

# TOWN OF ELMORE, VT

## Select Board Meeting

Meeting Minutes – prepared by G. Schwartz  
Status: Approved

**Meeting Date: September 13, 2023**

**Start Time: 6:02 pm    Adjourn: 8:28 pm**

**Meeting Attendees: See attached)**

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The minutes of the 8/9/23 and 8/31/23 Select Board Meetings were approved as written. The Chair of the Board asked if anyone had any additions or deletions to the agenda items to be discussed tonight. Discussion on Animal Control Officer was added. 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 replied no.

### 1. ACTIVE ITEMS

- a. **DISCUSSION:** Town Voting Process: Australian Ballot / Town Meeting; Information Session Planning  
**Notes:** Three proposed educational dates and a vote date were discussed and are as follows;
  - Educational Meeting Tuesday 10/24/23 @ 6:30 PM
  - Educational Meeting Saturday 10/28/23 @ 10:00 AM
  - Informational Meeting Wednesday 11/1/23 @ 6:30 PM
  - Public in person Vote Tuesday 11/7/23 @ 6:30 PMThe public will be notified by the newspaper, email, website and Front Porch Forum
  
- b. **DISCUSSION:** Employee Health Insurance; Written policy review; finalization (All – 15 min)  
**Notes:** C. Devore presented the attached proposed Employee Handbook. The Select Board is to review this proposal and provide comments by our next meeting. M. LaCasse to provide a copy of the Towns Vacation policy for incorporation into the handbook.
  
- c. **DISCUSSION:** Recording of Town Meetings; file storage  
**Notes:** Since storage space is an issue and the fact that the recording of or meeting are beyond what is required, the Town will look to store all board meetings for a period of 3 months. W. West to speak to Nick Morales to see what it will take to perform this task.
  
- d. **DISCUSSION:** EPC Update; Labor Day, LCPC, legal, etc. Intersection with Town Plan update  
**Notes:** The EPC is seeking permission to contact the Towns attorney regarding the following issues
  - For driveways: if someone didn't maintain their road/driveway and there was an emergency where emergency services cannot get to their dwelling, will the town be liable in anyway? We want to make sure that the town is safe from action when someone doesn't keep up their own driveway to a suitable standard.
  - Can you implement things retroactively
  - Legal enforcements on all these new rules
  - How enforcement should be handled on new properties.
  - Could we propose a standardized form/template for legal agreements (specifically about shared road maintenance)
  - How to encourage existing shared roads to create an agreement

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- Can we create the radius zoning system
- How to keep land owners legally safe regarding a right of way across their land for the walking trail.

The ESB decided that the EPC can move forward and contact the Towns Attorney to get answers and advice on the above questions.

**e. UPDATE:** DRB Chairman resignation and membership update

**Notes:**

- Chris Jolly was voted as the new chair, with Michael Furst as Vice-Chair and Caroline as Secretary. They recommend Jason Cohen, current alternate to the DRB, be moved to a full-member position, leaving the Alt member vacant for the time being.
- The following procedural changes are proposed
  - a) Site visits will occur on the day of hearings prior to hearing testimony; all DRB members will attend site visits
  - b) DRB chair will issue agenda and set dates for DRB hearings. Standard date will remain the first Thursday of each month @ 5:30 pm unless the chair notifies a change
  - c) Chair will review CU permit requests or any hearing requests with ZA 3 weeks prior to a DRB meeting. The Chair will approve only complete application packages for warning – incomplete application packages will not be heard.
  - d) All hearing materials/application packages materials will be postal mailed by the ZA to each DRB member 2 weeks prior to the DRB Meeting (same timing as public warnings)
  - e) ZA will deliver a written decision on all applications by mail.
  - f) The DRB will not hear requests for meetings prior to a complete application being received by the ZA.
  - g) The DRB will hear testimony from applicants at warned hearings and will adjourn the hearing to a deliberation session. A final written decision will be issued within 45 days of the hearing date. The 15-day appeal period will begin with the delivery of the final written notice of decision.

**f. UPDATE:** Elmore highway maintenance facility; funding, site work, budget, schedules, etc.

**Notes:** G. Schwartz provided the following update;

- Sitework is 95% complete
- Steel Painting complete. Vermont testing to check dry-mill thickness
- Office slab and 8 ft flat slab to be poured next week.
- CCS returned to work on fascia/soffit and corners
- Extra work to control runoff of Deidra Keiths property to occur next week.
- Tree planting next couple of weeks
- Storage shed concrete blocks have been installed. Iron Horse to erect beginning 9/25
- The testing of bolts was discussed. G. Schwartz to notify MSI to provide the required information from RGB or we will hire a Vermont professional engineer to determine what is required and back charge MSI.

