

# TOWN OF ELMORE, VT

## Select Board Meeting

Meeting Minutes – prepared by G. Schwartz  
Status: Approved

**Meeting Date:** January 11, 2023

**Start Time:** 6:02 pm **Adjourn:** 7:15 pm

**Meeting Attendees:** See attached attendance sheet

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- The minutes of the 11/15/22, 12/7/22, 12/8/22, 12/27/22 and 01/02/23 Select Board Meetings were approved.
- The Chair of the Board asked if anyone on the ESB had a conflict of interest regarding the agenda items to be discussed tonight. All members replied no.

### 1. SPECIAL TOPICS

- a. **UPDATE:** Morristown Rescue Squad – Elmore Support/Budget

**Notes:** Eric J. Dodge Morrisville Town Administrator was present to answer questions regarding the Morristown rescue squad price increase.

- The Select Board while reviewing the proposed 2023-2024 budget questioned the 30% increase by the Morristown Rescue Squad
- Mr Dodge stated that they have not increase their fee since 2018
- The Morristown Rescue Squad provides ambulance coverage for the Town of Elmore
- The Morristown Rescue Squad responded to 801 total call in 2022. 40 calls were from Elmore

- b. **UPDATE:** Fire Department Budget review

**Notes:** Jason Cohen presented the attached 2023-2024 budget and answered all questions raised by the ESB.

- c. **DISCUSSION:** Town Meeting preparation (report, garage update, ballot items)

**Notes:**

- C. DeVore will complete and submit the ESB report to S. Draper by 1/17/23
- W. West is working on the Garage Report and will submit it to S. Draper by 1/17/23
- A discussion was held regarding voting via Australian Ballot or on the floor at Town Meeting
- This year we will move forward with Town meeting unless we hear otherwise from the Vermont Legislature.

### 2. ACTIVE ITEMS

- a. **DISCUSSION:** Zoning Fees/Fines; review current schedule

**Notes:** The attached VLCT memo was reviewed. W. West will check with VLCT to see if the Town can have their own fee schedule.

# TOWN OF ELMORE, VT

## Select Board Meeting

- b. **UPDATE:** Elmore highway maintenance facility; land purchase; funding, site work, etc

**Notes:**

- The attached draft Letter of intent was reviewed. G. Schwartz to finalize and forward to MSI
- The request for additional cost for revised drawings that was received from Cross was revived. A meeting with Cross is set for tomorrow to review these costs in detail.
- The ESB reviewed a resume of a potential individual for Garage inspections. G. Schwartz to develop an estimate of hours that will be required
- W. West to check on the status of Bond

- c. **UPDATE:** Town land/parcel – intent to sell.

**Notes:** The attached notice was reviewed. W. West to add a due date and time before publication goes out.

3. **CONTINUING ACTIVE ITEMS** (Update status by primary owner)

- a. **UPDATE:** Road Commissioner’s Report

**Notes:** See attached report.

- S. Draper to look into possible insurance claim due to truck damage incurred on Richard Wolcott road. This was a result of pour backfilling by Comcast Cable installation.

- b. **UPDATE:** Zoning Administrator’s Report

**Notes:** 3 Applications have been submitted since the last meeting. Two for new houses and one for a subdivision.

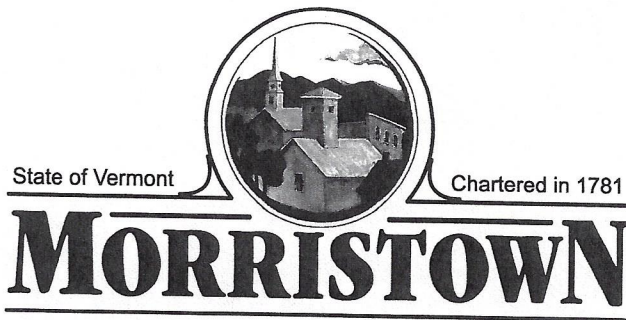
4. **NON-AGENDA/OTHER ITEMS** (Time Available and As Needed)

- a. Routine Administrative, operations items and payment approvals.

**Notes:** The Check Warrant Reports were reviewed at this meeting







**Elmore MEMS Response:**

2018: 20

2019: 23

2020: 44

2021: 42

2022: 40

Current Staffing is 24/7 at ALS level in quarters. with 5 full-time, 5 part-time, 8 active volunteer members.

