CHANGE IS COMING TO THE NATIONAL FLOOD INSURANCE PROGRAM

Last year, the U.S. Congress passed the Biggert-Waters Flood Insurance Reform Act of 2012. In addition to reauthorizing the National Flood Insurance Program (NFIP) through September 2017, the law is attempting to make the NFIP more financially stable by raising artificially low flood insurance premium rates which, at present, do not reflect the true flood risk. You may hear emergency managers and insurance agents refer to the new law as “B-W” or “BW-12.”

How We Got Here. In 1968, Congress created the NFIP to allow property owners to insure against flood loss. Since most homeowners’ insurance policies do not cover flood damage, property owners who suffered flood damage were often financially devastated and unable to rebuild. With participation agreed upon between local communities and the federal government, the program established standards for new construction and development for local adoption to reduce future flood risks in exchange for federally funded insurance protection that property owners could purchase. Flood Insurance Rate Maps (FIRMs) identified high risk areas called Special Flood Hazard Areas (SFHAs) where these new construction and development standards would be applied.

However, buildings located in an SFHA built before a community received its first FIRM – and therefore not built to the new construction standards, (so-called pre-FIRM

(continued on page 7)
What Medium and Large Employers Should Do Now Regarding Health Insurance Reform

While it is true that only small employers – i.e., those with 50 or fewer employees – that will offer health insurance to their employees in 2014 through Vermont Health Connect (VHC) need to start working toward that change now, employers with more than 50 employees must not simply ignore health insurance reform! Waiting until 2015 to act could have budgetary consequences. Following are some particularly useful activities for medium and large employers to undertake sooner rather than later.

Learn the new state and federal definitions of full-time and seasonal workers. Then evaluate how your group measures up. Remember that while the state count determines when you must begin participating in VHC, the federal count determines whether you are subject to the Employer Responsibility (“Pay or Play”) Penalty. Both count the average number of employees on working days during the preceding calendar year, and both count everyone who works 30 or more hours per week as a full-time employee. For federal coverage starting January 1, 2016, employee counts will include part-time employees as calculated with a specific full-time equivalent (FTE) method as well as seasonal employees who work up to 130 days per year. A worksheet on How to Count to 50 for VHC is at healthconnect.vermont.gov/information/businesses.

Use the link in the first bullet, but ignore the second bullet (federal tax credits), which doesn't apply to most municipal entities.

Do a “Pay or Play” analysis to learn the federal penalty for not offering a health insurance benefit. Groups with 50 or more full-time and FTE employees (with full-time defined as 30 or more hours per week) that do not provide affordable minimum health insurance coverage to at least 95 percent of their full-time employees will be subject to a federal penalty. “Affordable” is defined as the employee's premium being no more than 9.5 percent of his or her household income. For 2014, the employer's penalty will be $2,000 for every full-time employee except the first 30 of them. For example, if you have 79 employees and do not offer health insurance as required by federal law, if any of your eligible employees chooses to buy through VHC as an individual, you will pay a penalty for each one. A flowchart illustrating the federal Employer Responsibility Penalty is at healthconnect.vermont.gov/information/businesses. (Use the link in the third bullet.)

(continued on page 11)
The pressure has never been greater for municipalities and public sector entities to reduce their expenditures without sacrificing the services they provide. TD Bank has a long track record of providing solutions to meet your operational needs while making the most of taxpayer dollars.

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Put TD Bank to work for you.
To speak with a Government Banker in your area, call 1-888-751-9000 or visit www.tdbank.com.
I have read that there is a provision in Vermont law affording property taxpayers “extraordinary relief.” I have never heard of it before. Could you explain?

Under Act 143 of 2012, the commissioner of the Vermont Department of Taxes has been authorized to grant extraordinary relief to compensate for inaccurate classification of property as homestead or nonresidential under 32 V.S.A. § 5410 “that results in significant hardship.” The commissioner may also grant extraordinary relief that makes changes to a taxpayer’s property tax adjustment or renter rebate claim.

In order to receive this relief, the taxpayer must make a request to the Vermont Taxpayer Advocate, who is required to conduct a thorough investigation. If the investigation finds that Vermont tax laws apply to the taxpayer’s circumstances in a way that is unfair and unforeseen, and the taxpayer has no available appeal rights or administrative remedies to correct the issue, then the advocate can make a recommendation to the commissioner for extraordinary relief. The commissioner has complete discretion to act or not on the recommendation of the Taxpayer Advocate; the commissioner’s decision is final and not subject to any further review. 32 V.S.A. § 3206.

The Taxpayer Advocate can be contacted through the Vermont Department of Taxes (133 State Street, Montpelier, VT 05633-1401), by email (taxpayeradvocate@state.vt.us), or by phone (802-828-6848). VLCT recommends that whenever a property taxpayer is informed of the right to
ASK THE LEAGUE
(continued from previous page)

seek abatement of property taxes, the taxpayer also be informed of the opportunity to request extraordinary relief under 32 V.S.A. § 3206.

