HARTFORD’S PURSUIT OF EXCELLENCE

The Town of Hartford may be “the most nationally accredited municipality in New England,” according to Town Manager Hunter Rieseberg. Hartford’s “Pursuit of Excellence” program began three years ago as a way to enhance the quality and value of available public services and practices, as measured against national standards. As part of this program, Rieseberg asked all departments to achieve accreditation in their respective fields. Hartford’s various departments had previously participated in self-assessment programs through VLCT PACIF and VOSHA’s Project Worksafe. National accreditation was a complement these efforts, and a way to take them to the next level.

Striving toward national accreditation provides measurable goals, and also forges plans for future growth and improvement. At first a few staff members were reluctant to assume the additional work. Eventually, according to Rieseberg, these staff members became quite

(Continued on next page)

DON’T FORGET YOUR QUILT SQUARE!

Last month we put out a call for each town to submit a 10x10 inch quilt square with a design that best symbolizes your town or city to the VLCT Town Fair quilt project. (The design portion inside should measure 8x8 inches, giving us two inches all around to work with when we stitch all the squares together.) We will hang the finished quilt at Town Fair and then move it to the VLCT Board of Directors meeting room at our Montpelier offices, where it will be on permanent display.

Please help us with this fun project – one that symbolizes our Town Fair theme this year (Cities & Towns – Working Together, Making a Difference) but, most importantly, promises to give great pleasure to all who view it for many years to come.

Our deadline for submitting squares for the Town Fair quilt display is August 5. Squares submitted after that date will still be incorporated into the quilt, but not in time for the Town Fair display.

For more information, please contact Pat Boyle (pboyle@vlct.org) or Karen Horn (khorn@vlct.org) at the League. Thank you!

(Continued on next page)
HARTFORD -  
(Continued from Page One)

supportive - some even took leadership roles - as they better understood the process and the benefits of accreditation.

National accreditation is just that - a process. The standards are designed with the size of the community in mind. Achieving accreditation is only the beginning. There are follow-up visits from peer teams every three to five years, depending upon each accreditation program. In between these visits, organizations are given specific tasks or goals to achieve.

Since Rieseberg’s call to action, the Finance Department, Recreation Department, and Fire Department have all earned national accreditation. The Finance Department has earned a Certificate of Achievement (its equivalent of accreditation) for Financial Reporting for three years in a row from the National Government Finance Officers Association. Hartford is the only community in Vermont to have this recognition, said Rieseberg. Representatives from the Recreation Department recently traveled to Reno, Nevada, to accept their national accreditation award, becoming the first Vermont community, only the second in New England, and the smallest community in the country with such accolades. The Fire Department earned its accreditation last fall, becoming the only Fire Department in New England with such an award, and one of only 93 in the country. In the Fire Department’s recent search for a new Chief, many of the candidates stated the national accreditation as a major attraction to the position and department. Candidates remarked in their interviews or applications that the accreditation demonstrated that the department was “progressive,” “committed to quality,” and “a step above.”

Hartford’s Police Department is currently working toward its accreditation and hopes to attain it by the end of the year. The Department of Public Works plans to achieve national accreditation in 2006, while the Finance Department has begun working toward an additional Certificate of Achievement for Budgeting. Bill Hall, Finance Director, likes the accreditation process because it “forces the department to meet high standards for financial reporting, and provides a great opportunity to compare its performance against national standards.” Hall feels Hartford’s “Pursuit of Excellence” program demonstrates the Town’s desire for top-level service for its citizens, and improves the community’s image statewide.

Rieseberg is very enthusiastic about his municipal departments’ hard work. The accreditation programs provide a springboard for improving services and for the performance of often overlooked, but very necessary internal assessments. Rieseberg likes that “accreditation provides a municipality with an excellent opportunity to conduct a broad based internal assessment of its operations as measured against national standards and evaluated by established leaders in that particular industry.” He also believes that it is an affordable way for a municipality to conduct the same sort of review or analysis that might be unaffordable if a private sector consultant was hired.

This affordable and effective self-assessment tool is one of the prime reasons Rieseberg would recommend this process to other municipalities. He also lists the enhancement of public image and department credibility as a major external benefit. Achieving national accreditation insures value for taxpayers when individual departments use best practices and cutting-edge programs. Accreditation also encourages long-term planning and new ideas, while improving and streamlining operations.

Any interested municipalities should contact Hartford Town Manager Hunter Rieseberg for more information. He is more than willing to share Hartford’s story. VLCT sends its congratulations to Hartford, and best wishes for continued success.

- Tara Fischer, Research and Information Assistant, VLCT Municipal Assistance Center
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LEGAL OPINION & PUBLIC RECORDS; RIPARIAN BUFFERS; STORMWATER & SALTED SAND PILES

CONFIDENTIALITY OF WRITTEN LEGAL OPINION

Zoning officials and board members often seek the advice of attorneys when considering complex permit applications. The Vermont Supreme Court recently examined the confidentiality afforded a legal opinion that, while otherwise exempt from the public records law, was in this case examined by a development review board (DRB) during the course of a public meeting.

