

Special Selectboard Meeting  
10 September 2023  
11:00 AM  
Town Office at Isle La Motte School and via Zoom

In Attendance: Mary-Catherine Graziano, Cary Sandvig, Terrance Tuck, Erin Gilligan, Laura Miraldi, Patti Creller, Vickie Buswell, Barbara Callahan, Michel Frett (*The Islander*), Joe Faherty, Betty Lockerby, Richard Middleton, Peter Brzozowy, Bobby Dean (via Zoom), David Osborne (via Zoom), Deborah Spaulding (via Zoom), Michele Murray (via Zoom), Ruth Casey (via Zoom), Pat Treckman (via Zoom), Gail Rafferty (via Zoom), Sylvia Jensen (via Zoom), Heide Coppelino (via Zoom), Steven Reeve (via Zoom), Beth Meese (via Zoom), Charles Gurney (via Zoom), Andrea Carbone, and others who did not sign in at meeting or enter full names on Zoom

1. **Call to Order:** Meeting was called to order at 11:00 AM by Board Chair Mary-Catherine Graziano.
2. **Additions to agenda:** Mary-Catherine Graziano announced the addition of two bid requests that would be reviewed during the Other Business portion of the meeting, including a mid-term audit and the need for a cleaning contractor. A motion to modify the agenda was made by Cary Sandvig, seconded by Mary-Catherine Graziano, all in favor.
3. **Administration:**
  - *Review Job Descriptions for Posting* - Official vacancy notices will be posted today for the positions of Selectboard Member, Town Clerk, and Treasurer, copies of which will be attached as an exhibit to the minutes. The notices were read to the attendees which state that the Selectboard will make an appointment to fill the vacancies, though the public has a right to petition for a special election at any time prior to the next annual town meeting. If an election is held before the next annual town meeting, that election will negate the need for an election for those positions in March. The Selectboard made clear that they will make an appointment expeditiously, and the date for a special meeting to make appointments was scheduled for Tuesday, September 26, 2023 at 6:00 PM. Candidate appointments for Road Commissioner, Animal Control Office, Tree Warden, and Selectboard Office Assistant will also be made on September 26<sup>th</sup>. Member Sandvig then read the job descriptions for the three vacant positions, copies of which will be also attached as exhibits to the minutes. Additionally, the Board reviewed the positions of Selectboard Office Assistant and E911 Coordinator, and copies of the job descriptions will be attached as exhibits to the minutes. At the end of the public discussion, Cary Sandvig motioned to approve all changes discussed and for publication of the new and revised descriptions, seconded by Mary-Catherine Graziano, all in favor. Prior to the motion, the following comments were also made:
    - Barbara Callahan asked if the Treasurer description included the need to possess accounting skills, and it was confirmed that yes, it is a desired skill.
    - Laura Miraldi stated that there was no mention of the Town's accounting software in the job descriptions. Selectboard Member Sandvig noted that it was unlikely that a candidate would possess knowledge of NEMRC, as it is a niche skill. Ms. Miraldi suggested that a familiarity with the use of financial software be included in the description, to which the Selectboard agreed.
    - A review of the Selectboard Office Assistant continued the previous meeting's conversation surrounding the hourly rate. It was agreed to move the time commitment to a minimum of 15 hours a week with an hourly rate of \$20-\$30 per hour commensurate with experience.
    - The E911 position is a voluntary role, one that involves updating a database of maps to ensure emergency personnel can locate a home. Road name changes, for example, would be updated by this person into the E911 database, among other responsibilities. Additional review of this role will be made by the Selectboard at a future meeting.
  - *Public Announcement* - Selectboard Chair Mary-Catherine Graziano prepared a public statement to be shared; Member Sandvig had reviewed this prior to the meeting and had no comments, then read the statement for the attendees. After reading, it was noted that there may be an addition to the statement to include notation of the questionable investment of Town funds, but the Selectboard was unsure if this had actually occurred as an answer was not provided at the September 6, 2023 meeting as requested. Board Chair Graziano stated that she wanted it understood that no criminal activity was assumed to have taken place and that there was no suspicion of embezzlement, but that there may be mistakes that need to be investigated prior to the start of the new administration. Ms. Graziano stated that the Vermont League of Cities & Towns (VLCT) had recommended reviewing bank reconciliations and similar documents, and that the withholding of payments to contractors was an issue to assess.