Jim Barlow, Senior Staff Attorney
VLCT Municipal Assistance Center

The road crew has started summer maintenance along our town roads. The maintenance activities are entirely within the town’s highway right of way. As part of this process, some trees will be removed. Should we notify landowners before we take the trees down?

Yes. Not only should you notify property owners, but a town should heed the ruling of the Vermont Supreme Court and hold a tree warden hearing to avoid any claim of due process violations. Hamilton v. Town of Holland, 950 A.2d 1183, 2007. Anyone who drives on Vermont’s rural roads knows that trees, with their arching canopy and sense of enclosure, provide a scenic beauty that marks the change of each passing season. There are other reasons to preserve trees within the highway right of way, such as protection of properties and uses along the highway, and their provision of shade and erosion control. Trees, however, can be an obstruction to highway maintenance and harbor disease and insects that can harm the health of the tree canopy. In order to balance the competing interests of maintaining a highway and preserving the health of trees, the legislature created the office of tree warden, whose responsibility it is to protect and manage “shade and ornamental trees within the limits of the public ways.” 24 V.S.A. §§ 871 and 2509.

Highway law allows a town to remove trees and bushes from the highway right of way when they “obstruct the view of the highway ahead” or “cause damage to the highway” or “are objectionable from a material or scenic standpoint.” 19 V.S.A. § 904. But before any tree is removed, the town must hold a tree warden hearing. 24 V.S.A. § 2509. The law doesn’t provide a notification process; VLCT recommends the tree warden provide direct notification by mail to the affected property owners, as well as posting the notice in three places in town at least 15 days before the hearing. The road foreman should attend and be prepared to explain the maintenance project and indicate which trees will be removed, the reasons why, and answer any questions posed by the public. After the hearing, the tree warden should write up a brief decision and send a copy to the attendees.

There is an exception to the hearing process for trees “infested with or infected by a recognized tree pest” or that “constitute a hazard to public safety.” 24 V.S.A. § 2509. Still, the Municipal Assistance Center believes that it is easier to hold a hearing in all instances before removing trees than to end up in litigation with landowners.

Stephanie Smith AICP, Senior Associate
Municipal Assistance Center

COMING SOON

MAC WORKSHOP SCHEDULE FOR FALL 2013 - SPRING 2014

MAC’s 2013-2014 Calendar of Events and Training will be available in early September, at which time we’ll notify you via email and U.S. mail, and also note its arrival on the home page of the VLCT website (www.vlct.org). If you have any suggestions for or questions about our workshops, please contact Abby Friedman at afriedman@vlct.org or 800-649-7915 ext. 1926.

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

SAVE THE DATE

13ST

NEED A WRITTEN LEGAL OPINION?
LOOKING FOR EXPERTISE DRAFTING A NEW ORDINANCE?
NEED HELP UPDATING THAT PERSONNEL POLICY?

VLCT’s attorneys can provide your municipality with legal assistance at highly competitive rates. Please call Abby Friedman for more information at 1-800-649-7915.

SAMPLE PROJECTS:
- Water & Sewer Ordinances
- Zoning Bylaws
- Municipal Charter Amendment
- Highway Ordinances
The VLCT Municipal Assistance Center is changing the schedules for its annual compensation and benefits surveys in the hope that:

- they will be less burdensome for you to complete,
- the number of municipalities that respond will increase,
- we will be able to send you the 2013 Municipal Compensation and Benefits Reports earlier, and
- with increased participation and more data gathered, the reports will be even more useful as you develop your annual budgets.

The 2013 Municipal Compensation Survey will be emailed the week of June 17 with a return deadline of Friday, July 12. The survey, in Excel format, will be pre-populated with your most recent data for you to review and update.

The 2013 Municipal Benefits Survey will be sent out in mid-July with a mid-August return deadline. (The exact dates will be provided as soon as possible.) We will notify you when your municipality will receive an email from Survey Monkey with a link to the online 2013 Benefits Survey. If you completed a 2012 Benefits Survey, we will email you a PDF file of your responses for reference.

Statewide health insurance reform will begin to take effect in October, and VLCT will continue to update municipal officials on all relevant changes and decisions deadlines. Consequently, we will omit many of the medical insurance questions typically included in our benefits survey. The Municipal Assistance Center and VLCT Health Trust are working together to gather relevant information about health insurance reform and we will make it available through other means.

If you have any questions regarding the process, please contact Liz Lepore, Research and Information Assistant, at llepore@vlct.org or 800-649-7915, extension 1961.

Thank you in advance for your assistance!

Don’t dig yourself into trouble...

The Perfect Excavation:

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- In MA, ME, NH and RI, notify Dig Safe® at least 72 business hours in advance.
- In Vermont, notify Dig Safe® at least 48 business hours in advance.
- Notify non-member facility owners.
- Maintain the marks placed by underground facility owners.
- Use caution and dig by hand when working within 18” of a marked facility.
- If a line is damaged, do not backfill. Notify the affected utility company immediately if the facility, its protective coating, or a tracer wire is damaged.
- Call 911 if the damaged facility poses a risk to public safety.
- Know your state’s excavation requirements. Go to digsafe.com for educational material and current laws.