The case stemmed from a development proposal in Stowe. While considering a permit application, the Stowe DRB requested a written opinion from its attorney. The DRB chair distributed copies of the opinion to the DRB members during a public hearing, but did not provide a copy to the applicant. When the applicant requested a copy of the opinion, the DRB refused to provide it, stating that because the opinion contained legal advice, attorney-client privilege exempted the document from the public records law. 1 V.S.A. § 317(c)(4).

The applicant brought suit to compel the DRB to produce the letter. 232511 Invs., Ltd. (Stowe Highlands) v. Town of Stowe Dev. Review, 2005 VT 59. The applicant asserted that because the DRB considered the letter in a public meeting, it was required to release it to the public.

The Vermont Supreme Court disagreed, holding that legal advice issued a municipal board is protected by the attorney-client privilege and shielded from the public records law under 1 V.S.A. § 317(c)(4). The applicant brought suit to compel the DRB to produce the letter. 232511 Invs., Ltd. (Stowe Highlands) v. Town of Stowe Dev. Review, 2005 VT 59. The applicant asserted that because the DRB considered the letter in a public meeting, it was required to release it to the public.

The Court's opinion indicates that a municipal board may examine confidential materials during a public meeting, and that doing so does not compel the subsequent release of those confidential materials to the public.

- Will Flender, Law Clerk, VLCT Municipal Assistance Center

RIPARIAN BUFFER GUIDANCE

Early this year, the Agency of Natural Resources (ANR) adopted a Riparian Buffer Guidance that had been in the works for some time. At the same time, the Agency issued “Riparian Buffers and Corridors Technical Papers” to provide information on the functions and values of riparian corridors (waterbodies and adjacent land which, for streams, includes the area needed for channel stability).

Agency staff will use the Guidance to establish ANR’s recommendations and testimony in the Act 250 process. (Act 250 is the forum in which Agency staff would obtain related enforceable conditions on a project.) They will also use it to help applicants incorporate appropriate science-based riparian buffers into the design of Act 250-regulated projects.

Local officials understand that Act 250 applies to every project involving ten acres or more in a town with zoning and subdivision in place, and every project of one acre or more in towns without zoning and subdivision in place. Towns may also want to consider adopting similar bylaws or guidance for their jurisdictions if they want to align local bylaws and Act 250.

The Guidance specifically does not replace existing practices and procedures for projects not subject to Act 250; it does supercede the 1996 ANR Streambank and Lakeshore Vegetation Management Procedure.

For projects subject to Act 250 that are on lakes, the Agency recommends a minimum riparian buffer zone width of 100 feet; for streams, the width is 50 or 100 feet, depending on the specific attributes of the site. Conditions that would indicate a buffer wider than the widths provided above include rare, threatened, endangered or sensitive species and sensitive significant natural communities. ANR would generally allow pedestrian access through a riparian buffer to a water body unless restrictions were needed to control erosion or prevent destruction of vegetation. The Agency may request a riparian area management plan.

Copies of the adopted Riparian Buffer Guidance may be obtained from

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(Continued on next page)
the Environmental Assistance Office in Waterbury (802/241-3838) or at www.anr.state.vt.us/html/buff/anrbuffer2005.htm. Nancy Manley is the contact for questions (nancy.manley@anr.state.vt.us).

- Karen Horn, Director, VLCT Legislative and Membership Services

SALTED SAND PILES

The Commissioner of the Department of Environmental Conservation, Jeff Wennberg, recently received a letter from the federal Environmental Protection Agency (EPA) that holds some surprising news for local governments. The letter states that highway maintenance garages do not fall within the definition of stormwater discharges associated with industrial activity under EPA’s stormwater regulations. It further states that the Multi-Sector General Permit (MSGP) does not specifically address “sanded salt piles,” nor does it require entities to enclose or cover “salted sand piles.” The MSGP permit does require regulated entities to evaluate potential pollutant sources from all areas, including storage areas, and to implement measures to prevent or minimize the exposure of those pollutant sources to stormwater.

This is an important development for cities and towns because the requirement to cover salted sand piles represents a significant unfunded mandate on them. Vermont Agency of Natural Resources staff and municipal officials agree that, in many cases, covering a salted sand pile is not the best use of scarce public dollars to reduce runoff into rivers and streams. In fact, we are told that, in some instances, the more worrisome issue for Vermont is filtration down into the groundwater instead of runoff to streams.

In MS4 areas (cities and towns subject to federal Phase II regulations, including Burlington, Essex, Shelburne, Winooski, Essex Jct., Colchester, Milton and Rutland), EPA recommends that municipalities at least consider “controls for reducing or eliminating the discharge of pollutants from streets, roads, highways, municipal parking lots, storage yards, maintenance shops with outdoor storage areas, salt/sand storage locations and snow disposal areas...” (40 C.F.R. § 122.34 (b) (6) (iii)). Each municipality in Vermont should soon receive a letter from Commissioner Wennberg that explains the EPA’s clarification, and indicates that municipalities will not automatically be required to cover their salted sand piles in order to prevent stormwater runoff. Instead, municipalities should consider where their salted sand piles are relative to water bodies in the community and whether stormwater runoff from them will impact those streams. There may be other, less expensive remedies to keep the runoff out of the streams, or more pressing stormwater runoff problems that need to be addressed elsewhere in your community.

