Emerald Ash Borer in Vermont

Early in the classic 1954 science fiction movie *Them!*, a young girl awakes from a catatonic state to shriek the film’s title. She was referring to a colony of giant irradiated ants, recently introduced to the New Mexico desert biosphere, that she had discovered. Or rather, they had discovered her. And not in a nice way. Jump ahead 64 years to February 2018 when consulting forester Colby Martel discovered in the town of Orange another invasive species: *Agrilus planipennis*, or the emerald ash borer (EAB). While way smaller than the original *Them!* – adults are no more than half an inch long – EAB is equally destructive, at least to ash trees. In southeast Michigan, where the insect was first discovered in 2002, it has killed nearly 100 percent of ash trees greater than two inches in diameter. Since then, it has become the most destructive forest insect in North America.

(continued on page 10)

PACIF Difference #1: Superior Flood Coverage

This article is part of the series introduced last month to explain several of the differences between PACIF and other carriers that seek to insure Vermont municipalities.

Flood alert! Vermont has seen several significant flood events in the past 100 years. The major ones that come to mind are the Great Flood of 1927; the March 1993 flood in Montpelier; and, in 2011, both the spring snow melt and rains that inundated the northern shores of Lake Champlain and Tropical Storm Irene, which washed out entire bridges and reshaped streambeds throughout the southern half of the state. Even this past winter, the Missisquoi River overflowed, flooding significant areas in and around Swanton. Vermont is no stranger to floods, and there is every reason to believe that flooding may be on the rise, as the intensity of storms has been increasing.

Why is this important? Consider the high value of many of these structures and the financial hardship to a municipality if an important building were flooded significantly and turned out to be underinsured – or, even worse, not insured against floods at all. This is when PACIF comes to the rescue. Thanks to our history of serving our members’ interests, we provide outstanding flood coverage for municipal facilities. While most other carriers exclude or limit flood coverage for any structure located within the 100-year flood plain (FEMA Flood Zone A), with PACIF you are covered – regardless of your building’s location. We provide $10 million per member of flood coverage, subject only to your deductible, which ranges from $500-$5,000. Commercial carriers often have flood deductibles that start at $25,000 and go up from there.

Imagine the following scenario: a flood ravages your town office or wastewater treatment plant which is in the 100-year floodplain. The building and contents, valued at more than $1 million, are a total loss. As a PACIF member, you are completely covered: the municipality only has to pay its regular

(continued on page 9)
From the Executive Director

The Vermont League of Cities and Towns comprises 246 regular members. As each is situated in a unique part of Vermont, its local officials encounter issues that are often specific to its residents. Still, a number of themes common to many municipalities consistently emerge around the state. One such theme is that many small to mid-sized municipalities have challenges identifying professional service vendors and benefiting from the expertise those professionals can impart. Whether a community is looking for the assistance of a highly trained IT expert to help set up and maintain an information technology system using the latest technical innovations and advances in cyber security, or a town would like help with a strategic planning initiative, a wide range of professionals and professional services are available that can offer value and be an important resource for VLCT members.

This topic arose during several of VLCT’s 2018 Listening Sessions. The difficulty for many members is that adding someone to the staff with those particular skills can be unnecessary, or contracting with a vendor to provide those services can be financially prohibitive, despite the fact that those resources have been identified as essential to members’ ability to serve the needs of their communities. A further complication is how these small communities find the right vendor with the right experience who will be an effective match for the unique needs of local government.

As we continue with our Listening Sessions around the state, VLCT staff will be exploring how the organization can help members navigate the sometimes-challenging landscape of professional services, whether they relate to technology, general consulting, human resources, safety, or any of the myriad issues faced by local government. VLCT’s goal is to help you succeed in the important work each of you does in your community. Some of the options include helping your city or town identify the right businesses for your needs; compiling a list of vendors with a reputation for excellence in their fields; or establishing pooling relationships with vendors so that members can benefit from group pricing with a select group of high quality businesses. There are many paths to take to make it easier, less confusing, and more fiscally viable to access appropriate businesses. All of us at VLCT look forward to working with members to find the best approaches.

If you have thoughts on this topic (or any other), I would love to hear from you. With what types of businesses would you like assistance? What level would be most helpful to you? What can VLCT do to help you find and establish those relationships? I encourage you to send me your thoughts (mcarroll@vlct.org) or tell me in person at an upcoming Listening Session. Several sessions are scheduled throughout the state during the coming weeks, and I would welcome the chance to speak with you at one of them. You can find the dates and locations for the sessions at vlct.org/training-events.

I look forward to hearing from you and continuing to work with you! Warm regards –

Maura Carroll
Executive Director, VLCT

Are your employees risk takers?

They are if they don’t know their blood pressure or cholesterol numbers.

Your company depends on a healthy workforce to be productive and sustainable. To ensure that your team stays healthy, it is essential to promote a culture that emphasizes prevention and wellness.

We invite you to partner with us to ensure that your employees take charge of their health.

