday, September 30, 2004, Barre Municipal Civic Center. It's not too early to mark your calendars!