Nationally Registered Paramedic: 6 (2 also certified/credentialed as Critical Care Providers)

Advanced EMT: 8

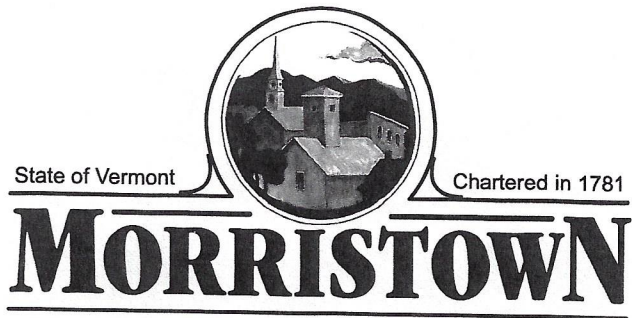
EMT: 3

VEFR: 2

Morristown EMS is a Vermont licensed Critical Care EMS Agency, also equipped and recognized as a Vermont Pediatric Safe EMS Agency.

William A. Mapes, NRP, CCTP, I/C  
EMS Chief, Town of Morrystown  
Vice Chair, VT District Four EMS  
NAEMT Education Coordinator-Vermont  
539 Washington Highway  
Morrystown, VT 05661  
802-888-5628 (office)  
802-558-5045 (cell)





9/3/2022 MEMS covered Elmore Gravel Grinder Bike Event (Second Crew coverage-no billing)

9/29/2022 Joint extrication training with Elmore FD

4/14/2022 CPR/AED Education for Elmore FD

4/30/2022 MEMS covered Lake Elmore Polar Plunge (Duty Crew coverage)

9/4/2021 MEMS covered Elmore Gravel Grinder Bike Event (Duty Crew coverage)

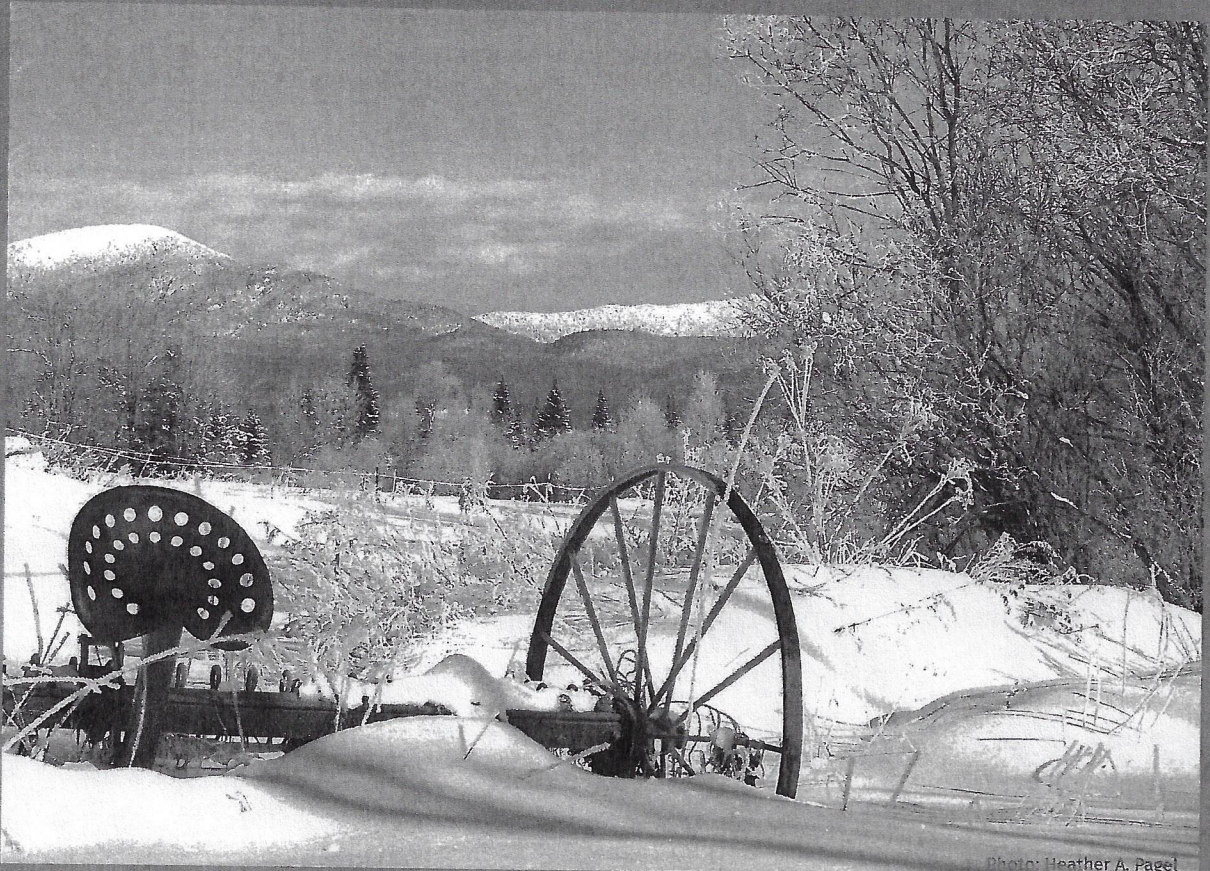
9/21/2021 CPR/AED Education for Elmore FD