Schedule your on-site clinic today!
802.770.1536

VNA & HOSPICE of the Southwest Region
Serving Bennington and Rutland Counties

- Biometric screenings with finger stick total cholesterol, HDL and glucose (fasting or non-fasting)
- Blood pressure screening
- Body mass index
- Written educational materials
- One-on-one health coaching with registered nurses
- Travel vaccines and education for overseas destinations
- BCBS Preferred Provider
Serving and Strengthening Vermont Local Governments

89 Main Street, Suite 4
Montpelier, VT 05602-2948
info@vlct.org/www.vlct.org
802-229-9111

Follow us on:
Twitter: @VLCTAdvocacy
Facebook: VLCT Advocacy
YouTube: youtube.com/vlctexec

The VLCT News is published eleven times per year (the August and September issues are combined) by the Vermont League of Cities and Towns, a non-profit, nonpartisan organization founded in 1967 to serve the needs and interests of Vermont municipalities. The VLCT News is distributed to all VLCT member towns. Please contact VLCT for subscription and advertising information.

Inside this issue

From the Executive Director .................. 2
Ask the League ................................. 4
Legal and Regulatory Notes .................. 6
RMS Trust Matters ............................. 8
2018 RMS Calendar ............................. 8
Worksite Wellness Award ..................... 9

PACIF Difference continued ............. 9

Emerald Ash Borer continued .......... 10

Trivia ......................................... 11
Vermont Pesticides ............................ 12
Updated DEC Model Flood Hazard Bylaws ...... 12
Classifieds .................................. 13
Upcoming Events ......................... 16

May 2018 3
Selectboard Borrowing Authority; Granting Tax Abatement

Can the selectboard borrow funds without voter approval?

There are seven situations in which a selectboard may borrow funds without voter approval. Outside of these situations, there must be specific voter approval at an annual or special town meeting. 24 V.S.A. § 1786a(b).

A public vote to borrow is not required in the following instances:

1. Borrowing to paying current expenses so long as the term is one year or less. 24 V.S.A. § 1786. There is no statutory definition or explanation of a “current expense.” Our rule of thumb is that a current expense is one that will be paid for in a year or less. A current expense could arise from provision of a service or from the acquisition of a public improvement or asset. In our opinion, simply because something is an asset or a public improvement does not mean that it cannot be considered a current expense under 24 V.S.A. § 1786. We view the term of the note (one year or less/more than one year) as the defining characteristic.

2. Borrowing in anticipation of taxes so long as the term is one year or less and the amount borrowed does not exceed 90 percent of the municipal taxes assessed for that year. 24 V.S.A. § 1786.

3. Borrowing in anticipation of the sale of bonds as long as the term is one year or less. 24 § V.S.A. § 1773(a).

4. Borrowing in anticipation of grants as long as the term is one year or less. 24 V.S.A. § 1773(c).

5. Borrowing for the purchase of tools, equipment, and materials necessary for the construction, maintenance, or repair of highways and bridges for a term of five years or less. 19 V.S.A. § 304(a)(3); 24 V.S.A. § 1786a(b).

6. Borrowing from the State Municipal Equipment Loan Fund for the purchase of construction, fire, emergency, or heavy equipment or vehicles. 19 V.S.A. § 304(a)(3); 24 V.S.A. § 1786a(b); 29 V.S.A. § 1601.

(continued on next page)
7. Alternative financing of personal property, fixtures, technology and intellectual property. 24 V.S.A. § 1789. The selectboard may enter into leases, lease-purchase agreements, installment sales agreements, and similar agreements to acquire assets for the municipality either singly or as a participant in an interlocal contract. Such agreements, however, must contain a “non-appropriation clause” that states that the annual payments by the municipality must be approved by the voters.

If the municipal borrowing does not fit into any of the above seven categories, there must be specific voter approval at a regular or special town meeting. “The voters of a municipality may authorize specific public improvements and the acquisition of capital assets and finance the same, temporarily or permanently, through debt instruments other than bonds for a term not to exceed the reasonably anticipated useful life of the improvements or assets as provided in this section.” 24 V.S.A. § 1786a.

If the improvements or assets are to be financed for a term of five years or less, the borrowing is approved at a regular or special town meeting. If the financing is for a term of more than five years, the municipality must go through the traditional bond authorization process, even if the final form of the borrowing is not a bond. 24 V.S.A. §§ 1755, 1756, and 1786a(c).

Sarah Jarvis, Staff Attorney II
VLCT Municipal Assistance Center

What is tax abatement and when should it be granted?

Abatement is a statutory process for relieving taxpayers from the burden of paying property taxes, interest, and/or collection fees. Abatement is available to taxpayers to prevent an injustice or to help a taxpayer who faces extraordinary circumstances that make it difficult for the taxpayer to meet his or her tax obligations. Abatement reduces or eliminates a tax obligation but does not affect the underlying assessment (valuation) of the property.

A request for abatement is decided after a hearing by the local board of abatement, which is made up of the board of civil authority (town clerk, the selectpersons, and the justices of the peace), the listers, and town treasurer. 24 V.S.A. § 1533. In cities, the board is made up of the mayor, city clerk, alderpersons, justices of the peace, and assessors. 24 V.S.A. § 1537. In villages, it consists of the trustees, clerk, justices of the peace, and listers. 24 V.S.A. § 1537.