Call 811 before you dig. digsafe.com

Call Dig Safe®. It’s Smart, It’s Free, and It’s the Law.
structures) – could remain as is. Owners of these pre-existing properties could obtain flood insurance at a subsidized rate that did not reflect the property’s true risk of flooding. The NFIP was set up to be self-sustaining; during episodes of higher than normal flood insurance claims, the program borrows money from the U.S. Treasury, which the NFIP theoretically pays back with interest. Then came Katrina, Rita, Irene, Sandy and who knows who’s-next, resulting in billions of dollars of debt. So Congress decided it was time to “modernize” the program.

**What is Changing Now?** Approximately 20 percent of NFIP policies nationwide are subsidized for pre-FIRM structures. In Vermont, however, the number of pre-FIRM subsidized NFIP policies is much larger. Notably, Vermont is in the top five states with the highest percentage of current pre-FIRM policies at over 50 percent.

Here is what is changing under BW-12:

- **Subsidized rates for secondary (non-primary) residences** in an SFHA will increase 25 percent annually until the rates reflect the true risk actuarial rate (began January 1, 2013).
- **Subsidized rates for property that has experienced severe or repeated flooding** will increase 25 percent annually until rates reflect the true risk actuarial rate (will begin October 1, 2013).
- **Subsidized rates for non-residential properties** (which includes municipal structures insured under the NFIP) located in an SFHA will increase 25 percent annually until rates reflect the true risk actuarial rate (will begin October 1, 2013).
- **Subsidized rates for residential properties** in an SFHA will increase 20 percent annually until the rates reflect the true risk actuarial rate (will begin October 1, 2013).
- An additional five percent charge will be added to all insurance policies (including post-FIRM policies reflecting the true risk actuarial rate) to establish a reserve fund for the NFIP (upon renewal).
- New policies and policies renewed after October 1, 2013, will require an Elevation Certificate to determine the true risk actuarial rate for the policy.

As described above, pre-FIRM flood insurance policy rates will increase gradually 20 or 25 percent each year to the true risk actuarial rate unless or until:

- the owner sells the property;
- the owner allows the policy to lapse;
- the owner experiences severe, repeated flood losses; or
- the owner purchases a new policy. Any of these actions will trigger an immediate rate increase to the full risk actuarial rate.

**Grandfathering Changes Expected in 2014.** The NFIP allows “grandfathered rates” for eligible property owners of structures built in compliance with a prior flood rate map after a new one has been released.

Under BW-12, these grandfathered rates will be phased out. For residents living in a community that adopts a new, updated FIRM, discounts – including grandfathered rates – will be phased out. This will happen gradually, with new rates increasing by 20 percent per year for five years. Implementation is anticipated in 2014.

**Calculation of BW-12 Rate Increase.** In Vermont, an average, continually maintained pre-FIRM residential policy costs approximately $1,600 annually for a house insured for $170,000. A new policy for the same pre-FIRM residential structure with the non-subsidized risk-based actuarial rate will cost approximately $4,000 annually.

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As part of PACIF’s goal of increasing the value of loss control tools and resources, the Vermont Department of Environmental Conservation has granted pre-approval for certain courses offered by PACIF Online University to satisfy some of the training requirements for Wastewater Operator Certification. Twelve courses can be used to earn up to six Continuing Education Units toward this certification.

“This Wastewater Operator Certification coursework pre-approval follows close on the heels of several PACIF Online University courses receiving similar approval for credits toward Drinking Water Operator certification,” says Jim Carrien, RMS Administrative Assistant and Loss Control Trainee at VLCT. “But the wastewater approval was a totally separate process, conducted completely within the Watershed Management Division of the Agency of Natural Resources’ Department of Environmental Conservation.”

The approved wastewater courses are general in nature, yet are technically oriented. Topics include Respiratory Protection, Compressed Gas Safety, Emergency Response to Incidental Chemical Release, Lockout Tagout, and Hazard Communication. The online format allows employees to complete this portion of their training at their regular workplace and at a time and rate that suits them. Up to half of the credits required to earn Wastewater Operator certification can be completed online. The remainder of the training is more specialized and must be learned from an instructor in a traditional classroom setting.

“PACIF Online University is a great free tool for all PACIF member organizations,” says Fred Satink, VLCT’s Loss Control Supervisor. “Courses cover a wide range of safety and liability topics. Employers can assign certain courses, then employees go online any time, and when they’ve passed the course, they can print a certificate of completion for their files.” The site administrator can also generate and print reports showing which employees have completed what courses.

The portal to PACIF Online University is at www.vlct.org/rms/pacif/pacif-online-university/. If you have questions about how to make the best possible use of this resource in your organization, contact Jim Carrien at 800-649-7915, ext. 1946 or jcarrien@vlct.org.