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g. **DISCUSSION:** Animal Control Officer

**Notes:** Ken Haggatt provide notice that he would like to resign his position by the end of the year. He also stated that the kennel that we currently use is no longer available. C. Devore to reach out to Kent to develop a plan to move forward.

### 2. CONTINUING ACTIVE ITEMS (Update status by primary owner)

a. **UPDATE:** Road Commissioner's Report

**Notes:** See attached report

b. **UPDATE:** Zoning Administrator's Report –

**Notes:** Tree removal at B. Garry's house was discussed. ZA to advise her of the number and size of replacement trees that will be required to be planted.

### 3. NON-AGENDA/OTHER ITEMS (Time Available and As Needed)

a. Routine Administrative, operations items and payment approvals.

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

### 4. EXECUTIVE SESSION: Planned for 9/13: The appointment or employment or evaluation of a public officer or employee;.

1 V.S.A. 313(a)(3).

**Notes:** The Select Board voted to enter Executive Session at 7:21 pm no Minutes were taken during this session. Executive Session ended at 8:28 pm

**Next meeting: Wednesday, September 27, 2023 @ 6:00pm.**



# **TOWN OF ELMORE, VT**

## **Employee Handbook**

Employee Handbook

Town of Elmore, VT

DRAFT: September 1, 2023

### **Town of Elmore Declaration of Equity and Inclusion**

Elmore condemns racism and welcomes all people, regardless of race, color, religion, national origin, sex, gender identity or expression, age, or disability, and will protect these classes to the fullest extent of the law. As a town, we formally condemn discrimination in all of its forms and commit to fair and equal treatment of everyone in our community. Elmore has and will continue to be a place where individuals can live freely and express their opinion.

The Town of Elmore is governed by an elected Selectboard which acts as the Town's governing body. The Selectboard is responsible for carrying out the policies and directives of the elected Boards. All managers and supervisors, as well as staff members who have no intervening supervisor, employed by the Town report directly to the Selectboard who is responsible for the administration of personnel matters, except as noted herein.

The contents of this handbook have been prepared to provide Town employees with information regarding their employment. This handbook also applies to the appointed Clerk and Treasurer. This Handbook outlines the expectations of employees and describes benefits of employment. It is hoped that this publication will be a useful reference concerning rights, privileges and responsibilities for those employed by the Town. This handbook is intended to be comprehensive but exceptions to the policies and procedures described herein may arise. If you have any questions concerning eligibility for a particular benefit or the applicability of a policy or practice to you, you should address your specific questions to the Selectboard Chairperson.

**TOWN OF ELMORE, VT  
Employee Handbook**

**Employee Handbook Acknowledgment and Receipt**

I have received my copy of the Employee Handbook.

The employee handbook describes important information about employment with the Town of Elmore ("Town"). I understand that I should consult the Selectboard regarding any questions not answered in the handbook. I have entered into my employment relationship with the Town voluntarily and acknowledge that there is no specified length of employment.

I understand and agree that, other than the Selectboard, no manager, supervisor or representative of the Town has any authority to alter the terms and conditions of my employment, and then only in writing.

This handbook and the policies and procedures contained herein supersede any and all prior practices, oral or written representations, or statements regarding the terms and conditions of my employment with the Town of Elmore, unless such agreements were made in writing by the Selectboard. By distributing this handbook, the Town expressly revokes any and all previous policies and procedures that are inconsistent with those contained herein.

I understand the handbook addresses issues related to equal opportunity, sexual harassment, and anti-discrimination. I further acknowledge the Town Selectboard has adopted a declaration of inclusion, which is featured on the cover of this handbook.

I have received the handbook, and I understand that it is my responsibility to read and comply with the policies contained in this handbook and any revisions made to it.

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Employee's Signature

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Employee's Name (Print) Date

**TO BE PLACED IN EMPLOYEE'S PERSONNEL FILE**

# **TOWN OF ELMORE, VT**

## **Employee Handbook**

### **Table of Contents**

**Employee Relations**

**Employment**

**Time off From Work**

**Family and Medical Leave Act (FMLA)**

**Benefits**

**Disciplinary Actions**

# TOWN OF ELMORE, VT

## Employee Handbook

### **Equal Employment Opportunity Statement**

The Town provides equal employment opportunities (EEO) to all employees and applicants for employment without regard to race, color, religion, gender, sexual orientation, gender identity, national origin, age, disability, genetic information, marital status, or status as a covered veteran (Protected Bases) in accordance with applicable federal, state and local laws. The Town complies with applicable state and federal laws governing non-discrimination in employment in every location in which the Town has facilities. This policy applies to all terms and conditions of employment, including hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation and training.