Abatement is granted when the taxpayer fits within one of the categories listed in 24 V.S.A. § 1535 and the board, in its discretion, agrees that the request is reasonable and proper. Boards of abatement are given wide latitude in determining whether abatement should be granted under these circumstances. The abatement process allows a board of abatement to abate taxes, but does not require it to do so even if a taxpayer falls within one of the categories allowing for abatement in 24 V.S.A. § 1535. There is no standardized approach to weighing the justifications for either granting or denying abatement.

MAC has developed written resources for boards of abatement that are now available on the VLCT website. MAC staff attorneys are also available to conduct customized on-site trainings for boards of abatement. Contact info@vlct.org for pricing and scheduling information.

Sarah Jarvis, Staff Attorney II
VLCT Municipal Assistance Center

Visit our website, www.vlct.org/events, for more information on these and other upcoming VLCT training events!
Municipal Police Officers May Be Removed for Cause

Municipal legislative bodies, managers, and police chiefs should be aware that the Vermont Supreme Court recently ruled that municipalities may suspend or dismiss municipal police officers “for cause” under 24 V.S.A. § 1931.

The case of Hubacz v. Village of Waterbury started when Village of Waterbury police officer Adam Hubacz applied for a law enforcement position in another town. As part of the application process, Hubacz participated in a pre-polygraph examination interview where he admitted to certain dishonest conduct. The results of the examination were forwarded to the Washington County state’s attorney. The state’s attorney decided that Hubacz’s behavior “effectively undermined his credibility and qualifications as a police officer” and that therefore the State’s Attorney would no longer prosecute any cases investigated by officer Hubacz.

Because of the state’s attorney’s decision, the village concluded that Hubacz’s inability to contribute to the prosecution of cases rendered him ill fit to be a police officer, and terminated his employment.

Hubacz brought a lawsuit against the village, claiming that it had illegally dismissed him “for cause” under 24 V.S.A. § 1931. Specifically, Hubacz argued that police officers may only be dismissed for the reasons stated in 24 V.S.A. § 1932, that is, negligence, dereliction of duty, or conduct unbecoming an officer, and may not be dismissed “for cause” for general misconduct under section 1931.

The Court found that the village’s reason for dismissal for cause under 1931 was legal. The Court determined that sections 1931 and 1932 each stood alone for lawful purposes of suspension or termination, explaining that “while the grounds for termination listed in § 1932(a) may satisfy a “cause” standard, this does not preclude termination for cause pursuant to § 1931(a) based upon factors not delineated in § 1932(a).”

The upshot is that municipalities may lawfully terminate or suspend police officers.

(continued on next page)
Thanks to support from the Vermont Agency of Natural Resources and other granting sources, MAC can offer professional assistance for municipalities seeking comprehensive water quality and water resource protection. The program provides free technical training and staff assistance – concentrating on model and sample regulatory language and other tools – to help municipalities meet their own water quality goals as well as statewide requirements. Work focuses on stormwater management, municipal implementation of statewide total maximum daily load requirements (TMDLs), green stormwater infrastructure, low impact development, river corridor protection and flood hazard regulations, and the National Flood Insurance Program.

Milly Archer has been MAC’s Water Resources Coordinator since 2006. She genuinely enjoys helping municipalities understand and meet stormwater management and flood hazard protection requirements through local zoning and other regulatory approaches. If it turns out that Milly is not the person you need to talk to, she will send you in the right direction.

For more information, contact Milly at marcher@vlct.org or 1-800-649-7915.

Legal & Reg. Notes
(continued from previous page)

not only for negligence, dereliction of duty, or conduct unbecoming an officer under 24 V.S.A. § 1932(a), but also “for cause” under 24 V.S.A. § 1931(a). For cause termination means “some substantial shortcoming detrimental to the employer’s interests, which the law and sound public opinion recognize as a good cause for [the employee’s] dismissal.” In re Grievance of Hurlburt, 2003 VT 2.

The general standard of “for cause” termination is whether the employer acted reasonably in terminating an employee for misconduct and whether the employee received fair notice that such misconduct may result in dismissal.

Please note that while there is a specific statute prescribing the suspension or termination of a municipal police officer, municipalities may have governance charters or personnel policies that detail other or additional steps that must be taken.


Carl Andeer, Staff Attorney I
VLCT Municipal Assistance Center

Free Training for Listers and Boards of Civil Authority!

The Division of Property Valuation and Review of the Vermont Department of Taxes (PVR) is sponsoring VLCT MAC training for listers and members of Boards of Civil Authority. This generous support includes:

• Free registration for Effective Tax Appeals Workshops on May 1 and 8 (Register at https://www.vlct.org/training-events)
• Free onsite training for towns undergoing reappraisals (According to PVR, 18 towns will do town-wide reappraisals in 2018. MAC will coordinate with these towns to provide onsite training for groups of neighboring towns.)
• Town Fair training sessions for listers

This is the first year listers will receive training directly from organizations such as VLCT and the Vermont Assessors and Listers Association rather than being individually reimbursed for training they attend.