PACIF members have clearly caught on to how to make the most of the PACIF Equipment Grants perk. This program was established three years ago to help members buy relatively expensive equipment that is likely to help reduce claims – whether workers’ compensation, property, or liability claims. The grants cover one-half of the expected cost of approved equipment up to $5,000 per member; the member must obtain the remaining funds elsewhere. One application is accepted per member per year. Each member must make a convincing case for how its proposed purchase(s) will reduce claims.

A new requirement for this year was that applicants should either have no outstanding level “A” recommendations as identified by a VLCT Loss Control Consultant or should apply for a 2013 grant specifically to satisfy any outstanding level “A” recommendations. This requirement coupled with the high rate of grant use shows that PACIF members are taking their safety seriously and achieving new standards for controlling municipal losses.

The grant program has two application periods each year, with Round 1 grants being awarded in May. In Round 1 of this year, 74 members applied for a grant, and 72 grants were approved for a total of $183,500. These Round 1 statistics are very close to last year’s, when there were 73 applicants and 67 grants approved for a total of about $188,500. The total funds available for 2013 are $200,000, leaving $16,500 to be awarded during Round 2. Due to the overwhelming interest in the program this year, PACIF will be awarding the remainder of funds on a first come, first serve basis. PACIF anticipates the funds will be appropriated by the time this newsletter is published. Please call Jim Carrien at 802-262-1946 if you have any questions.
BACK TO BLACK

(continued from page 1)

VLCT now insures about 95 percent of Vermont’s 330 cities, towns and other municipal entities, including water, fire and solid-waste districts, against everything from snow plow accidents to workers’ compensation claims to wrongful death suits filed after police shootings. In the wake of Tropical Storm Irene, VLCT shelled out more than $10 million to fix flood-damaged municipal infrastructure. In the last few years, a spike in financial fraud has forced the nonprofit to pay out substantial claims.

Since 2003, the league’s self-insurance plan has had 14 claims for financial mismanagement totaling $1.7 million, according to Ken Canning, VLCT’s director of risk management services. Of that, VLCT paid out $1.3 million to its member organizations for losses due to embezzlement or bookkeeping blunders that cost municipalities hundreds of thousands of dollars.

“We’re designed to take hits like this,” Canning says, just one year after Vermont topped a national list of worst states for white-collar fraud. He insists the League’s insurance funds are on solid financial footing. “We don’t like it, but that’s what we’re here for.”

Like auto insurance, what a municipality pays for insurance is based on a complex formula that accounts for its population and claims history. Those with good “driving records” – i.e., few or no claims – are rewarded with lower premiums, while others, like the Hardwick Electric Department, are punished with higher premiums. In 2011, the publicly owned utility suffered the largest public embezzlement in Vermont history when former office manager Joyce Bellavance pled guilty to bilking the utility out of $1.6 million.

In 2010, before Bellavance’s crime was discovered, Hardwick Electric paid $817 a year for its crime coverage; today, the utility is paying $1654. Though its insurance cost doubled, Canning notes that it’s still “pretty low” relative to its coverage. Member-owned VLCT won’t raise premiums on its members by more than 15 percent a year for a single claim, even when a major loss occurs, to help “take the sting out of it,” he says.

But there’s another kind of sting for Hardwick residents. The VLCT only covers up to $500,000 in criminal damages. Losses that exceed that amount fall on

(continued on page 12)
A $4,000 per year insurance rate in a high risk area will tally up to $40,000 over ten years or $120,000 over the life of a 30-year mortgage. By converting the basement to a flood-vented crawl space or elevating the lowest floor above the base flood elevation, the cost may be dramatically reduced.

What Can Be Done to Lower Costs?

For home owners and business owners:

- Talk to your insurance agent about your insurance options. Each property’s risk is different. Some policy holders may reach their true risk rate after a couple of years of increases, while other increases may go beyond the five years to get to the full risk rate required by the new law. The insurance rate tables on the true risk actuarial rate were not available until June, 2013.
- Higher deductibles may lower your premium.
- Building or rebuilding at a higher elevation will lower flood risk and could reduce the premium.
- Add vents to the foundation.
- Discuss community-wide mitigation steps with local officials.

For municipal officials:

- Join the Community Rating System (CRS) or increase your CRS activities to lower premiums for residents. (See sidebar.)
- Help organize community-wide mitigation steps.
- Talk to the Vermont Division of Emergency Management and Homeland Security about grants. The Federal Emergency Management Agency (FEMA) issues grants to states, which can then distribute the funds to communities to help with mitigation and rebuilding.

Summary. The Biggert-Waters Act requires the National Flood Insurance Program to charge actuarial rates to pay off accumulated debt, resulting in a significant rate increase for many Vermonters. Current insurance policy premiums are rising 20 to 25 percent annually until they reach actuarial costs. Residential and non-residential owners should talk to insurance agents about available options. Starting this October, Elevation Certificates will be required upon renewal of a pre-FIRM flood insurance policy to identify how high flood waters will rise relative to the elevation of the lowest floor of the structure during a flood. Allowing an existing pre-FIRM policy to lapse or selling the property will result in an immediate rate increase to the full risk actuarial rate. Incorporating flood mitigation measures into remodeling or rebuilding will make your structure safer, reduce the risk of damage, and most likely decrease the cost of flood insurance.