Peter Brzozowy asked why this announcement was being made when the information was available via Zoom and minutes, and Ms. Graziano stated that an official statement needed to be issued. Barbara Callahan suggested inserting an opening sentence stating the facts regarding the resignations prior to thanking Rustam Spaulding and Stephen Mank for their service to the Town. A motion was made by Cary Sandvig to publish the statement including the noted changes, seconded by Mary-Catherine Graziano, all in favor. **A copy of the final statement will be attached as an exhibit to the minutes.**

- *Interim Town Hall Operation* - A public notice has been posted around Town and on the website as to the temporary closure of the Town Office. Public Records research cannot be conducted at this time, as a Clerk or Assistant Clerk must be present in order for records to be accessed. Selectboard Member Sandvig will work with the Town's bank to establish the requirements for new signature cards to be completed. Terrance Tuck asked for confirmation that the Selectboard is now responsible for the Town's operation, and it was confirmed with Selectboard Member Sandvig stating that bills cannot be paid at this time, as the approval and writing of checks cannot be conducted by the same person. It was noted that it is urgent to have the positions filled before the next tax payment deadline, as the Selectboard is also not permitted to accept and deposit tax payments. Sylvia Jensen asked if, during this time, fees could be waived for online payments as in-person payments cannot be made, and the Board advised that it would discuss the possibility with the Delinquent Tax Collector. A meeting attendee, revisiting the public statement previously mentioned, questioned the ability of any person requesting a review of Town financial records, and Mary-Catherine Graziano confirmed that it is a right of any person from anywhere to request the records.
- *Website Updates* - Updates will be made to the website to make it clear the offices are closed, and all open positions will be noted as such. The Selectboard will take ownership of the website going forward, work that will no longer be delegated to the Town Clerk. The status of the .gov url will be investigated, and the Board Clerk will advise if there are any outstanding issues to be resolved. Selectboard Member Sandvig will assume responsibility for the keying and access to the building, though changes to the locks will not take place until after the transfer of ownership.
- *Temporary Staffing* - The Selectboard Clerk will be monitoring Town Hall emails and phone calls, and providing additional support until the Town Office staff is appointed. A motion was made by Cary Sandvig to reimburse the clerk at a rate of \$25.00 per hour with the understanding that a timesheet will be kept for the duration, seconded by Mary-Catherine Graziano, all in favor. It is assumed that the custodian has resigned, as his key was returned, and there will be no change to the Listers who remain in possession of keys to the building. It was noted that Trustees do not hold keys to the Town Office. A key for public meetings is available upon request from the Selectboard Clerk, who will log and track the key usage. Until it is understood if a bookkeeper can be hired, there will be no payments made, other than a recording of tax payments by the Delinquent Tax Collector. The Board Clerk will advise to what extent the Tax Collector will be accessing the accounting system for processing transactions.
- *Purchasing Policy* - Board Chair Graziano reviewed the need for a Town purchasing policy, which has been requested annually on the financial audit for a number of years. Previously, the Board had worked to review this in June, but the need was postponed as other matters took precedence. Given the recent financial concerns noted and the incoming new administration, a policy should be adopted in order to make clear who is authorized to make purchases and the procedure for gaining approvals. Member Sandvig provided an overview and major topics; **the complete policy will be attached as an exhibit to the minutes.** A discussion followed, with Mr. Brzozowy stating that implementing a policy that has never been in place while a member is missing from the Selectboard may not be prudent, and the Board confirmed that this is an initial conversation, one which the public should be integral in providing feedback. Chair Graziano stated that the Town has \$640,000 budgeted for Town expenses, and Isle La Motte taxpayers pay over \$1,800,000 on education taxes. Because the Town budget is small, with line items of about \$5,000, any expenditures can be significantly impacted by a lack of purchasing oversight. An attendee asked how many children on the Island are currently in school and how the education taxes are so high, and Ms. Graziano and School Board representative Sylvia Jensen provided an overview of the calculation of the education tax which has been reviewed at other meetings.
- *Personnel Policy* - Prior to beginning the discussion, a motion was made by Cary Sandvig to add both the draft Personnel Policy and Purchasing Policy to a new page on the Town's website entitled "Documents for Public Review", seconded by Mary-Catherine Graziano, all in favor. Chair Graziano and Member Sandvig then reviewed key points of the Personnel Policy, which will apply only to employees, not officers, including the Selectboard Clerk, Selectboard Office Assistant, and Custodian/Facility Manager. One key benefit of the policy is the establishment of paid time off for staff which provides equal benefits for all employees. **The draft Personnel Policy will be attached as an exhibit to the minutes.**