For more information, contact Abby Friedman 800-649-7915, ext. 1926, or afriedman@vlct.org.

Need a written legal opinion?
Looking for expertise drafting a new ordinance?
Have policies or ordinances that need legal review?
Interested in training by a MAC attorney at your town office?

Contact MAC
800-649-7915/info@vlct.org

VLCT’s attorneys can provide your municipality with legal assistance at highly competitive rates.
The future of the health insurance marketplace seems more uncertain each year. Vermont's carriers will submit their proposed rates for 2019 Exchange plans to the Green Mountain Care Board (GMCB) sometime in May, and the GMCB will deliberate and make their final decision on the rates in August. The Health Insurance Advisory Services (HIAS) program of the VLCT Employment Resource and Benefits Trust (VERB) is here to keep you informed and to guide you during what may prove to be a tumultuous time for health insurance planning. The only way to receive detailed information and customized support from VERB is by participating in the HIAS program. This is a fee-based service that is open to all VLCT members.

The purpose of HIAS is threefold: (1) to make navigating the world of health insurance and benefits easier for you and your employees; (2) to alleviate much of the administrative burden on municipal officials; and (3) to maximize your cost savings and benefit plan offerings. VERB has earned its place as the premiere consultant for municipal benefits in Vermont through more than 30 years of experience in health insurance and benefits administration. The HIAS program supports participating members by carefully evaluating their current benefit options and making recommendations to save them money while optimizing their employee benefits. To make this valuable program available to VLCT members at a very competitive price, VERB partners with Hickok & Boardman HR Intelligence (HBHRIQ), a Vermont-based insurance and financial products agency founded in 1821. HBHRIQ staff members are extremely well versed in current employee benefits. To make this program available to all VLCT members, VERB has created a fee-based service that is open to all VLCT members.

The purpose of HIAS is threefold: (1) to make navigating the world of health insurance and benefits easier for you and your employees; (2) to alleviate much of the administrative burden on municipal officials; and (3) to maximize your cost savings and benefit plan offerings. VERB has earned its place as the premiere consultant for municipal benefits in Vermont through more than 30 years of experience in health insurance and benefits administration. The HIAS program supports participating members by carefully evaluating their current benefit options and making recommendations to save them money while optimizing their employee benefits. To make this valuable program available to VLCT members at a very competitive price, VERB partners with Hickok & Boardman HR Intelligence (HBHRIQ), a Vermont-based insurance and financial products agency founded in 1821. HBHRIQ staff members are extremely well versed in current employee benefit programs, consultative services, and financial planning.

With VERB's Health Insurance Advisory Services, you get:
- Education and communication for health insurance options and benefits
- Advice and assistance with overall benefits strategies
- Financial modeling of benefit plans and funding options
- Assistance with pre-enrollment, enrollment, and post-enrollment activities
- General support of health benefit plan administration, including working with insurers

(continued on next page)
deductible. However, if your municipality had acquired insurance from a carrier that excludes structures in the 100-year floodplain from flood coverage, you would likely have to come up with the cost of replacing the entire building and its contents on your own. That would probably require a significant tax increase for your citizens.

This example demonstrates the tangible value of PACIF coverage. We don’t exclude structures from flood coverage, or place limits on how much they can be covered for, just because they are located within the 100-year floodplain. We know this is the type of financial peace of mind that Vermont municipalities need and want. It fundamentally fulfills the primary objective of insurance — to protect buyers from the financial shock of fully bearing their own losses, should they occur.

So, the next time an insurance agent comes calling, we encourage you to be informed. Among other things, ask them specifically:

• What type of flood coverage can they provide?

• Are all structures within the 100-year floodplain covered?

• Is flooding below grade, such as in a basement, covered?

• Is the deductible the same as for all other property losses?

You can rest assured that with PACIF, we’ve got you covered. It’s part of how we help fulfill the VLCT mission of serving and strengthening Vermont local governments. And we’re truly committed to doing it.

Fred Satink, Manager Underwriting and Safety & Health Promotion

Trust Matters

(continued from previous page)

• Forms, templates, education, and information to help you comply with the Affordable Care Act

• Support and attendance at meetings of members’ governing boards, management, union negotiations, and employees

• Health Advocate’s Core Advocacy services

• Support from HBHRIQ for complying with relevant state and federal regulations

• Access to additional HBHRIQ services at a reduced cost

For additional information, please contact Member Relations Manager Larry Smith (lsmith@vlct.org) or Health Benefit Programs Administrator Kelley Avery (kavery@vlct.org) at 800-649-7915.

(continued on page 15)
The recent discovery “was not unexpected but it doesn’t make it any less concerning,” said Steven Sinclair, Director of Forests, Parks and Recreation. It wasn’t unexpected because the baneful bug had already been found in 31 other states – including New Hampshire (where it was detected in 2013), New York, and Massachusetts – and three Canadian provinces. Sinclair was speaking at a meeting in Barre in March that state and federal officials convened to alert the public to EAB. The sobering two-hour meeting featured cogent presentations by a panel of experts with broad knowledge of the emerald ash borer.