For more information on the Biggert-Waters Flood Insurance Reform Act, contact:

- Rob Evans, CFM, State Floodplain Manager and NFIP Coordinator, Vermont Agency of Natural Resources, rob.evans@state.vt.us, 802-490-6152;
- Ned Swanberg, CFM, Flood Hazard Map Coordinator, Vermont Agency of Natural Resources, ned.swanberg@state.vt.us, 802-490-6160; and
- Milly Archer, CFM, Water Resources Coordinator, VLCT Municipal Assistance Center, marcher@vlct.org, 802-229-9111, 800-649-7915.

For information about enrolling in the Community Rating System, contact:

- Rebecca Pfeiffer, CFM, Floodplain Manager/Assistant NFIP Coordinator, Vermont Agency of Natural Resources, rebecca.pfeiffer@state.vt.us, 802-490-6157.

Milly Archer, CFM, Water Resources Coordinator
Municipal Assistance Center

The National Flood Insurance Program’s (NFIP’s) Community Rating System (CRS) is a voluntary incentive program that recognizes and encourages community floodplain management activities that exceed the minimum NFIP requirements. In return for a community’s adoption of such standards, flood insurance premium rates for residents in the participating community are discounted. The discounts—which vary according to the community’s level of effort—reflect the reduced flood risk to property owners resulting from the community’s floodplain management activities.

CRS communities are awarded points for their local floodplain management activities that exceed the NFIP minimum standards. Activities include restricting development within high risk areas, enforcing higher regulatory standards, preserving open space, managing stormwater, initiating conservation agreements, and citizen education programs. Communities are placed into classes ranging from Class 10 (lowest) to Class 1 (highest), based on the number of points accrued and other specific CRS requirements. All participating communities start out at Class 10, which offers no flood insurance premium discount. Each class increase results in an additional 5 percent premium discount. Bennington, Brattleboro, and Montpelier, currently the only Vermont communities taking part in the CRS, participate at Class 9.

Low-Interest Loan Funds Available Through the Vermont State Infrastructure Bank (SIB) Loan Fund

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

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

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

For More Information: www.veda.org • 802-828-5627
If your current health insurance renewal date is not January 1, prepare for it to change to January 1 by the time you enter Vermont Health Connect. You must have a fractional year in either 2014 or 2015.

Review your collective bargaining agreements to be sure their wording accommodates changes that are mandated by federal or state health reform.

If you do not currently offer coverage to dependents, know that federal law requires employers with more than 50 employees that offer coverage to their employees must also make coverage available to those employees’ dependents.

If you currently offer pro-rated benefits to your part-time employees, learn the pros and cons of doing so when individuals are eligible for income-sensitive federal health insurance tax credits and cost-sharing subsidies (to help pay for premiums and out-of-pocket costs). Consider whether you and/or they might be better served if you dropped their coverage so they could take advantage of federal tax credits. Determine a personnel policy that you will adhere to (or risk unfair labor lawsuits).

If you currently offer health insurance to pre-Medicare retirees, learn the pros and cons of doing so when individuals are eligible for income-sensitive federal health insurance tax credits and cost-sharing subsidies (to help pay for premiums and out-of-pocket costs). Consider whether you and/or they might be better served if you dropped their coverage so they could take advantage of federal tax credits. Determine a personnel policy that you will adhere to (or risk unfair labor lawsuits).

Determine if the employees that you think of as seasonal still qualify as seasonal. Vermont regulations proposed on April 26, 2013, define a seasonal employee as one who works for an employer 20 consecutive weeks or fewer in a calendar year, and works in a job scheduled to last 20 weeks or less. Working for more than 20 consecutive weeks in a calendar year makes an employee full-time or part-time, which should affect how you manage your seasonal workforce.

The overarching message here is that for larger employers, careful management of your workforce is more important than ever, especially with respect to how many hours a week or weeks a year certain employees are working. Not managing your workforce with a heightened awareness of the potential effects on health insurance requirements could produce surprising budgetary results — and not necessarily the happy kind.

David Sichel, Deputy Director
Risk Management Services

Water, the most powerful force on earth.

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NEW NAME FOR UI TRUST PARTNER

The VLCT Unemployment Insurance (UI) Trust’s business partner, TALX, is a leader in the unemployment cost control industry. It was acquired by Equifax, Inc. six years ago, but continued to operate as TALX. However, Equifax decided recently to rebrand its various business divisions with the name Equifax Workforce Solutions.