If you would like a copy of the EPA’s letter, please contact Karen Horn at khorn@vlct.org.

- Karen Horn, Director, VLCT Legislative and Membership Services

BOOK REVIEW

SHORELINE STABILIZATION HANDBOOK

The Shoreline Stabilization Handbook for Lake Champlain and Other Inland Lakes was written by the Northwest Regional Planning Commission last year and funded by grants from a number of organizations, including the Lake Champlain Basin Program and Vermont Local Roads Program. The Handbook, which addresses the same issues as the ANR Riparian Buffer Guidance (see Page Four), is very readable and designed for use by landowners, consultants, and municipal and state officials who want to prevent loss of property and structures in the Lake Champlain Basin. Many of the naturally-based erosion control techniques are applicable to smaller lakes as well. Importantly for local officials, contributors include local officials Larry Kempton (Highgate), Sarah Hadd (Colchester), Janet Hurley (Milton and South Burlington), and David Raphael (Panton).

Causes of erosion are explained in straightforward language: slumping and sliding; soil creep (gradual downhill movement of soil and loose rock), frost; wind erosion, as well as the many ways that water and human activity impact the soil. Section Three of the Handbook explains how to plan an erosion control installation and includes a useful Shoreline Checklist. Section Four compares erosion control methods and discusses not only the pros and cons of different methods, but also includes guidelines for successful erosion control installation and monitoring. A list of permits is included along with a list of federal, state and regional resources and the ever-useful glossary of terms.

Copies of the Shoreline Stabilization Handbook may be obtained from the Northwest Regional Planning Commission, 155 Lake St. St Albans VT 05478, 802/524-5958, nrpcvt@nrpcvt.com.

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Are postdated checks legal? Can a town refuse to accept postdated checks?

In short, postdated checks are legal. However, please read on for the “fine print.”

The Vermont Uniform Commercial Code (U.C.C.) governs commercial transactions in the State including the use of postdated checks. Under the Vermont U.C.C., an individual may present a postdated check for payment. Specifically, the law provides, “(a) instrument may be antedated or postdated.” 9A V.S.A. § 3-113. However, a bank may charge against an individual’s account, even though the payment was made before the date of the check, unless the individual notifies the bank that the check should not be cashed before that time. 9A V.S.A. § 4-401(c).

The above statutory provision is enabling, meaning that while an individual is allowed by law to postdate a check, the recipient is not obliged to accept it. A postdated check after all is nothing more than a promissory note for future payment. “The date stated determines the time of payment if the instrument is payable at a fixed period after date.” 9 V.S.A. § 3-113.

Consequently, a town could simply adopt a policy that timely payment must be made or that postdated checks will not be accepted. This policy could be independently established by each town officer (selectboard, clerk, and treasurer) or by adopting a policy that all three officeholders sign. The latter would be the best practice as it lends itself to a uniform administration of town finances. If a town does accept postdated checks it should bear in mind that it is the responsibility of the individual presenting the check to inform his or her bank when it should be cashed. A town, contrary to what some citizens will assert, is not liable for one’s overdraft fees.

- Garrett Baxter, Senior Associate, VLCT Municipal Assistance Center

What happens if, at the end of a zoning administrator’s three-year term, the planning commission refuses to re-nominate the zoning administrator, but the selectboard wishes to reappoint the zoning administrator for another three-year term?

As you might have guessed from this question, the appointment of a zoning administrator is generally a two-step process that requires the planning commission and selectboard to be “on the same page.”

This is how the process is supposed to work, per 24 V.S.A. § 4448(a): Zoning administrators are nominated by the planning commission and then appointed by the selectboard for a three-year term. At the end of three years the administrator’s term expires, unless he or she is reappointed. To be reappointed by the selectboard, a zoning administrator must first be nominated by the planning commission.

However, the statute creates the potential for gridlock as neither the selectboard nor the planning commission can appoint a zoning administrator without the support of the other body. Thus, the planning commission has the ability to temporarily, at least, block the reappointment of the zoning administrator.

This potential logjam can be overcome in two ways. First, planning commissioners can be removed by unanimous vote of the selectboard at any time for any reason. 24 V.S.A. § 4323. Second, and perhaps less extreme, the selectboard may appoint an acting zoning administrator, who shall have the same duties and responsibilities as the zoning administrator in the administrator’s absence, and who may be nominated by the planning commission. 24 V.S.A. § 4448 (b). The use of the term “may” for appointing an interim, while “shall” is issued for appointing an administrator to a three-year term, allows the town to continue to operate in the event such a conflict arises. Presumably, an acting zoning administrator could serve indefinitely.

- Dominic Cloud, Manager, VLCT Municipal Assistance Center
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CERTIFICATES OF OCCUPANCY, CERTIFICATES OF COMPLIANCE

Many towns issue certificates of occupancy and certificates of compliance as part of the land use permitting process. There seems to be a fair amount of confusion as to when it is appropriate to issue these certificates, and whether it is even necessary to do so. This article seeks to define the two documents and the circumstances in which their use is appropriate.