The management, control, and regulation of forest pests in Vermont is handled by the Agency of Agriculture, Food and Markets and the Department of Forests, Parks and Recreation. Both organizations were well represented at the meeting: Secretary Anson Tebbitts and State Entomologist Judy Rosovsky from the former and Commissioner Michael Snyder, Forest Health Program Manager Barbara Schultz, and meeting moderator Steve Sinclair from the latter. Other speakers included Nate Siegert, Forest Entomologist at the U.S. Forest Service; Meredith Whitney, UVM Extension Forest Pest Education Coordinator; and State Plant Health Director Stephen Lavallee. A video recording of the meeting is posted at http://agriculture.vermont.gov/Emerald_Ash_Borer, an Agency of Agriculture webpage that contains links to lots of other EAB information.

One link is to the Vermont Invasives website, https://www.vtinvasives.org/, where a gallery of images helps you identify the insect, the ash tree itself, as well as the common sign of tree infestation called “blonding.” According to Dr. Siegert, EAB larvae burrow into the soft inner bark and phloem tissue of the tree. When woodpeckers discover them and begin feeding on the larvae, they scrape off the outer bark, creating a “blonde” patch. Other signs of infestation are serpentine, S-shaped galleries (as opposed to those mentioned above) found just beneath the bark. If you think you’ve seen signs of EAB infestation, click the website’s “Report It!” button.

That is, in fact, what Martel did.

A March 2018 USDA Forest Service map shows emerald ash borer quarantines for all of Connecticut, Massachusetts, and New York as well as New Hampshire’s five southeastern counties. The insect has been found as far west as Boulder, Colorado, as far south as Louisiana and Texas, and as far north as Winnipeg, Manitoba. Because EAB has been declared a federal pest, its quarantine area constitutes a state or portion of a state, the latter typically referring to a county (7 CFR 301.53-3 and 7 USC 7701-7758).

As of this writing, state officials are conducting a delineation survey to ascertain the extent of infestation in Vermont. The survey will help officials determine what quarantine measures will be taken here. Two weeks after the meeting, emerald ash borer larvae gallery, photo courtesy of Agency of Agriculture
borders were also detected in ash trees in the nearby towns of Groton, Plainfield, and Barre.

Quarantine efforts are crucial. The natural spread of the adult insect through flight is no more than two miles a year. If ash is present, the insect has no reason to leave the area. And quarantines do work: EAB has not (yet) spread from the five quarantined counties in New Hampshire to the rest of the state.

But when firewood infested with the larvae is unintentionally moved out of a quarantine area, the outcome can be very different. It only takes one pickup truck loaded with EAB-infested wood to drastically expand the range of the insect. (Note that a rule prohibiting the importation of untreated firewood into Vermont has been in effect since 2016.) After all, if the pests had spread naturally since they were first discovered in the Detroit area 16 years ago, they would by now have just reached the northern boundary of the neighboring state of Ohio.

The emerald ash borer is native to Japan, the Korean Peninsula, Mongolia, and northeastern China, where it is relatively rare and only a minor pest. Some of its natural predators, such as Asian parasitic wasps, have been introduced into the U.S. as the biological control part of entomologists’ assault on the insect. Other methods include applying insecticide (see related article on page 12) and removing or girdling infected trees. (Girdling is the elimination of a strip of bark from around the circumference of the tree, eventually killing the area above the girdle.)

Officials hope to complete the delineation survey mentioned above by May 1, around the time when the adult EAB emerges from the tree. For its final four or five weeks on earth, it feeds on the margins of ash leaves – which doesn’t significantly harm the tree – and then mates. (The EAB’s entire life cycle from egg to adult generally takes one year to complete.) Subsequent surveys will follow, including the statewide distribution in June of 300 to 400 insect traps by the USDA Animal and Plant Health Inspection Service. You’ll recognize them by their distinctive purple color.

Other EAB-related factoids provided by Dr. Siegert:

• Ash makes up four to eight percent of New England hardwood forests.
• At risk are at least 16 native North American ash tree species including white ash, green ash, and black ash in Vermont.
• Larvae typically feed on ash trees between July and November.
• Another sign of infestation is the D-shaped hole an adult beetle makes when exiting the tree.
• Woodpeckers can cause a mortality rate of up to 90 percent of EAB larvae.
• Thirty Vermont communities already have emerald ash borer response plans in place. They are listed at go.uvm.edu/eab, an EAB-specific website of Vermont Urban & Community Forestry.

Okay, so Vermont now has its own version of Them! And while we won’t be able to eradicate the invasive pests the way those plucky Army troops did in 1954 with flamethrowers – not yet, anyway – we can, with due diligence, at least slow their spread. Good luck to all of us!