4. **Isle La Motte School Transfer:** The Board advised the attendees that the closing paperwork for the transfer is in progress with the sale to occur before the October 1, 2023 deadline. Sylvia Jensen confirmed that the School Board was planning to approve the Warranty Deed at their upcoming meeting on September 12, 2023. A discussion of how the payment will be made for closing was had, as there is currently no Treasurer on staff; Mary-Catherine Graziano stated that all matters such as this will be reviewed with VLCT to ensure all statutes are being followed during this time of transition. In advance of the upcoming closing, a discussion of the immediate action items post-closing was conducted.
- *Action list post transfer* - Several issues will be immediately addressed, such as the rekeying of locks, while several existing issues including trouble with the security system and fire alarm panels will be confirmed to be in progress with the School contacts. Terrance Tuck asked if the custodian remained on duty, and it was advised that he had returned his key, and his resignation is understood. A copy of the school inspection report will be added to the Town's website under the previously discussed section entitled "Documents for Public Review". The attendees were encouraged to review this report and provide comments to it and the previously discussed Purchasing and Personnel policies. **A copy of the action list will be attached as an exhibit to the minutes.**
5. **Roadways:**
- *Better Roads Bid Review* - The Board Chair reviewed the bid prepared for this grant which was based on a scope of work prepared by the Northwest Regional Planning Commission (NRPC). No changes were made to the scope and a motion to publish the bid was made by Cary Sandvig, seconded by Mary-Catherine Graziano, all in favor. **A copy of the bid for publication will be attached as an exhibit to the minutes.**
  - *Roadside tree Trimming Bid Review* - As previously discussed, this work has been deemed deferred maintenance for far too long and is now causing issues with cars, delivery vehicles, and will impact snow removal. The bid has been revised to target trees on Main Street, West Shore Road, and East Shore Road. Barbara Callahan voiced her concern that a rotary cutter would be used for trimming, and the Board Chair indicated that the vendor will need to state by what method the trees will be trimmed as part of their bid; rotary cutting will not be permitted. Peter Brzozowy questioned what height trees will be trimmed to, which will be fourteen feet, and Terrance Tuck noted that there are many dead trees on East Shore Road that will need to be addressed in the future. A motion to publish the bid was made by Cary Sandvig, seconded by Mary-Catherine Graziano, all in favor. **A copy of the bid for publication will be attached as an exhibit to the minutes.**
6. **Other Business:**
- *Transitional Audit of Financial Records* - The Town is required to audit records during an administration change. As such, bids will be requested for the work to be performed. Bids are due September 26, 2023 for unsealing at the special meeting to be held that evening. A motion to submit the bid for publication was made by Cary Sandvig, seconded by Mary-Catherine Graziano, all in favor. **A copy of the bid for publication will be attached as an exhibit to the minutes.**
  - *Bid Review Due Date* - A motion was made by Cary Sandvig to modify all active bid requests to show a due date of September 26, 2023 with award to occur at the special meeting called for the same day, seconded by Mary-Catherine Graziano, all in favor.
  - *Office Cleaning Services* - As discussed, the Town's custodian has resigned, and services will be required through the remainder of the year to maintain the Town Office. The bid will be open to both companies and individuals. **A copy of the bid for publication will be attached as an exhibit to the minutes.**
7. **Adjourn:** Meeting was adjourned at 1:06 PM, motioned by Cary Sandvig, seconded by Mary-Catherine Graziano, all in favor.

Respectfully submitted on 13 September 2023 -  
Andrea Carbone

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Mary-Catherine Graziano

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Cary Sandvig

TOWN OF ISLE LA MOTTE  
NOTICE OF VACANCY

9/10/23

In accordance with 24 V.S.A. § 961(a), the Selectboard of the Town of ISLE LA MOTTE hereby gives notice of a vacancy created by RESIGNATION in the office of Selectboard effective 9/5/23

The Selectboard, pursuant to 24 V.S.A. § 963, will make an appointment to fill this vacancy at its meeting on 9/26/23. The person appointed will serve until a town election is had.

CITIZENS' RIGHT TO PETITION FOR VOTE: Titles 17 V.S.A. § 2643 and 24 V.S.A. § 963 grant citizens the right to petition for a vote to replace the Selectboard's appointee at a special town meeting. If a special town meeting is called, the newly elected town officer will remain in office for the balance of the unexpired term. If a special town meeting is not called, the Selectboard's appointee will remain in office until the next annual town meeting.

To exercise this right, citizens must present a petition calling for an election for this office signed by five percent of the legal voters of the Town to the Selectboard prior to the next annual Town Meeting.