CERTIFICATES OF OCCUPANCY
A municipal bylaw may require that a certificate of occupancy be obtained prior to occupancy of a structure. The primary reason for issuing a certificate of occupancy is to certify that a structure has been built according to the permit that approved its construction. A certificate of occupancy would be issued by the zoning administrator as a project nears completion, but prior to any occupancy by residents of users of the structure.

The statutory authority for issuing a certificate of occupancy comes from 24 V.S.A. § 4449(a)(2), which states, “If the bylaw so adopted so provides, it shall be unlawful to use or occupy or permit the use or occupancy of any land or structure, or part thereof, created, erected, changed, converted, or wholly or partly altered or enlarged in its use or structure after the effective date of this chapter, within the area affected by those bylaws, until a certificate of occupancy is issued therefore by the administrative officer, stating that the proposed use of the structure or land conforms to the requirements of those bylaws.”

Based on this statutory authorization, a local bylaw must then authorize/require the zoning administrator to issue a certificate of occupancy before one can be issued. Practically speaking, a certificate of occupancy would require the zoning administrator to visit a property to ensure that it has been built in accordance with its municipal permits. After comparing notes from the property visit and the permit, the zoning administrator would then issue a certificate of occupancy.

CERTIFICATES OF COMPLIANCE
So-called “certificates of compliance” are an entirely different animal from certificates of occupancy. Increasingly, title examiners are asking municipal zoning administrators to certify that there are no outstanding violations on a property. This simple request is an appropriate one to respond to. However, some zoning administrators may be going further out on a limb than they need to in issuing certificates of compliance.

It is important to know why a title examiner would want a certificate of compliance. When someone purchases a piece of real estate, it is essential to certify that there is clear title to the property. What does this mean? There are a number of components that comprise “marketable title” in Vermont. The most important is that the seller is actually the owner of the property. Beyond that, it is important to ensure that the property you are about to buy is actually what it was advertised to be. It is also important to make sure there are no liens, unknown rights of way, or other encumbrances on a property, as those interests run with the property; they don’t disappear once it has been sold. Other components of marketable title include delinquent taxes, and most importantly for our purposes here, land use permits.

When a real estate attorney, paralegal, surveyor, or other title examiner goes to the town clerk’s office to search the land records, he or she can be reasonably confident that the recorded and filed documents in the town offices give a sufficient picture of what the state of title is to a certain piece of property. However, it is also important for that title examiner to make sure that there are no unrecorded notices of violation or other unrecorded issues that could adversely impact the property. To make certain of this, the title examiner is going to ask the zoning administrator to certify that there are no outstanding violations or other problems with the particular property. This gives the title examiner an up-to-the-minute snapshot of the title situation for that property.

It appears that some zoning administrators have been going beyond what has been asked of them in the certificate of compliance process, and some have been performing detailed title searches and examinations of zoning records when asked for a certificate of compliance. This serves no

(Continued on next page)
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on their pedometers back in the depths of winter, and walked their way to spring.

Now in its second year, the Pedometer Challenge is an eight-week step counting program designed to promote healthier lifestyles by encouraging participants to get out and walk, run, ski, bike, hike, etc. In her remarks at the Grand Finale, VLCT Senior Health Promotion Consultant Heidi Joyce connected healthy lifestyles, good health, and a sound health insurance program. “Your quality of life and longevity are dependent upon how well you take care of yourself,” Joyce said. “There is no reward greater than good health. Similarly, the health of the health care system is dependent upon how well you take care of yourself,” she added.

Just over 2000 Health Trust members and their families, representing 94 municipalities, participated in this year’s Pedometer Challenge. Governor James Douglas presented awards to a variety of municipalities for their participation in the Challenge. The Challenge also enjoyed support from the Catamount Trail Association, Blue Cross Blue Shield of Vermont and Invest Employee Assistance Program.

Awards were made as follows:

First to Complete the Catamount Trail: Rutland Regional Planning Commission

Fewest Participants Dropping Out: Rutland City Police Department

Most Family Members Participating: Town of Killington

(Continued from next page)
What to Look For in a Safety Training Session

Safety training gives you a chance to gain the skills and information you need to do a safe job. That’s why it’s important to get the most from every training session.

But if you don’t know what to look for going into a session, then you probably won’t come out with what you need. Here’s what to look for:

• **Training goals.** These are the things you need to know by the end of the session.

• **Training points.** These are the steps involved in performing a safety procedure or the main issues related to the safety information being presented. If the trainer doesn’t provide a handout of these points, write them down yourself.

• **Opportunity to practice new safety procedures.** Take full advantage of the opportunity to practice, with the trainer watching to give you feedback. Make sure you understand exactly what you are supposed to do and how to do it.

• **Chance to ask questions.** Never leave a session confused about any points or with any remaining questions about what you were supposed to learn.

• **Explanation of how to transfer skills to the job.** The whole point of training is to make use of what you learn when you go back to work. Be sure you understand exactly how you are supposed to use what you learned in training.

If a trainer doesn’t tell you any of these things - or if it’s not clear whether the trainer has told you - ask!