David Gunn
VLCT News Editor

Trivia

Only Julie Rohleder and Jon Dodd of Hyde Park and West Haven, respectively, knew that the American poet who journeyed to Middlebury during the summer of 1868 to deliver a commencement address and who found hotel accommodations wanting (Read last month’s trivia question for the brutal review.) was Ralph W. Emerson. His daughter, Ellen, accompanied him and penned the nastygram. By the way, an anagram of West Haven and Hyde Park is “shaved pewter hanky.” You’re welcome.

The Abnaki name for a mountain in Vermont is “the abode of squirrels” (not to be confused with the area in your attic where that scratching sound has been coming from for the past two weeks). What is its more common name and where is it? The Abnaki also named another big hill “mountain with a head like a moose.” What is its more common name? Email your answers to dgunn@vlct.org. The June-is-bustin’-out-all-over issue will reveal my answers.
Vermont Pesticide Regulations and How They May Affect You

Occasionally, municipal employees or contractors may have to use pesticides around the town office building, in town flower beds, or in town parks. How can this affect you?

First, you must determine if your employees or hired contractors are using pesticides. A pesticide is any substance intended to prevent, destroy, repel or mitigate a pest. Specific types of pesticides are insecticides, herbicides, fungicides, and rodenticides and include products like Roundup (a.k.a. glyphosate), Scott’s Weed & Feed, Preen, rodent baits, and Raid.

If a municipal employee or hired contractor is using this or a similar product, he or she is a non-commercial applicator. In Vermont, a non-commercial applicator who is using a class A or class B pesticide will be required to obtain a non-commercial pesticide applicator’s license. (See the link below.)

To obtain a non-commercial or commercial pesticide license, one must pass a pesticide exam. For example, the category 6 exam is for people who spray rights-of-way and the category 3b is for people who spray turf (such as a sports field). If someone sprays a pesticide in multiple areas, he or she would need to pass tests for multiple categories. This regulation applies to municipal employees or any contractor hired to do the work. Any use of pesticide contrary to that regulation would violate Vermont’s pesticide regulations.

If spraying of herbicides occurs within your municipality’s right-of-way, then the municipality is also required to obtain a right-of-way spray permit.

For information about how to obtain a non-commercial license or to inquire if a contractor is licensed to apply pesticides, contact Dominique Golliot at Dominique.golliot@vermont.gov or 802-793-2167, or call the Vermont Agency of Agriculture, Food and Markets’ Pesticide Management Section at 802-828-2431.

Vermont’s pesticide control regulations are posted on the Agency of Agriculture’s website at http://agriculture.vermont.gov/pesticide_regulation.

Dominique Golliot, Agricultural Resource Management Specialist
Pesticide Management Section
Vermont Agency of Agriculture, Food and Markets

Updated DEC Model Flood Hazard Bylaws

Recently, the Department of Environmental Conservation’s (DEC) River Corridor and Floodplain Protection Program released its updated model flood hazard bylaws, which can help municipalities develop their flood hazard regulations.

Last year, DEC formed a working group to review the draft bylaws. The group comprised representatives from regional planning commissions, the Vermont Planners Association, the towns of Randolph and Brattleboro, the Agency of Commerce and Community Development, and the Vermont League of Cities and Towns.

Floodling is Vermont’s most common natural disaster. Communities that regulate flood hazards to at least the minimum standards of the National Flood Insurance Program (NFIP) can help residents secure flood insurance, making the community eligible for federal hazard mitigation grant funding to prepare for the next flood event.

But the federal minimum requirements don’t go far enough in protecting towns from flooding. In particular, they allow for floodplains to be continually filled and encroached upon, and that eventually results in increased flood heights and velocities, which in turn puts new and existing investments at increased risk. In addition, federal minimum standards focus on reducing risk to insurable buildings from flooding. A flood is Vermont’s primary mode of erosional damage. DEC’s updated model bylaws serve as a starting point, and a town can tailor the text to meet its specific needs.

These model bylaws contain standards that exceed NFIP minimum requirements and approximate the standards adopted by Vermont in its regulation of floodplains and river corridors. The model bylaws and related companion documents are posted on the DEC’s website at http://dec.vermont.gov/watershed/rivers/river-corridor-and-floodplain-protection/municipal-assistance.

Direct any questions about the bylaws and community options to your regional floodplain manager (http://dec.vermont.gov/sites/dec/files/wsm/rivers/docs/floodplain_mngr_regions.pdf), VLCT’s Water Resources Program (www.vlct.org/municipal-assistance/water-resources-assistance-program), or your regional planning commission (www.vapda.org/).
### Classifieds

Visit [www.vlct.org/classifieds](http://www.vlct.org/classifieds) to view more classified ads. You can also submit one yourself via the “Submit Classified Ad” button on that page.