ADDITIONAL INFORMATION pertaining to this notice and its contents may be obtained by contacting Andrea Carbone, Selectboard Clerk [ilmvtselectboardclerk@gmail.com](mailto:ilmvtselectboardclerk@gmail.com) during normal office hours.

Dated this 10 day of September, 2023.

TOWN OF ISLE LA MOTTE  
NOTICE OF VACANCY

9/10/23

In accordance with 24 V.S.A. § 961(a), the Selectboard of the Town of ISLE LA MOTTE hereby gives notice of a vacancy created by RESIGNATION in the office of Town Clerk effective 9/7/23.

The Selectboard, pursuant to 24 V.S.A. § 963, will make an appointment to fill this vacancy at its meeting on 9/26/23. The person appointed will serve until a town election is had.

CITIZENS' RIGHT TO PETITION FOR VOTE: Titles 17 V.S.A. § 2643 and 24 V.S.A. § 963 grant citizens the right to petition for a vote to replace the Selectboard's appointee at a special town meeting. If a special town meeting is called, the newly elected town officer will remain in office for the balance of the unexpired term. If a special town meeting is not called, the Selectboard's appointee will remain in office until the next annual town meeting.

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Dated this 10 day of September, 2023.

TOWN OF ISLE LA MOTTE  
NOTICE OF VACANCY

9/10/23

In accordance with 24 V.S.A. § 961(a), the Selectboard of the Town of ISLE LA MOTTE hereby gives notice of a vacancy created by RESIGNATION in the office of Treasurer effective 9/7/23.

The Selectboard, pursuant to 24 V.S.A. § 963, will make an appointment to fill this vacancy at its meeting on 9/26/23. The person appointed will serve until a town election is had.

CITIZENS' RIGHT TO PETITION FOR VOTE: Titles 17 V.S.A. § 2643 and 24 V.S.A. § 963 grant citizens the right to petition for a vote to replace the Selectboard's appointee at a special town meeting. If a special town meeting is called, the newly elected town officer will remain in office for the balance of the unexpired term. If a special town meeting is not called, the Selectboard's appointee will remain in office until the next annual town meeting.

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Dated this 10 day of September, 2023.

# Town of Isle La Motte

## General Description of Selectboard Office

### General Description of Selectboard Office

The Selectboard is the legislative/governing body of the municipality.

*From VLCT:* Legislative/governance bodies serve all of the executive, legislative, and judicial functions of government (excepting those committed by law to any other particular official). The legislative body acts as a group by majority vote, not individually, and has authority over all appointed officials and employees.

*From the Vermont Secretary of State:* Selectboard Members (elected). General supervision and control over town; enacts ordinances, regulations, and policies for town; oversees town property and personnel; prepares, presents and manages budget; and oversees roads, including laying out, discontinuing, and reclassifying roads. Sits as local board of health, liquor control commission, and sewer commission. Should know the town well, be able to understand all sides of complex issues, and have very thick skin.

**There are many Vermont State Statutes that guide the performance of this office, and no one section of Vermont Law covers the broad and varied duties of the Selectboard, but for a very broad overview of Selectboard responsibilities and powers, reference this statute:**

<https://legislature.vermont.gov/statutes/section/24/033/00872>

### Isle La Motte Selectboard Requested Skills

The Town of Isle La Motte is seeking a public-service oriented town resident to apply for an appointment to the newly vacated position of Selectboard Member. Candidates shall be able to work well with the public, be dedicated to the wellbeing of the town, able to see multiple sides of an issue, stay professional under pressure, be scrupulous about adherence to state law, be professional and public-service oriented. Candidates will need to decide to either apply for the Town Treasurer position **or** the Selectboard Member position, as these are “incompatible offices” per legal statute. Candidates may also apply for the Town Clerk position. Selectboard, Town Clerk, and Treasurer are town officers and these positions will finish out the remainder of the previous officers’ terms—through March 2024, where there will be a general election. These positions answer to the voters and to the laws of the state.

Interested individuals should send a letter of interest and qualifications to the Selectboard Clerk at [ilmvtselectboardclerk@gmail.com](mailto:ilmvtselectboardclerk@gmail.com) no later than 5:00 PM on Tuesday, September 26, 2023. Candidates should plan to attend a special meeting of the Isle La Motte Selectboard at 6:00 PM on Tuesday, September 26, 2023. This is a stipend position of \$1,000 for the year.

# **Town of Isle La Motte**

## **Town Clerk Job Description**

### **General Description of Town Clerk Office**

The Town Clerk is the custodian of records and presides over elections.