7/18/2021 MEMS provided a COVID Vaccine Clinic in Elmore

6/13/2021 MEMS & Waterbury Ambulance provided a COVID Vaccine Clinic at Elmore State Park



# Town of



## **WORCESTER VERMONT**

### **2021 ANNUAL REPORT**

**REPORTS OF THE TOWN OFFICERS FOR THE YEAR  
ENDING DECEMBER 31, 2021**



<b>Accounts</b>	<b>2021 Budget</b>	<b>Expenditures</b>	<b>2022 Budget</b>	<b>% Change</b>
<b>AMBULANCE</b>				
Ambulance	\$39,660.00	\$41,048.00	\$41,048.00	3.5%
<b>TOTAL</b>	<b>\$39,660.00</b>	<b>\$41,048.00</b>	<b>\$41,048.00</b>	<b>3.5%</b>
<b>MISCELLANEOUS</b>				
Miscellaneous	\$100.00	\$ -	\$100.00	0.0%
<b>TOTAL</b>	<b>\$100.00</b>	<b>\$ -</b>	<b>\$100.00</b>	<b>0.0%</b>
<b>LISTERS OFFICE</b>				
Wages	\$13,000.00	\$10,744.00	\$16,500.00	26.9%
Supplies	\$200.00	\$656.12	\$200.00	0.0%
Conferences & Dues	\$600.00	\$200.00	\$600.00	0.0%
Tax Mapping	\$1,500.00	\$814.48	\$1,500.00	0.0%
Equipment	\$0.00	\$332.95		0.0%
Software/Maintenance	\$450.00	\$515.00	\$450.00	0.0%
<b>TOTAL</b>	<b>\$15,750.00</b>	<b>\$13,262.55</b>	<b>\$19,250.00</b>	<b>22.2%</b>
<b>CAPITAL MAINTENANCE</b>				
Capital Maintenance Approx	\$12,000.00	\$12,000.00	\$12,000.00	0.0%
<b>TOTAL</b>	<b>\$12,000.00</b>	<b>\$12,000.00</b>	<b>\$12,000.00</b>	<b>0.0%</b>
<b>SPECIAL ARTICLES</b>				
Org. Support	\$9,898.00	\$9,898.00		
Kellogg-Hubbard Library	\$16,677.00	\$16,677.00		
Fireworks		\$5,000.00		
<b>TOTAL</b>	<b>\$26,575.00</b>	<b>\$31,575.00</b>		
<b>HIGHWAY</b>	<b>\$417,046.41</b>	<b>\$428,922.06</b>	<b>\$425,938.34</b>	<b>2.1%</b>
<b>MAXHAM BOND</b>	<b>\$20,624.00</b>	<b>\$20,326.63</b>	<b>\$20,367.00</b>	<b>-1.2%</b>
<b>GEN. GOVERNMENT</b>	<b>\$326,301.34</b>	<b>\$326,377.91</b>	<b>\$342,472.48</b>	<b>5.0%</b>
<b>TOTAL GENERAL FUND</b>	<b>\$763,971.75</b>	<b>\$775,626.60</b>	<b>\$788,777.82</b>	<b>3.2%</b>