As of June 17, the TALX name and logo have replaced Equifax on all unemployment service related requests made to UI Trust members. This is merely a cosmetic update: it will not change any services, service personnel contact information (because email addresses were changed last October), any individual member’s preferred method of communication, or even the company name as licensed with the State of Vermont. Members don’t need to do anything differently, aside from updating the company name in their UI contact information.

UI Trust members who have any questions can direct them to Kelley Avery, kavery@vlct.org, or 800-649-7915, ext. 1965.
the municipal entity and its taxpayers. Even when towns are fully covered for their losses, it can take years before that hefty check arrives.

Technically, Bellevance still owes her former employer another $1.1 million. In February, her husband agreed to move out of the house and leave behind valuables to help compensate the town for his wife’s thievery, according to an Associated Press report. U.S. Attorney Tristram Coffin estimated the house and its contents are worth about $750,000. Assuming it sells for that, Hardwick is still short $350,000 – and it’ll be a while before Bellevance starts paying restitution to the town and VLCT.

Assuming she makes good on the $1.1 million, Canning notes, “We’re next in line. But we’re not holding our breath.”

The sum total of the Bellavance fraud is staggering. But at least its value has been established; when VLCT members are victimized, they have to account for every dollar taken, typically by conducting a forensic audit that can cost tens of thousands of dollars – an expense that’s not covered by insurance.

In April 2011, Donald Hewitt, former treasurer of the tiny town of Ira, pled guilty to wire fraud for writing checks to himself and misappropriating property tax funds from the 1990s through 2009, when his scheme was finally discovered. VLCT reimbursed the town of Ira for $350,000, which, according to Canning, represented the actual money that Hewitt stole, as revealed by a forensic audit.

However, Canning says that because Hewitt’s scheme was “kind of like a shell game,” in which he moved funds from one municipal account to another, the town now claims its actual losses exceeded the $350,000 VLCT paid out. As a result, the town has filed a lawsuit against VLCT, claiming losses in excess of $500,000. Ira town officials declined to comment due to the pending litigation.

Similarly, former town clerk Suzanne Labombard stole more than $100,000 from Isle La Motte between 2001 and 2006. But the town’s books were in such poor shape, Canning says the town couldn’t tell how much was stolen. Fortunately for Isle La Motte residents, Labombard and her father paid back 100 percent of the documented losses.

What do these crimes have in common? Far from being sophisticated confidence schemes, Canning says every town offered easy access to embezzlers. In Guilford’s case, town administrator Katie Buckley describes the fraud as “so simple a kid could do it.”

Like most victimized municipalities, the all-volunteer Algiers Fire District didn’t segregate its financial duties. The embezzler controlled the mail, bank statements, deposits, withdrawals and checks. And, like other recent fraud cases, Roebuck got caught because someone finally asked to see the books.

“It doesn’t take a lot of education to look down and see checks written out of sequence, vendors not approved by the town or the treasurer is on direct deposit,” says Canning. “As we like to say, trust is not an internal control.”

Though one might assume that towns suddenly experience a huge windfall once VLCT cuts them a check, that wasn’t the case in Guilford. Once the town got its money back, Buckley says it was immediately deposited back into the fire district’s bank account. The town has since taken over all of the fire district’s bookkeeping duties.

Harder to fix is the psychological damage to the town.

“It was a harsh reality slap,” Buckley says. “The biggest impact was the feeling on the community because it’s one of your neighbors who stole from you ... That’s a hard pill to swallow, and there’s no dollar sign that corrects that.”

Ken Picard, Staff Writer
Seven Days

Make oral health a priority.

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

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

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

www.nedelta.com
the Personal History Questionnaire on our website, http://www.town.williston.vt.us/. Then submit them to Office of The Chief of Police, Williston Police Department, 7928 Williston Road, Williston, VT 05495. Our hiring process involves academy written and physical testing, psychological test, oral boards, polygraph, extensive background investigation, and medical testing. Some of this testing will be done post conditional offer. The position opens July 1, 2013. Full-time Vermont certified officers are preferred, however we are seeking to diversify our workforce and encourage women and minorities to apply. (5-24)

Wastewater Operator/Electrical Instrumentation Technician. The Town of Shelburne Wastewater Department seeks a full-time wastewater operator/team player to help meet its mission. The ability to solve problems through communication, cooperation and community involvement is an essential quality sought in candidates. Applicants must be at least 18 years old with a high school diploma or equivalent, but those with college degrees or who have served in the active-duty military for at least two years will be given preference. The Williston Police Department is a 24-hour full-service police agency serving a residential population of about 9,000 people. We have 14 sworn officers (authorized 15), two dispatchers, and one administrative assistant. We are within a few miles of Lake Champlain and the greater Burlington area and are home to many top box stores. If you believe you have the qualities to be a Williston Police Officer and want to be part of the “Old Town Charm, New Town Spirit,” please download an application and complete