Pedometers -
(Continued from previous page)

Best Motivating Coordinator:
Bennington Free Library – Rose Wolfe

Had the Most Fun:
Town of Winhall

Greatest Percentage of Participants Handing in Steps Each Week:
City of South Burlington Department of Public Works

Most Improved Over Eight Weeks:
Town of Norwich
Rutland City Recreation Department
Windham Solid Waste Management District

Vermont State Housing Authority
Greater Upper Valley Solid Waste Management District

Finally, the Town of Milton was also recognized for having its efforts written up in the local newspaper.

- Katherine Roe, VLCT Communications Coordinator
Vermont municipalities have a new and improved way to exchange reusable materials through the Vermont Business Materials Exchange (VBMX). An updated Web site launched in May – www.vbmx.org – links organizations wanting to get rid of materials with those seeking to find used supplies, and it’s free to use. Using the VBMX can save municipalities money on both disposal fees and purchase costs.

The Web site makes it easy for users to post and edit their own material listings and even post photos. And for those just looking, the site includes a searchable database. Currently the site contains more than 400 classified listings of items ranging from filing cabinets to plastic pails to building trusses.

The VBMX Web site is available to any businesses, manufacturers, schools, nonprofits, and towns looking for used materials or seeking new homes for their surplus items. In recent exchanges: the Riverside School in Lyndonville found 15 Windsor chairs for $10 apiece; Cheese Traders and Wine Sellers in South Burlington sold three coolers for one dollar to a farmer to use for his farmstand; and WVNY Channel 22 in Burlington bought refurbished monitors from American Retroworks, a Middlebury electronics recycling business.

VBMX is a program of the Vermont Agency of Natural Resources, and is managed by Amy D. Moore of Internet Support Service. To learn more, visit www.vbmx.org or call 800/895 1930.

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Sometime after June 30, towns that are complying with GASB standards and that are on a July 1 fiscal year will be preparing a report for their financials called “Management’s Discussion and Analysis” or the MD&A. This report is an analysis of the financial condition of the town in narrative form. It includes summarized financial statements as well as an economic outlook and may include graphics such as charts or tables that enhance or clarify the information presented. Its purpose is to report the finances in a clear and concise fashion so that readers will understand how well the town is managing taxpayer funds.

Using Word with inserted worksheets, you can spruce up your MD&A and make clear with graphics what may be difficult to make clear using text or numbers. I will use three quick and easy measures of performance that can be included in the MD&A: tax leverage ratio, debt burden, and net assets (formerly fund balance) ratio.

There are a number of ways to create charts and tables in Word that would require many pages of explanation, so I’ll stick to the simplest. We will insert an Excel spreadsheet using the icon from the standard toolbar (looks like a spreadsheet with a big green X on it). You will have to highlight the number of rows and columns you want (these can be adjusted later); we’ll go with an 8 by 6 table, enter all the data necessary for the charts or graphs we want to produce, and use that table to generate each graphic. I’m using data from several town reports (as well as making up some numbers) to create the table below:

**Formulas to calculate the ratios:**

- **Tax Leverage** is Operating Expenses divided by Property Tax Revenue.
- **Debt Burden** is Debt Service divided by Operating Expenses.
- **Net Assets** is Undesignated Net Assets divided by Operating Expenses.

Now that we have some data to work with, let’s whip up some slick visuals. To open the Excel worksheet once you’ve inserted it, you can double click on it, or right click and choose Worksheet Object/Open. Highlight the Tax Leverage Ratio row of data, then click on the Excel chart wizard icon. Choose a line graph for this one and click Next. Click on the Series tab and you should see your graph. You need to add the X-Axis labels: click on the little spreadsheet-looking thing on the right end of the entry box for the X-Axis labels, then highlight the fiscal year cell labels in your table, clicking the little spreadsheet thing to get back to the wizard dialogue box. Click Next and you then have a number of tabs and options to “pretty up” your graph. We’ll click on the Legends tab and remove the legend (click the box that says “Show Legend”) since we only have a single series of data. Then click Next. 

You will see a dialogue box asking you where you want to place your masterpiece. Click on “As New Sheet” and name it “Tax Leverage Ratio.” Click Finish and this graph will show up in your MD&A. If you click on the title, you can highlight it and make it bold. You might also increase the font size a bit to make it stand out. You can also remove the color in the plot area by right clicking, then clicking on Format Plot Area.

If you right click with your mouse placed on either axis, you will see the option to Format Axis and you can change the font, among other things. You can also resize the entire chart by positioning your mouse in a corner, or the middle of any side; when you see the arrows appear, drag it to the size you want. Be careful that you do this when you have the Excel worksheet completely open. If you single click on the sheet, it will allow you to resize it without having it opened. This will distort the image. Click outside the worksheet anywhere in the document to exit.

**SAMPLE TAX LEVERAGE RATIO GRAPH**

![Sample Tax Leverage Ratio Graph](image)

Making other charts using this same data is simple. Just single click on the inserted worksheet, then right click and click on Copy. Move to the place in your document where you’d like to insert the new chart, right click and click Paste. You can now change the graph to reflect the other two ratios by double clicking on the worksheet to open it, then clicking on the chart wizard icon in your standard toolbar to make the proper adjustments. You will need to change the series to the row with the next ratio and change the chart title. You can also change the graph to some
other type such as a bar graph that may make your point more clearly.