## Elmore Fire Department

				FY 2022	FY 2023	FY 2024
				Actual	Budgeted	Proposed
<b>Total Carry forward to FY 2020</b>				\$ 21,900.62		
<b>Appropriation Operating Budget</b>				\$ 24,500.00	\$ 24,500.00	\$ 27,700.00
<b>Operating Expenses</b>						
	Air Packs			\$ (1,241.49)	\$ 1,000.00	\$ 1,600.00
	Dues			\$ (684.84)	\$ 600.00	\$ 700.00
	Engine 1 Maintinence			\$ (1,177.04)	\$ 1,000.00	\$ 2,000.00
	Engine 2 Maintinence			\$ (1,022.62)	\$ 1,000.00	\$ 2,000.00
	Equipment Repair			\$ (61.39)	\$ 500.00	\$ 500.00
	Extinguishing Agents			\$ (701.20)	\$ 800.00	\$ 800.00
	Apparatus Fuel			\$ (3,816.59)	\$ 1,200.00	\$ 1,200.00
	Haz Mat Supplies			\$ -	\$ 50.00	\$ 50.00
	Utilities			\$ (3,648.23)	\$ 6,000.00	\$ 8,000.00
	Medical			\$ -	\$ 100.00	\$ 100.00
	Office Supplies			\$ (1,027.19)	\$ 300.00	\$ 300.00
	Public Awareness			\$ -	\$ 50.00	\$ 50.00
	Radio Repair			\$ -	\$ 750.00	\$ 750.00
	Rescue 1 Maintinence			\$ (4,819.40)	\$ 1,000.00	\$ 1,000.00
	Rescue 2 Maintinence			\$ (49.99)	\$ 1,000.00	\$ 1,000.00
	Responder Compensation			\$ (4,490.00)	\$ 7,500.00	\$ 6,000.00
	Station Maintenance			\$ (641.84)	\$ 900.00	\$ 900.00
	Trailer			\$ -	\$ 100.00	\$ 100.00
	Training			\$ (490.00)	\$ 600.00	\$ 600.00
	911 Sign Maintinence			\$ -	\$ 50.00	\$ 50.00
<b>Operating Total</b>				\$ (23,871.82)		
<b>Appropriation Capital Budget</b>				\$ 16,200.00	\$ 16,200.00	\$ 16,200.00
	Hose and Adapters			\$ -	\$ 1,500.00	\$ 1,000.00
	Station			\$ -	\$ 4,000.00	\$ 4,000.00
	Air Packs			\$ (1,200.00)	\$ 1,200.00	\$ 1,200.00
	Turnout Gear			\$ (1,132.28)	\$ 6,000.00	\$ 6,500.00
	Equipment			\$ (2,326.49)	\$ 2,500.00	\$ 2,500.00
	Radio			\$ (1,940.00)	\$ 1,000.00	\$ 1,000.00
<b>Capital Total</b>				\$ (6,598.77)		
<b>Total Spending 2021</b>				\$ (30,470.59)		
<b>Concept 2 Donation</b>				\$ 1,000.00		
<b>Total Funds Available FY 2023</b>				\$ 33,130.03		
<b>Air Pack Reserve Fund</b>				\$ 7,200.00		
<b>Elmore Fast Squad Budget</b>				\$ 500.00	\$ 500.00	\$ 500.00
<b>Total Appropriation Budget</b>				\$ 41,200.00	\$ 41,200.00	\$ 44,400.00



<b>ELMORE FAST SQUAD REPORT</b>			
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	FY 2022 Actual	FY 2023 Budgeted	FY 2024 Proposed
<b>Total Carry forward to FY 2022</b>	\$2,273.08		
<b>Town Appropriation 2022</b>	\$500.00	\$ 500.00	\$ 500.00
<b>Spending 2022</b> AED Supplies	\$(619.96)		
<b>Total Funds Available FY 2023</b>	\$2,153.12		

**Active Members of Elmore Fast Squad FY 2023:**

Kate Latz	AEMT	First Responder
Jason Tallman	EMT	First Responder
Hunter Tallman	AEMT	First Responder

**ELMORE FAST SQUAD**

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In 2022, The Elmore fast squad responded to 40 Emergency medical calls. This is a 33 percent increase from last year, 2021. While we are still taking precautions from COVID by wearing the right PPE and mask. We are still running strong and serving the citizens of Elmore. This year we had one member resign. The Fast Squad would like to thank Ryan Hannon for all the hard work he has put into the organization. We are always looking for new people to join are team. If you are interested in joining, please reach out to Captain Jason Tallman of the Elmore Fire Department by calling the Elmore fire station. (802)-888-0311 or sending an email to [elmrefirerescuevt@gmail.com](mailto:elmrefirerescuevt@gmail.com)

Jason Tallman Captain Elmore Fire Department  
Elmore Fast Squad



- Shall the voters authorize the selectboard to appoint a first constable and if needed, a second constable, in accordance with 17 V.S.A. § 2651a?