The Selectboard is responsible for assuring that equal employment opportunity policies are implemented, but all employees are expected to share in the execution of these policies on an ongoing basis. Any employee found to be involved in discriminatory practices will be subject to disciplinary action, up to and including termination of employment. Any perceived or observed discriminatory actions or practices should be reported in the same manner as sexual harassment incidents, which are described in the next section.

### **Sexual Harassment Policy and Complaint Procedure**

It is the policy of the Town to promote a workplace that is free of sexual harassment. Sexual harassment in the workplace is unlawful under state and federal law and will not be tolerated by any employee, regardless of gender or gender identification). A copy of this policy will be provided to all employees and elected or appointed officials. Additional copies are available in the Town Office.

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal, written, physical, and nonphysical conduct of a sexual nature when:

- Submission to such conduct is explicitly or implicitly made a term or condition of employment;
- Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting that individual, including, but not limited to placement, promotion, training, or compensation;
- or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance, or creates an intimidating, offensive, or hostile working environment.

Sexual harassment may be indirect or even unintentional, and may include off-duty conduct that affects an employee's working environment. Examples of sexual harassment may include, but are not limited to, coercion of sexual relations, touching or grabbing an employee's body parts, and sexually offensive comments, name-calling, jokes, gestures, whistling, innuendos and other unwelcome sexually oriented statements or suggestions. Employees of the Town are prohibited from bringing into the workplace or otherwise displaying any written materials or images that may be considered sexually suggestive or offensive in nature. Sexual harassment can also include offensive remarks about a person's sex, such as a man making offensive comments about women in general.

Retaliation against an employee who complains in good faith about having been subjected to sexual harassment, or who cooperates in an investigation of sexual harassment, is a violation of this policy.

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Retaliation is a recognized form of harassment and will be handled in the same manner as other forms of harassment under this policy.

If you believe you have been subjected to sexual harassment, or retaliation for having brought or supported a complaint of sexual harassment, you are encouraged but not required to directly inform the offending person or persons that such conduct is offensive and must stop. If you do not wish to communicate directly with the alleged harasser or harassers, or if such direct communications have been ineffective, you should immediately report the matter to the Selectboard. Supervisors must report any complaints or suspected incidents of sexual harassment to the Selectboard. If necessary, such an instance when the alleged harasser or harassers includes the Selectboard, the complaint should be reported to the Chair of the Selectboard. If possible, it is helpful to an investigation if the employee keeps a diary of events and names of people who witnessed or were told of the harassment. Upon advance request, reasonable accommodations will be made for persons with disabilities who need assistance with filing or pursuing a complaint under this policy.

Complaints regarding sexual harassment or retaliation may also be filed with the following state and federal agencies:

- Vermont Human Rights Commission, 12 Baldwin Street, Montpelier, VT 05633, telephone (802) 828-2480 <https://hrc.vermont.gov/> (website) / <https://hrc.vermont.gov/complaint> (file complaint how to) / [human.rights@vermont.gov](mailto:human.rights@vermont.gov) (e-mail).
- U.S. Equal Employment Opportunity Commission, JFK Federal Building, 15 New Sudbury Street, Room 475, Boston, MA 02203-0506, telephone (800) 669-4000 (voice), (800) 669- 6820 (TTY), (617) 565-3196 (fax) <https://www.eeoc.gov/> (website) / [info@eeoc.gov](mailto:info@eeoc.gov) (e-mail to ask questions, get info)
- Vermont Attorney General, 109 State Street, Montpelier, VT 05606, telephone (802) 828- 3171 <https://ago.vermont.gov/>

These agencies may conduct impartial investigations, facilitate conciliation, and, if they find that there is probable cause or reasonable grounds to believe sexual harassment occurred, they may take a case to court.

These agencies may conduct impartial investigations, facilitate conciliation, and, if they find that there is probable cause or reasonable grounds to believe sexual harassment occurred, they may take a case to court.