A quick word about the ratios we’re using in order to add some finance perspective to this piece. The tax leverage ratio shows how much you need to raise in tax revenue for every 1% change in your operating expenses. For example, in the above table, FY04 ratio is 1.19. That means that for every 1% increase in expenses, you’ll need to raise 1.19% more in taxes. If the data is trending up, you are relying more on taxpayers to fund any operating increases.

Debt burden is the proportion of debt to your operating expenses. The higher the debt obligation, the more stress is placed on cost containment in other operating budget areas. A 15% to 20% debt burden is considered high and is a red flag for bond rating agencies. With debt, you need to achieve a balance between under-investing in capital (which tends to catch up to you eventually) and creating a burden on essential services with high debt payments. Finally, your net assets-to-operating expenses ratio will give you a sense of how much of a “cushion” you are maintaining. There are generally two theories that one could subscribe to: 1) To be fiscally prudent, you should maintain a reasonable balance to cover emergencies and avoid having to raise taxes for deficits. This will help keep your tax rate more stable. 2) You shouldn't have any balances because it’s the taxpayer’s money and should be returned to them if it's not spent. So, analysis of this ratio depends on which theory your town prefers.

The “Prudent Theory” analyst tells us that we should be seeing stability or a certain amount of increase in this ratio over time. The “Return Theory” analyst says it had better be trending down and be as small as possible.

- Michael Gilbar, Director, VLCT Administrative Services

Send Us Your Ideas

Do you have an information technology topic you would like VLCT to explore and present in a future Tech Check column? Please e-mail your request to techcheck@vlct.org. Let us know, too, if your municipality has an interesting IT project it would like to share with other Vermont cities and towns. And, don’t worry, we will do the writing! Thank you for your suggestions.

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

Call Delta Dental Plan of Vermont 135 College Street Burlington, VT 05401-8384 at 800-329-2011 for more information.

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TRIVIA

They are now three for three. Yes, Royalton’s crack trivia team, lead by Administrative Assistant Jackie Higgins, was first in with the correct answer to last month's question. Railroad foreman Phineas Gage had a 13.5-pound tamping iron pass through his head after an explosion. He survived, even with the front left side of his brain destroyed, thanks to the efforts of a young Cavendish Doctor named John Harlow.

Honorable mention must be given to Jackie’s mother, Chelsea Town Clerk Diane Mattoon. She called in with the correct answer, but not soon enough to displace her daughter’s town from its position of reigning VLCT trivia champion!

Here is the July challenge:

Which county in Vermont has two shire towns?

Contact us with your answer: VLCT, 89 Main Street, Suite 4, Montpelier, VT 05602, tel. 800/649-7915, fax, 802/229-2211, e-mail, kroe@vlct.org.

When Vermont’s children receive the coverage, care, and comfort they deserve, these are signs of a healthier Vermont.

Vermont’s ambulances now come equipped with new tools that help provide comfort and treatment to children—teddy bears. Blue Cross and Blue Shield of Vermont and The Vermont Health Plan learned that emergency crews use such toys to open the lines of communication between EMTs and children, who respond positively to the familiar comfort of a teddy bear. Teddy bears for children, the most innovative health plans, and the largest provider networks in the state—these are signs of a healthier Vermont. To learn more about The Vermont Health Plan, our teddy bear initiative and other programs, visit www.bcbsvt.com.

BlueCross BlueShield of Vermont

Independent Licensees of the Blue Cross and Blue Shield Association.
Welcome New VLCT Staff

May was a month of new beginnings for two new VLCT staff members. Joanne Gile joined the Group Services’ Member Relations Department as a Member Relations Representative and Brian Foley joined the Administrative Services Department as VLCT’s Technology Support Specialist.

Joanne came to VLCT after 14 years of experience at Vermont Mutual Insurance Company, most recently as a Senior Personal Lines Underwriter. She has also worked in the area of customer service for the State Farm Insurance Agency in Montpelier and the Demasi and Ricker Insurance Agency in Northfield. She is licensed by the State of Vermont to sell property and casualty insurance. A 1981 graduate of Montpelier High School, Joanne lives in Montpelier, where her four children keep her busy.

Joanne joins Tanya Chambers as a Member Relations Representative in the Member Relations Department. Their experience, one in property and casualty insurance and the other in health insurance (Tanya came to VLCT in March from Blue Cross Blue Shield of Vermont) will make for a talented team! Joanne and Tanya are now on the road most days of the week, meeting VLCT members as they conduct our annual workers’ compensation payroll audits. We hope that you enjoy meeting them and will use them as a resource for all your VLCT Group Services insurance questions.

Brian came to VLCT from Keane, Inc., a company that provides information technology services to National Life of Vermont. He worked there for five years as a Senior Help Desk and Technical Support Analyst in the areas of network administration and personal computer hardware and software. Brian is a 1986 graduate of St. Michael’s College in Colchester and has completed graduate coursework in computer graphics at the Pratt Institute in Brooklyn, New York and the Rochester Institute of Technology in Rochester, New York. He now lives in Williston.

Finally, while not a permanent addition to the staff, VLCT is nevertheless pleased to welcome our new Municipal Assistance Center intern, Will Flender, for the summer. Will just completed his first year at the Vermont Law School, and has already been at work analyzing a Vermont Supreme Court case for VLCT News readers. (See the Legal and Regulatory Notes column in this issue.)