Please visit the VLCT website www.vlct.org/marketplace/classifiedads/ to view more classified ads.
Classifieds
(continued from previous page)

electrical instrumentation technician. This individual must be knowledgeable of electrical, instrumentation, controls, PLCs, and SCADA systems. This is a union position. Requirements: high school diploma, with training in electrical trades and/or electronics preferred; Grade I Vermont Wastewater Certification, or ability to achieve certification within 24 months; Vermont CDL with tanker endorsement, or ability to achieve license within six months; must live within 45 minutes of Shelburne; must be able to be on call one week per month. Preference given to candidates with at least four years’ experience in electrical/electronic maintenance or industrial plant maintenance. Starting wage commensurate with appropriate experience and knowledge; excellent benefits. A complete job description is at www.shelburnevt.org (under Related Links/Employment Opportunity). To apply, submit a cover letter, resume, and references by June 30, 2013, to pbohne@shelburnevt.org, or to Paul W. Bohne III, Town Manager, 5420 Shelburne Road, PO Box 88, Shelburne, VT 05482. EOE. (6-5)

General Manager. The Village of Hyde Park seeks a strong, experienced, business-oriented General Manager to be responsible for all aspects of leading this department that serves about 1,300 customers under the direction of the Board of Trustees. Responsibilities include planning, directing, and controlling all aspects of operations, services and programs to ensure the safe and efficient provision of services to utility (electric, water and waste water) customers and village governmental functions. These could include grant research and writing, directing and participating in the preparation of village operating and capital budgets in compliance with local, state and federal regulations, policies and procedures. Requirements: strong operational, management, business and financial skills; public power experience; the ability to work effectively and openly with the community, and town government; the ability to analyze complex issues and develop relevant and realistic plans, programs and recommendations; and proven leadership skills, as well as experience in strategic planning and grant writing. Significant experience in electric utility operations and municipal government is a must. The Village of Hyde Park offers an attractive salary and benefit package along with an opportunity to grow your career in a vibrant community. The salary range is very competitive, commensurate with experience and education. To learn more, contact Ellen Burt at 802-253-7215. To apply, email a resume and salary history, in confidence, to eburt@stoweaccess.com. (6-11)

Police Chief. The City of Lebanon, N.H., is accepting applications for the full-time exempt position of Police Chief. This senior management level professional position is responsible for administering and managing the city’s police department, including establishing department goals, objectives, policies, and regulations; directing and coordinating all department procedures, practices and functions; inspecting police personnel to ensure proper discipline is maintained and cooperating with other law enforcement agencies; serving as the principal department representative and overseeing the department’s financial management system. Serves as primary spokesperson for the department; maintains positive relationships with the media, local community, other law enforcement agencies, etc. Provides oversight to approximately 50 employees. Works under the direction of the City Manager. Requirements: Bachelor’s degree with major course work in police administration or related field, and 10 years of progressively responsible experience in law enforcement and crime prevention work, including five years in a supervisory capacity; valid motor vehicle operator’s license; current NH Police Standards and Training Council certification preferred (otherwise certification must be obtained within six months of hire); must be of good moral character as presented in NH Police Standards and Training Rules; and must pass a thorough background investigation and meet all entrance standards, which may include fitness, psychological, and medical testing, as well as a polygraph examination. Salary range, $74,004.84 to $106,772.64. Grade 16/Non-bargaining affiliation. An application and a full job description are available in Human Resources and at http://www.hr.lebnh.net. To apply, email completed application to human.resources@lebcity.com, or mail to Human Resources, City of Lebanon, 51 North Park Street, Lebanon, NH 03766. Position open until filled. EEO Employer. (6-12)

Assistant Director of Public Works. The City of Lebanon, N.H. seeks an Assistant Director of Public Works to be responsible for assisting the Director in the planning, coordination, and supervision of the activities of the Department of Public Works. Other responsibilities include coordinating work activities; assigning work crews; managing the day to day maintenance, repair and construction of public ways, facilities, storm water collection systems, cemeteries and other public areas; and preparing and reviewing plans, specifications, estimates and contracts. The Assistant Director also has primary responsibility for personnel administration, including preparing substantive performance evaluations on department employees; investigating allegations of employee misconduct or poor job performance; developing performance improvement plans; initiating disciplinary actions, including issuing verbal (continued on next page)
and written warnings and recommending suspension or termination; serving as a member of the City’s labor negotiation team; serving as the Director’s designee for hearing and issuing decisions on grievances; and serving in place of the Director when the Director is incapacitated or unavailable while possessing all the duties and authority of the Director in his absence. Requirements: Bachelor’s of Science degree in Civil Engineering; 7 to 10 years experience in public works management, construction, operations and maintenance methods with 7 years of public works supervisory experience; must be registered as a Professional Engineer in the State of New Hampshire or must obtain registration within 6 months; and a valid New Hampshire Driver’s license. The annual salary for this full-time/exempt, non-bargaining position is $65,672.88 to $91,841.88. Applications and a full job description are available in the City of Lebanon Human Resources Office and at www.hr.lebnh.net. To apply, email completed application to human.resources@lebcity.com or send to Human Resources, City of Lebanon, 51 North Park Street, Lebanon, NH 03766. Position open until filled. Equal Opportunity Employer. (6-14)