**Help Wanted**

**Assessing Clerk.** The town of Canaan, N.H., seeks an Assessing Clerk to be responsible for preparing and maintaining computerized and physical assessing records. He or she also issues permits and responds to questions by the public regarding land use and building issues and also performs secretarial duties for the Planning Board and billing for the Water & Sewer Department. Duties include preparing the data for water and sewer bills, performing the responsibilities of a Building Inspector (relying on permit by signature of licensed installers and designers), performing the responsibilities of a 911 Coordinator, meeting and answering questions of the public, and serving as liaison between Cemetery Custodian and members of the public. Requirements: evidence of being a quick learner and self-directed individual, high school diploma or equivalent (Associate’s degree preferred), completion of a course in N.H. State statues plus one year of experience in a real estate assessing office or appraisal company, or any equivalent combination of education and experience that demonstrates possession of the required knowledge, skills, and abilities. Salary range, $40,000 to $55,000 depending on experience and qualifications, plus full public sector benefits. See [www.canaannh.org](http://www.canaannh.org) or [www.vlct.org/classified/assessing-clerk-building-inspector](http://www.vlct.org/classified/assessing-clerk-building-inspector) for more information. Questions? Call Mike Samson at 603-523-4501 ext. 5. To apply, email resume and references to townadmin@canaannh.org, or send to Town Administrator, Town of Canaan, PO Box 38, Canaan, NH 03741. (4-11)

**Staff Accountant.** The Chittenden Solid Waste District seeks a part-time (8-12 hours per month) Staff Accountant. Work involves assisting the Director of Finance in various areas including preparing journal entries, reconciling accounts, preparing quarterly sales tax and payroll reports, preparing quarterly board reports, annual reports, etc. Requirements: evidence of being a quick learner and self-directed individual, high school diploma or equivalent (Associate’s degree preferred), completion of a course in N.H. State statues plus one year of experience in a real estate assessing office or appraisal company, or any equivalent combination of education and experience that demonstrates possession of the required knowledge, skills, and abilities. Salary range, $40,000 to $55,000 depending on experience and qualifications, plus full public sector benefits. See [www.canaannh.org](http://www.canaannh.org) or [www.vlct.org/classified/assessing-clerk-building-inspector](http://www.vlct.org/classified/assessing-clerk-building-inspector) for more information. Questions? Call Mike Samson at 603-523-4501 ext. 5. To apply, email resume and references to townadmin@canaannh.org, or send to Town Administrator, Town of Canaan, PO Box 38, Canaan, NH 03741. (4-11)

The Vermont Municipal Bond Bank is a quasi-governmental agency with a mission to provide cost effective capital to municipalities.

Please contact us to discuss your financing needs and learn more about our winter and summer bond pools.

- Access debt service schedules for prior loans
- Request an amortization schedule
- Download a financing application

[www.vmbb.org](http://www.vmbb.org)

---

The Vermont Municipal Bond Bank is a quasi-governmental agency with a mission to provide cost effective capital to municipalities.

Please contact us to discuss your financing needs and learn more about our winter and summer bond pools.

Check out our website to:
- Access debt service schedules for prior loans
- Request an amortization schedule
- Download a financing application

[www.vmbb.org](http://www.vmbb.org)
Classifieds
(continued from previous page)

financial statements, providing support for audit preparation, and other related responsibilities. Extra time is required to support the audit, which is normally conducted in mid-fall. The staff accountant must have experience with accounting software, knowledge of GAAP and GASB accounting standards, and a Bachelor’s degree in Accounting. Hourly rate commensurate with experience. Send cover letter and resume to CSWD Administrative Manager Amy Jewell at ajewell@cswd.net. Position open until filled. (4-10)

Town Administrator. The Town of Cambridge is seeking a highly motivated, organized, and engaging individual for the position of Town Administrator. The Town Administrator helps prepare and administer the town’s operating budget and provides general oversight and coordination of the functions of town government not assigned to others. Tasks include community and economic development activities. This position reports to the Cambridge Selectboard, recipient of the 2018 Citizen Board of the Year award by the Vermont Planners Association. This is a first-time position for the town. Qualifications include Bachelor’s degree in public administration or business management, or equivalent experience; excellent written and interpersonal communication skills; grant writing and management; knowledge of land use regulations and administration; a working knowledge of municipal finance, budgeting, and state statutes; and computer skills. Five years of experience in municipal government or equivalent experience in business administration is desired. Salary, $50,000-$60,000 depending upon qualifications, plus benefits. A job description is posted at www.cambridgevt.org/employment. EOE. (4-9)

Planning and Zoning Manager. The City of Winooski seeks a Planning and Zoning Manager to administer and enforce zoning and other bylaws. The Planning and Zoning Manager leads Master Planning efforts in the City and works closely with the Community and Economic Development Officer, the City Manager, the leadership team, the City’s Planning Commission, and other commissions to develop, promote, and implement the City’s Master Plan and update zoning and other municipal policies to support the plan goals. A job description is posted at www.winooskivt.org/employment/. For more information, contact HR Manager Julie Hulburd at jhulburd@winooskivt.org or 802-655-6410. (4-2)

Equipment Operator/Road Crew Member. The Town of Wallingford seeks an equipment operator/road crew member. Work includes plowing, grading, ditching, road repair, roadside mowing, culvert work, chainsaw operation, equipment maintenance, and other duties. The position starts after July 1. A clean driving record, CDL license, and the ability to pass drug and alcohol tests are required. A job description is posted at www.vlct.org/classified/equipment-operator-road-crew-member. For more information and an employment application, contact the Town Administrator at 802-446-2872 or townadmin@wallingfordvt.com. You can also download an application at www.wallingfordvt.com/under-Documents. Position open until filled. EOE. (3-27)