And Goodbye

Lou Stazi, Associate, Legislative and Membership Services, left VLCT in June after seeing the Legislature through its 2005 session.

(Continued on next page)

(2) 1979 “Converto” Ram-E-Ject Trailers, Model No. REJ-21-26SP. Front of trailer closed in, watertight and hydraulically operated tailgate, insulated sides and roof, 19 cu. yd. capacity. Great for handling sludge. Great condition; little used. Priced to sell at $7,000 each. Also 1970 Mack Tractor rigged to haul “Converto” trailers. Ready to work for $8,000. Call 802/479-3330 for details. Fulton & Company, Inc., Websterville, Vermont.
PROJECT CITIZEN: ANOTHER SUCCESSFUL COMPETITION

On Monday, May 16, VLCT and Project Citizen hosted the annual state Project Citizen Portfolio Competition at the State House. This is the sixth year that middle school students have traveled to the State House to display the projects they developed and to participate in a competition that showcases public policy issues, solutions developed by students and public presentation skills. Some were the same impressive students who joined local officials at Local Government Day in the Legislature back in February.

This year, students from five schools presented twelve projects encompassing issues ranging from tire deposit laws to abolishing the electoral college to addressing handicap access in downtown Montpelier. Panels of judges, including our own Montpelier City Manager, Bill Fraser, heard the students’ presentations and then convened to assess what they had heard and assign scores to the projects. While the scoring took place, students attended mock committee hearings in which they acted as committee members, witnesses and audience. The “bill” under discussion was whether to prohibit body piercing and tattooing of minors. Needless to say, the debate was lively.

(Continued on next page)

PROJECT CITIZEN WINNERS

Champion: Restoring the Pledge of Allegiance, Twinfield Union

2nd Place: Tire Deposit Law, Twinfield Union

Honorable Mention: Rt. 14 Bridge, U-32 Junior High School

Exemplary Investigation of a Local Problem: Erosion, Mt. Abraham Union

Exemplary Investigation of a State Problem: Phosphorus Levels In Lake Champlain, Grand Isle School

Exemplary Oral Presentation: Handicap Access in Montpelier, U-32 Junior High School

Exemplary Graphics: Sports for Life, Rutland Town School

STAFF -

session (well almost through, but for the remaining detail, at press time, of a few gubernatorial vetoes). Lou plans to shed his coat and tie for the summer to coach at a series of soccer camps, and then pursue employment closer to his South Burlington home in the fall. We wish him all the best for the future.
SHERBURNE TREATMENT PLANT REDUCES ENERGY WASTE

After operating the same equipment for more than 20 years, the Sherburne Fire District’s municipal Waste Water Treatment Plant in Killington faced high electric bills.

“This plant was running at only 50 percent capacity, yet our electric bills ran us roughly $3,500 a month,” said Daniel Lewis, chief operator of the Sherburne Waste Water Treatment Plant. “We needed to make changes that would help reduce our energy costs in a way that didn’t overburden the taxpayers.”

Due to the inefficiencies of some of the equipment, the Sherburne Waste Water Treatment Plant had a power factor – a measurement of the utilization of electrical power – that was 30 to 40 percent below average. This meant that the treatment plant was not fully utilizing the electrical power it was paying for.

Lewis teamed up with engineer Craig Kneeland of Covered Bridge Concepts in Eden Mills, to review energy savings options for the Sherburne Waste Water Treatment Plant. Kneeland recommended installing variable frequency drives that help to control motor speeds, which he believed would be the most inexpensive way to help the Town save on energy costs.

To prove the cost-effectiveness of the recommended measures, Lewis asked for assistance from the local power company, Central Vermont Public Service Corporation (CVPS). CVPS personnel, David Dunn and Michael LaCross, provided meters and man hours to monitor and gather data on specific pieces of equipment. After reviewing CVPS’s findings, it became clear that the variable frequency drives could greatly reduce the plant’s energy expenditure.

At Kneeland’s suggestion, Lewis contacted Efficiency Vermont for additional support. Efficiency Vermont, the state’s energy-efficiency utility, reviewed the project and agreed that the variable frequency drives would provide significant energy savings, and contributed a financial incentive of $7,250 – roughly half the total cost of the project.

“Efficiency Vermont helped us move this project into reality,” said Daniel Lewis. “They provided a rebate that helped defray the cost of this project, allowing the Sherburne Fire District to budget for additional electrical improvements.”

The energy-efficient equipment was installed on only three motors, and is estimated to save the Town approximately 80,150 kilowatt-hours per year – the equivalent of roughly $9,000 annual in energy savings. This, coupled with the financial incentive from Efficiency Vermont, will help the equipment pay for itself in less than a year.

In addition to the energy savings, the variable frequency drives are expected to provide additional benefits such as less equipment stress, longer service life and greater operational control.

“Most waste water treatment plants in Vermont are 20 to 25 years old, and face similar problems,” said Chandra Gopalakrishnan, project manager at Efficiency Vermont. “This project is a great example of how towns can invest in energy efficiency.”

For more information, contact SFD #1 Chief Operator, Daniel Lewis, at 802 422-3831.