Supervisor of Public Works. The Town of Littleton, New Hampshire, is soliciting Request for Qualification statements for a Supervisor of Public Works. Responsibilities include planning, organizing and directing the activities of the Public Works Department, including street/sidewalk maintenance and repair, winter operations, seasonal and special construction projects, annual budgeting, purchasing, employee supervision, sanitary sewer collections and storm drainage. Requirements: strong management skills; the ability to work with a unionized workforce, administer policies, work well with public, media and private organizations, and supervise employees; possess general computer/organizational skills including Excel, Outlook and Word; a CDL-B license, a high school diploma, and knowledge of all state, federal workplace laws and safety regulations. Preference will be given to applicants holding a civil engineering degree or equivalent work experience. He or she will be required to have a background check, fingerprinting, a physical, and federal DOT testing. The work week requires attendance to some evening/weekend meetings, and response to emergencies and assist the highway crew with unscheduled weather related duties. This is a full-time exempt salaried position with benefits. Pay commensurate with qualifications and experience. Position open until filled. Resume review begins Monday, July 22, 2013. Direct all questions to Fred Moody at 603-444-3996, ext. 13. To apply, please submit a letter of interest and resume to Fred Moody, Town Manager, Town of Littleton, 125 Main Street, Suite 200, Littleton, NH 03561. The Town of Littleton is an Equal Opportunity Employer. The Town reserves the right to retain any or reject any/all candidates. No candidate will have any claim or rights against the Town arising from this RFQ process. (6-18)

Chief Financial Officer/ATM. The Town of Colchester is seeking a Chief Financial Officer/Assistant Town Manager with a strong financial background. This executive management position reports directly to the Town Manager and acts as Town Manager in the TM’s absence. The CFO/ATM oversees the Town’s financial operations, IT and Human Resources and is responsible for a wide range of municipal responsibilities under the general direction of the Town Manager. The CFO/ATM may be responsible for implementing new policies for the Town. Previous experience with economic development will be considered favorably. This position requires presentations to the selectboard and public. A complete job description, application and more information are at www.colchestervt.gov under Opportunities. Salary range: $74,000-$90,000. To apply, submit town application, cover letter and resume by Friday, July 26, 2013, to Sherry LaBarge, Human Resources Director, at slabarage@colchestervt.gov, or mail to Town of Colchester, 781 Blakely Road, Colchester, VT 05446. Please include in your cover letter the size of staff and budget you currently manage and your current salary. EOE. (6-18)

TRIVIA

Last month’s Trivia query – If it takes seven seconds for the Selby Town Office grandfather clock to strike 7, how long does it take for that clock to strike 10? – generated responses of 11 seconds, 11.9 seconds, 3 hours, 3 hours and 10 seconds, and 10,790 seconds or 179.83 minutes. But only Mardee Sanchez of Randolph knew the correct answer: 10½ seconds. Said she, “I’m an engineer so my first instinct is to think mathematically.” Just so! In striking seven, the clock strikes its first tone at seven o’clock, then strikes six more times at regular intervals. These six intervals take seven seconds, so that the interval between the tones is one and one-sixth seconds. To strike 10, there are nine intervals, each taking one and one-sixth seconds, for a total of 10½ seconds.

Here’s another only-in-Vermont logic problem: A new car owner from Corinth installs his vehicle’s license plate upside down. (Don’t act so surprised; it happens.) The plate consists of five numbers, which he discovers can still be read upside down. How, however, the value of the number has increased by 78,633. What is his license number?

Phew! When you know the answer, email it to dgunn@vlct.org. The solution – or a solution – will appear in the audaciously auspicious August issue.

FOR SALE

Zero-turn Mower. The Coventry Cemetery Association has for sale a 2009 Kawasaki Toro Z340 40-inch 7-gauge side discharge zero turn mower, gas powered. Used minimally (75-100 hours). Asking $2,900. For more information, call Cynthia at the Coventry Town Clerk’s Office, 802-754-2288. (6-3)
Questions? Visit www.vlct.org/event-calendar to register and for the most updated information and events.

**Upcoming Events**

**Save the Date for Town Fair**

Town Fair 2013 will be held on October 3 at the Killington Grand Hotel in Killington, Vermont. General Exhibitor registration began May 20. Attendee registration information will be mailed to VLCT members and posted on our website in July. We look forward to seeing you!

Please note: No Municipal Assistance Center workshops are scheduled during July and August. They will resume in September. Call 800-649-7915 if you would like to schedule an onsite visit.

Visit www.vlct.org/event-calendar to register and for the most updated information and events.

**VLCT’s 2013 Local Officials Golf Outing**

**Date:** Wednesday, August 14  
**Time:** 8:00 a.m. check-in; 8:30 a.m. shotgun start  
**Location:** Green Mountain National Golf Course, Killington, Vt.  
**Fee:** $65 fee per person.  
**Registration information:** Coming soon!