If the Town receives a complaint of sexual harassment, or has reason to believe sexual harassment has occurred, it will take all necessary steps to ensure the matter is promptly investigated and addressed. Investigations will be conducted in a confidential and discrete manner to the extent possible, and complaints will be disclosed only to those persons necessary to thoroughly investigate and address the matter. An offending employee shall be subject to discipline up to and including immediate dismissal from employment. The Town is required by law to take action if it learns of potential sexual harassment, even if the person subjected to the harassment does not wish to file a complaint.

If an allegation of sexual harassment is found to be credible the Town will take appropriate corrective action. The complaining period and the accused person will be informed of the results of the

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### **Employee Handbook**

investigation and what actions will be taken to ensure that the harassment will cease and that no retaliation will occur. Any employee, supervisor, or agent who has been found by the employer to have harassed another employee will be subject to sanctions appropriate to the circumstances, up to and including immediate termination.

If the allegation is not found to be credible the person with the complaint and the accused person shall be so informed, with appropriate instruction provided to each, including the right of the complainant to contact any state or federal agencies identified in this policy notice. If the complainant is dissatisfied with the final result the Town encourages the employee to file a complaint with the Vermont Attorney General, Vermont Human Rights Commission, and/or the US. Equal Employment Opportunity Commission.

#### **Harassment by Non-Employees**

Any harassing or otherwise discriminatory behavior by community members, or any other third parties, should be reported to the Selectboard as soon as possible so that appropriate corrective action can be taken. Anti-Discrimination Policy & Complaint Procedure Discrimination based on any of the Protected Bases described in the Equal Employment Opportunity Statement above is prohibited. Harassment of one employee by another employee or supervisor based on one of the Protected Categories is a form of discrimination and is prohibited. An employee who commits harassment will be subject to discipline up to and including immediate dismissal. Examples of harassment may include, but are not limited to: offensive jokes, gestures, slurs, epithets or name calling, physical assaults or threats, intimidation, ridicule or mockery, insults or put-downs, and offensive objects, pictures, or written materials.

Retaliation against an employee who complains about having been subjected to harassment or other discrimination, or who cooperates in an investigation of such alleged matters, is a violation of this policy.

Any employee who believes they have been subjected to conduct which violates this policy should report it promptly to the Selectboard (who has been designated to receive such complaints or reports). If necessary, such an instance when the alleged complaint includes a Selectboard member, or member of another Town board, the complaint should be reported to the Chair of the Selectboard.

Complaints regarding unlawful harassment, retaliation, or other discrimination may also be filed with the following state and federal agencies:

- Vermont Human Rights Commission, 12 Baldwin Street, Montpelier, VT 05633, telephone (802) 828-2480; <https://hrc.vermont.gov/complaint>; or [human.rights@vermont.gov](mailto:human.rights@vermont.gov).
- U.S. Equal Employment Opportunity Commission, JFK Federal Building, 15 New Sudbury Street, Room 475, Boston, MA 02203-0506, telephone (800) 669-4000 (voice), (800) 669- 6820 (TTY), (617) 565-3196 (fax); <https://www.eeoc.gov>; or [info@eeoc.gov](mailto:info@eeoc.gov).

If the Town receives a complaint or has reason to believe that a violation of this policy has occurred, it will investigate the matter. Investigations will be conducted in a confidential and discrete manner to the extent possible, and complaints will be disclosed only to those persons necessary to thoroughly investigate and address the matter. If a violation of this policy is found to have occurred, corrective

## **TOWN OF ELMORE, VT Employee Handbook**

action will be taken and the offending employee shall be subject to discipline including but not limited to dismissal from employment.

### **Individuals and Conduct Covered**

These policies against sexual harassment and discrimination apply to all employees, elected officials, and volunteers. Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during employer sponsored trips, meetings and social events.

### **Disabilities**

Applicants and employees with disabilities who may require reasonable accommodations to perform the essential job duties of an employment position are encouraged to notify the Town of any such requirements. If an employee believes they will need an accommodation for a disability in order to perform the essential functions of their job, they must inform the Selectboard of that need and suggest a reasonable accommodation that will allow them to carry out their affected duties and responsibilities. The Town will reasonably accommodate qualified individuals with a disability to allow performance of the essential functions of a job unless an accommodation would create an undue hardship for the Town or there exists a direct threat to health and safety in the workplace which cannot be eliminated by reasonable accommodation.

At the discretion of the Selectboard, individuals may be required to provide a comprehensive evaluation of their specific disability, along with recommended accommodations, from an appropriate professional diagnostician in order to aid the Town in providing adequate and appropriate accommodation based upon the individual's level of functioning in an employment setting.