City Manager. The City of Watertown, N.Y., seeks a City Manager. Watertown (pop. 25,900) is the county seat of Jefferson County and serves as the prime commercial and service center for much of northern New York. Jefferson County is home to the U.S. Army’s 10th Mountain Division, whose presence has affected the Watertown community in terms of commercial and employment growth, demand for services, and housing supply and demand. Fort Drum is the largest single-site employer in New York State. Watertown is seeking to accommodate its recent growth and demand for services while retaining its traditional small city character. The City is in a very sound financial condition: its bond rating has remained unchanged since June 2011 when Moody’s Investor Services upgraded the City’s rating to Aa3. Watertown is among the oldest ICMA-recognized plans in New York and has had only two city managers in the past 15 years. The ideal candidate should have at least five years – preferably ten – of management experience, including supervisory and budgetary responsibilities. Knowledge and/or experience is required in areas of municipal management, including finance, budgeting, capital and operational planning, expenditure management, labor relations, public facilities operation, staff development, policy and project management. Successful candidates must demonstrate energy and competency and possess exemplary management and analytical skills. They should have a service-oriented personality that shows flexibility, responsiveness to the directives of the Mayor and Council, and the needs of the Watertown community. Applicants must possess a bachelor’s degree; a master’s degree in Public or Business Administration, Law, Public Policy, or a related field is preferred. The City Council anticipates negotiating a contract with a competitive compensation package depending on the candidate’s experience, qualifications, and salary history. The City Charter provides for two-year employment contracts with the City Manager. The current annual salary is $125,000. A detailed position profile is posted under the Job Opportunities menu tab of www.watertown-ny.gov. To apply, email a cover letter addressing the job requirements, a resume, and salary history by Friday, May 11, 2018, to citymgr4@gmail.com with Watertown City Manager as the subject. Alternatively, mail the same documents to Watertown City Manager Search, Attn: John C. Krol, PO Box 536, Waddington, NY 13694. (3-23)

Chief Assessor. The City of Claremont, N.H., is seeking an experienced professional for the position of Chief Assessor, with an emphasis on commercial appraising. Claremont, a community of approximately 13,400 citizens and 5,500 parcels, borders Vermont and is surrounded by the beauty of the mountains. The Chief Assessor will set and defend property values for residential, commercial, and industrial

(continued on next page)
grand list and perform other duties related to the Town’s assessing functions. The detailed RFP, scope of services, and deadlines are available on the Town of Norwich’s website, www.norwich.vt.us. The deadline to submit an RFP is Friday, May 4, 2018. (4-5)

For Sale

Ladder Truck. The Town of Middlebury is accepting sealed bids for the sale of its 1993 Pierce Ladder Truck. The vehicle has 13,279 miles and is in excellent shape, with the exception of an issue with the swivel in the waterway, which must be replaced. Complete specifications on the truck are posted at www.townofmiddlebury.org, under Public Notices/Bids, Advertisements & RFPs. For more information or to schedule an inspection of the truck, please contact Fire Chief David Shaw at 802-989-3456. Submit your sealed bid in an envelope clearly marked “Ladder Truck Bid” by Friday, May 11, 2018, to Town Manager’s Office, Town of Middlebury, 77 Main Street, Middlebury, VT 05753. Bids must be signed by the bidder and include the bidder’s name, address and telephone number, bid item, and bid amount. The Town of Middlebury reserves the right to waive bid informalities or to reject any and all bids, or to accept any bid deemed to be in the best interest of the Town of Middlebury. (4-12)

Replacement for Roof Shingles. The Town of Hartland is seeking proposals for the removal of old and installation of new roof shingles for the town’s public library. Complete details and project requirements are posted at www.hartland.govoffice.com or are available at the Town Manager’s Office located at 1 Quechee Road in Hartland. The deadline to submit a proposal is Friday, May 4, 2018. (4-9)

Appraisal Services. The Board of Listers of the Town of Norwich is seeking proposals for appraisal services to help them maintain the
Upcoming Events

Check out all of the upcoming MAC workshops online at www.vlct.org/training-events

Effective Property Tax Appeals
**Rutland** – Tuesday, May 1
Holiday Inn

**Burlington** – Tuesday, May 8
DoubleTree Hotel (formerly Sheraton)

Planning and Zoning Forum
Wednesday, May 23
Franklin Conference Center, Rutland

HR/Employment Law
Tuesday, June 5
Capitol Plaza and Conference Center, Montpelier

Economic Development Symposium
Thursday, June 14
Killington Grand Resort Hotel, Killington

Delinquent Tax Collectors
Wednesday, July 11
Capitol Plaza and Conference Center, Montpelier

Additional Upcoming Training
Visit our website, https://www.vlct.org/training-events, for the most up to date training calendar.