- Jody Waller, Kelliher Samets Volk Public Relations, Burlington
Recycling/Scalehouse Attendant. The Town of Hartford, Vt. seeks a part-time Recycling/Scalehouse Attendant to work in its Department of Public Works’ Solid Waste/Recycling Division. Must be able to operate bucket loader and small forklift. Requires work on Mondays, Thursdays and Saturdays. Applications are available at the Solid Waste Facility or the Public Works Building. For more information, call 802/295-5740 or 295-3622. EOE. (6-1)

Public Works Director. Search Reopened. Shelburne, Vt., a town south of Burlington on Lake Champlain, is seeking to fill the newly created position of Public Works Director. The successful candidate will have demonstrated team skills and a commitment to quality performance and customer service. The position is responsible for coordinating and overseeing the Highway, Water and Wastewater Divisions and their infrastructures. Will represent the Town at regional and state meetings and will oversee municipal projects. For a complete job description, go to www.shelburnevt.org. Engineering degree preferred, with 8-10 years of related experience, including at least 2 years as a supervisor. Salary range, $49,500-$62,700. Excellent benefit package. Send letter of interest and resume to: Paul W. Bohne III, Town Manager, 5420 Shelburne Road, PO Box 88, Shelburne, VT 05482, or pbohne@shelburnevt.org. Applications accepted until the position is filled. EOE. (6-2)

Director of Parks and Recreation. The resort municipality of Killington, Vt., seeks a highly motivated professional for a progressive, full-service department. The position requires a degree in recreation; municipal recreation high level administrative experience is desired. Ability to work independently, administer and supervise the Town’s recreational facilities as well as plan and coordinate programs and activities as a one (full-time) person department. Competitive salary (range low to mid $30s), depending upon qualifications, plus excellent benefits. Submit resume, including present salary, by July 11, 2005, to David W. Lewis, Town Manager, PO Box 429, Killington, VT 05751, or dave@town.killington.vt.us. Call 802/422-3241 for more information. (6-3)

Staff Planner. Chittenden County Regional Planning Commission. Requires a Master’s Degree in planning or related field and at least two years of direct professional experience in municipal or regional planning. A Bachelor’s Degree in planning, public administration, environmental planning or related field and at least five years of professional planning experience will be considered. Basic working knowledge of the principles and practices of public planning and the preparation of planning reports and studies. Work with federal, state and regional partners, municipally elected and appointed officials and their staffs, citizen groups, and advisory councils in the 19-community region. Provide technical assistance to member municipalities for preparing town plans, zoning and other bylaws and special studies as requested. Review and analysis of local plans and bylaws for compliance with state enabling statutes, drafting plan and bylaw language, meeting in working sessions with planning commissions, development review boards and other local panels and commissions, often in the evening. Salary Range: $40,000-$51,563. Submit applications no later than June 27, 2005 to: Greg Brown, Executive Director, Chittenden County Regional Planning Commission, 30 Kimball Avenue, Suite 206, South Burlington, VT 05403. Submit electronic applications to gbrown@ccrpcvt.org. (6-9)

Request for Proposals

Request for Proposals. The Town of Weathersfield, Vt. seeks proposals from qualified suppliers for one fire pumper truck. The truck must meet the construction, testing and safety standards of the 2003 N.E.P.A. Publication 1901. For a bid packet with all specifications and forms, contact Town Manager Laurence J. Melen, PO Box 550, Ascutney, VT, 05030-0550, phone 802/674-2626, fax 802/674-2117. Seal and mark the quotation envelope “FIRE

(Continued on Page Eighteen)
For more information about the following workshops or events, please contact Jessica Hill, VLCT Conference Coordinator, tel., 800/649-7915; e-mail, jhill@vlct.org. Or, visit www.vlct.org, select the Calendar, and select a workshop for more information or to register on-line. On-line registration option is available for VLCT workshops and events only.

Vermont Spatial Data Partnership Roundtable. Wednesday, July 13, 2005, Cyprian Learning Center, Waterbury. Sponsored by the VSDP, this mini-conference focuses on using GIS in Vermont. For more information, visit http://www.vcgi.org/vsdp.

Beyond the Divide, Conflict and Paths to Community Success. Tuesday, August 9, 2005, Vermont State House, Montpelier. Annual roundtable conference sponsored by the Vermont Council on Rural Development. This year the conference will address the challenges of building unity in the face of social, economic, and cultural change. It will look at how our rural communities build bridges between parts of their communities to get things done. Participants will discuss their ideas, share success stories, and learn from each other (and from providers) about tools and resources available to communities. For more information, contact vcrd2@sover.net.

VLCT Town Fair. Wednesday, September 14, 2005, Killington Grand Hotel, Killington, Vermont. Sponsored by VLCT and VLCT Group Services. This annual event returns to Killington in 2005. Enjoy a full day of training, exhibits, the VLCT Annual Meeting and, of course, that famous turkey dinner. Watch your mail in early July for complete registration materials.


2005 Planning Celebration. Friday, October 28, 2005, Capitol Plaza Hotel, Montpelier. Save the date! Vermont Planners Association Annual Meeting and Awards. For more information, contact Wendy.Tudor@state.vt.us.