### **Employment [TBC]**

### **Time off work [TBC]**

# TOWN OF ELMORE, VT

## Employee Handbook

### Benefits

#### Health Insurance Coverages

The Town currently offers regular full-time employees scheduled to work a minimum of 40 hours per week enrollment in a medical insurance plan, a vision plan and dental plan. Coverage is available the first day of the month following their first day of work. Coverage ends on the last day of the month in which an employee works.

#### Medical Insurance

Employees have up to 30 days from their date of eligibility to make medical plan elections. Once made, health insurance plan elections are fixed for the remainder of the plan year unless there is a “qualifying event”. Changes in family status (i.e., marriage, divorce, birth of a child, loss of spousal benefits, changes in employment status), as defined in the Plan document, allow employees to make benefit changes during the plan year. Please contact the Town Clerk or the Selectboard to determine if a family status change qualifies under the Plan document and IRS regulations.

During open enrollment, employees may change benefit plan elections for the following calendar year. The Selectboard is available to answer benefit plan questions and assist in enrollment as needed.

Historically, benefit plans and their costs are made available in the fall of the year. Once available the Town makes a decision as to best utilize Town funds towards these plan costs. Typically, the Town sets a monthly amount that it will contribute towards an overall plan cost, and this amount is set for individual, 2-person, parent/child, and family plans. Individuals then select the plan that best suits their needs.

Town funds are then utilized to pay a portion of the plan costs as outlined below. The employee is responsible for any costs, premium or deductible, that are in excess of the town contribution.

The Town retains all rights to make annual adjustments to the amount it contributes towards health insurance expenses and to make other changes as needed to manage the balance between employee benefits and the ultimate cost to taxpayers. This may include structural changes in how the Town pays for health insurance, and how the contributions to health care costs are structured.

#### Vision Insurance

The Town offers full-time employees a vision insurance plan. The Town will pay a portion of the premium cost of the plan selected by the employee. The Town extends coverage to family members as outlined in the Insurance Coverage Table below. If the employee wishes to increase coverage from the plans offered, they are responsible for any and all increased premium costs, which shall be made through a payroll deduction.

#### Dental Insurance

The Town offers full-time employees a dental insurance plan. The Town will pay a portion of the premium cost of the plan selected by the employee. The Town extends coverage to family members as outlined in the Insurance Coverage Table below. If the employee wishes to increase coverage from the plans offered, they are responsible for any and all increased premium costs, which shall be made through a payroll deduction.

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### Town Insurance Contribution Levels

Full-time Town employees hired prior to January 1, 2024 will maintain medical, dental and vision insurance premium Town contribution levels outlined in their employment contracts.

Employees hired on or after January 1, 2024 will have Town contributions to insurance premiums per the following Insurance Coverage Table:

Employment Type	Hire Date On/After 1/1/2024	Medical Premium Coverage	Dental Premium Coverage	Vision Premium Coverage
Full Time (40+ hrs/week)	Yes	90% MVP HDHP Gold Plan	90%	90%
Part Time (24-39 hrs/week)	Yes	50% MVP HDHP Gold Plan	N/A	N/A
Part Time (<24 hrs/week)	Yes	N/A	N/A	N/A

- Coverage is for **Individual, 2 Adults, Adult & Dependents, and Family**

### Notes from Minutes

- Future full time employees (40 hours/week) would be entitled to 90% employer paid gold plan with family coverage.
- Full time employees would also receive 90% employer paid dental and vision care.
- Full time employees would have the option to upgrade their policy at their own cost.
- Future part time employees (24-40 hours would receive 50 % employer paid gold plan with family coverage.
- Part time employees would not be entitled to dental or vision care.

Road Commissioner Report  
September 13, 2023

WORK TO DATE:

1. Finished mowing roadsides.
2. Graded bus routes.
3. Hauled in gravel when available.
4. Hauling sand for winter use.
5. Working on ditching, along the Fema sites on mt rd.
6. Attended two Fema meetings.
7. Called out for some storm damage September 7th.

EQUIPMENT:

1. All in service.

UPCOMING ISSUES:

1. Pond rd work : culverts, tree trimming, ditching and deberming.  
Notices were sent out to land owners. work to be done this month.
2. Try to finish repairing our Fema sites before winter.
3. Truck and equipment prices being received for upcoming purchase.

Michel Lacasse  
Road Commissioner