Note: The above vote must be taken by Australian ballot. If a written protest against the vote to authorize the selectboard to appoint constables is filed with the selectboard at least 15 days before the vote by at least five percent of the voters of the town then the vote will become effective only upon a two-thirds vote of those present and voting.

#### **Vote to restrict constable's law enforcement authority**

- Shall the voters prohibit the town constable from exercising any law enforcement authority, in accordance with 24 V.S.A. § 1936a(a)?

#### **Vote to use Australian ballot\***

The Australian ballot method of voting only applies when specifically required by statute, municipal governance charter, or when the law explicitly enables voters to use it for certain items of town business. The three general subjects that the law enables voters to vote by Australian ballot include the election of officers, budget article(s), and public question(s).

A budget article is any article that directly expends or appropriates municipal funds. A public question article is any article that does not deal with either the election of officers or the expenditure of funds. A vote to use Australian ballot voting for the election of officers applies to all officers, whereas a vote for its use for budget and public questions can apply either to single, multiple, or all related questions. Articles to change the method of voting from floor vote to Australian ballot for these purposes must be in substantially the following forms:

##### **Vote whether to use Australian ballot to elect officers**

- Shall [*insert name of municipality*] elect its town officers by Australian ballot pursuant to 17 V.S.A. § 2680(b)?

##### **Vote whether to use Australian ballot for budget articles**

- Shall the [*insert name of municipality*] adopt all budget articles by Australian ballot pursuant to 17 V.S.A. § 2680(c)?  
or
- Shall [*insert name of municipality*] adopt its [*insert one or more specific budget articles, e.g. "highway budget article"*] by Australian ballot pursuant to 17 V.S.A. § 2680(c)?

##### **Vote whether to use Australian ballot for public question(s)**

- Shall [*insert name of municipality*] vote on all public questions by Australian ballot pursuant to 17 V.S.A. § 2680(d)?  
or
- Shall [*insert name of municipality*] vote on [*insert the specific public question*] by Australian ballot pursuant to 17 V.S.A. § 2680(d)?

#### **Change the date of town meeting\***



Fines

**Fwd: Vermont Laws**

Warren West &lt;wwest@elmorevt.org&gt;

Mon 1/9/2023 6:53 AM

To: Glenn Schwartz &lt;gschwartz@elmorevt.org&gt;; Caroline DeVore &lt;cdevore@elmorevt.org&gt;

FYI.... W

**From:** Garrett Baxter <gbaxter@vlct.org>**Sent:** Friday, January 6, 2023 3:06 PM**To:** Warren West <wwest@elmorevt.org>**Subject:** RE: Vermont Laws

Good afternoon Warren,

Thank you for your email. Kail forwarded it to me as I was the staff attorney on call when it was received. In the future, please direct all legal related inquiries to [info@vlct.org](mailto:info@vlct.org) as doing so will help us respond to your questions as quickly as possible.

The way that the VLCT Municipal Assistance Center (MAC) works is that every inquiry received by our office is forwarded to the MAC staff attorney on duty at that time who reviews it and responds. This process helps ensure the quickest response possible to your questions as the VLCT MAC staff person you contact may be out of the office or otherwise occupied and unable to respond or forward your e-mail in a timely manner.

With respect to assessing zoning fines, you want to make sure to look at Title 24, Chapter 117 which is the Municipal and Regional Planning And Development Act: <https://legislature.vermont.gov/statutes/chapter/24/117> In particular, 24 V.S.A. § 4451 (see: <https://legislature.vermont.gov/statutes/section/24/117/04451>) governing enforcement and penalties states, "Any person who violates any bylaw after it has been adopted under this chapter or who violates a comparable ordinance or regulation adopted under prior enabling laws shall be fined not more than \$200.00 for each offense. No action may be brought under this section unless the alleged offender has had at least seven days' warning notice by certified mail. An action may be brought without the seven-day notice and opportunity to cure if the alleged offender repeats the violation of the bylaw or ordinance after the seven-day notice period and within the next succeeding 12 months." Though it's somewhat dated and references the older \$100.00 instead of the current \$200.00 penalty for each offense, the Zoning Administrator's Handbook does a good job of explaining zoning enforcement actions: [chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/http://vpic.info/Publications/Reports/ZoningAdministratorsHandbook.pdf](http://vpic.info/Publications/Reports/ZoningAdministratorsHandbook.pdf) (see Chapter 5: Enforcement beginning on page 19 and page 27 for more information about penalties).

As for the budget, now that the temporary town meeting measures enacted by the Legislature to respond to COVID-19 have expired, towns that have not adopted the Australian ballot system of voting must now revert to their pre-COVID-19 practices for their 2023 annual town meeting. That means that if your town was adopting its budget articles from the floor before the pandemic that it must continue to do so until it adopts the Australian ballot system of voting for its budget articles at a duly warned special or annual town meeting. 17 V.S.A. § 2680(c). A vote on whether to use the Australian ballot system to establish the budget must be in substantially the following form:

"Shall (name of municipality) adopt its (name of individual budget article) or (all budget articles) by Australian ballot?"

Even then though, such a vote would still have to take place within the context of the town's annual town meeting as, other than the elections of officers, Vermont law directs that "(a)t its annual meeting, a town shall vote such sums of money as it deems necessary for the interest of its inhabitants and for the prosecution and defense of the common rights." 17 V.S.A. § 2664.



Letter

Town of Elmore – PO Box 123 – Lake Elmore, VT-05657

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Manufacturing Solutions, Inc.  
153 Stafford Ave,  
Morristown, VT 05661

Draft

Attn: Garret Hirchak

Re: Town of Elmore Town Garage Facility

Dear Mr. Hirchak

Please accept this letter as our intent to enter into a Contract Agreement with your firm for the construction of the **Town of Elmore Town Garage Facility located on Vermont Route 12 in Elmore, Vt. For the guaranteed maximum Lump Sum price of \$2,117,611.00.** Price includes all related appurtenances as required by the intent of the drawings and specifications by **Cross Consulting Engineers, P.C.**

This Letter of Intent is conditioned upon the following:

1. The proper execution of our standard Contract agreement by you in a timely manner.
2. Approval of the bond Funds for this project
3. MSI Organizational chart for this project
4. Our receipt of the following items in a timely manner.
  - a. Written confirmation of your proposal as negotiated with us, complete with all inclusions and exclusions.
  - b. Flow chart indicating your schedule (Raw Data) durations and constraints.
  - c. Acceptable insurance certificate.
  - d. Acceptable QA/QC Program.
  - e. Acceptable Safety Program.

Upon receipt of this Letter of Intent, you are hereby authorized to commence with all items listed in Item #4 and forward same to us as soon as possible.

We take this opportunity to thank you for providing us with your proposal for the above work and look forward to working with you on this project. Please do not hesitate to contact us should you have any questions.

Very truly yours,  
Town of Elmore



*Town of Elmore*

**NOTICE**

*The Town of Elmore Selectboard is accepting bids for the conveyance of approximately 1.2 acres of land on the Hosking Farm Road. The parcel was acquired by the Town of Elmore pursuant to a Tax Collector's Deed dated November 7, 2014 and recorded in Volume 75, Page 33-34, being the same land and premises conveyed to Joseph Callaghan by Foster Tabor Corp. on June 7, 1979 and recorded in Volume 26, Page 283 of the Elmore land records.*

*The Town has placed a reserve on the property and bids must exceed this reserve. The Selectboard has the right to reject any and all bids. Buyer will be responsible for all closing costs. Bids are due 30 days after the date of this posting or the date of publication, whichever is later.*

*Information on this parcel of land is available at the Elmore Town Office during office hours. Bids can be left at the Town Office at 1175 VT Rte. 12 in Elmore or mailed to P.O. Box 123, Lake Elmore, VT 05657*



## Road Commissioner Report

January 11, 2023

This report covers from December 8, 2022 thru January 11.

### Work To Date:

1. Plowing snow or mud some days both.
2. Trying to grade when weather allows.
3. Used up 12 loads of material to fix up road surface.

### Equipment:

1. Truck #2 has def issues.
2. Serpentine belt failed on truck #2 repaired by us.

### Issues:

1. These freeze thaw cycles are very difficult to keep up with. Please slow down driving on our back roads. Some roads are good but... The highway dept is fixing the roads when they can weather permitting.

Road Commissioner

Michel Lacasse