*From VLCT:* Municipal clerks have a central role in municipal operations, so much so in fact that they are often the face of the municipality as they're the ones that interact most often with the public. Clerks have authority over many operations, such as administering property tax payments, fees, other payments (utilities), recording and certifying land and vital records, processing licenses, overseeing oaths and polling places, among other duties.

*From Vermont's Secretary of State:* Town Clerk (elected or appointed). Records, preserves, and certifies the public records of the town. Issues dog, marriage, and hunting and fishing licenses; as well as motor vehicle renewals. Runs the local elections, serves as clerk of the board of civil authority, and hears tax abatement requests and tax appeals. Should have the patience of a saint and be a good ambassador for the town.

**For an indicator of some of the Vermont State Statutes that guide the performance of this office, reference this chapter**

<https://legislature.vermont.gov/statutes/chapter/24/035>

**And this covers election responsibilities:**

<https://outside.vermont.gov/dept/sos/Elections%20Division/town%20clerks%20and%20local%20elections/election%20procedure/2022%20Election%20Procedures/Election%20Procedures%202022.pdf>

### **Isle La Motte Town Clerk Requested Skills**

The Town of Isle La Motte is seeking detailed oriented town resident(s) to apply for an appointment to the newly vacated position of Town Clerk. Candidate(s) shall be able to work well with the public, be meticulous with record-keeping, able to track multiple tasks and deadlines, be fluent with computers, self-motivated, able to multitask, scrupulous about adherence to state law, professional and public-service oriented. Familiarity with municipal government would be helpful but is not required. Candidates may apply for Town Clerk/ Treasurer & Selectboard Office Assistant positions.



If a candidate is applying for Treasurer, they cannot apply for the Selectboard position, as these are incompatible offices per state statute. Selectboard member, Town Clerk and Treasurer are town officers and each of these positions will finish out the remainder of the previous officers' terms, through March 2024, where there will be a general election. These positions answer to the voters and to the laws of the state. The Selectboard Office Assistant reports to the Selectboard.

Interested individuals should send a letter of interest and qualifications to the Selectboard Clerk at [ilmvtselectboardclerk@gmail.com](mailto:ilmvtselectboardclerk@gmail.com) no later than 5:00 PM on Tuesday, September 26, 2023. Candidates should plan to attend a special meeting of the Isle La Motte Selectboard at 6:00 PM on Tuesday, September 26, 2023. This is a stipend position of \$18,700—prorated for the remainder of the year.

# **Town of Isle La Motte Treasurer Job Description**

## **General Description of Treasurer Office**

*From VLCT:* Municipal treasurers have a central role in municipal operations. Treasurers pay orders drawn on them by those municipal officials authorized by law to do so; keep a record of the taxes voted; and keep an account of the monies, bonds, notes, and evidences of debt paid to them, and monies paid out for the various municipal departments.

*From Vermont Secretary of State:* Town Treasurer (elected or appointed). Keeps the town and school's accounts (unless a separate school treasurer is elected), invests money (with the approval of the legislative body), keeps a record of the taxes voted, and pays orders drawn on him or her. Should be very precise, detail oriented and good at math.

**For an indicator of the Vermont State Statutes that guide the performance of this office, go to the second sub chapter of the following chapter**

<https://legislature.vermont.gov/statutes/fullchapter/24/051>

## **Isle La Motte Treasurer Requested Skills**

The Town of Isle La Motte is seeking detailed oriented town resident(s) to apply for an appointment to the newly vacated position of Town Treasurer. Candidate(s) shall be detail oriented, good with numbers, experienced with budgets and accounting, scrupulous about adherence to state law, professional and public-service oriented. Understanding of accounting principles is strongly desired. Must be self-motivated and be able to multitask. Experience with computer-based accounting software, and willingness to learn how to use NEMRC, the municipal accounting software that the town uses.

Familiarity with municipal government would be helpful but is not required. Candidates may apply for Town Clerk/ Treasurer & Selectboard Office Assistant positions. Candidates will need to decide to either apply for the Town Treasurer position **or** the Selectboard Member position, as these are "incompatible offices" per legal statute. Town Clerk/Treasurer are town officers and these positions will finish out the remainder of the previous officer's term, through March 2024, where there will be a general election. These positions answer to the voters and to the laws of the state. The Selectboard Office Assistant reports to the Selectboard.

Interested individuals should send a letter of interest and qualifications to the Selectboard Clerk at [ilmvtselectboardclerk@gmail.com](mailto:ilmvtselectboardclerk@gmail.com) no later than 5:00 PM on Tuesday, September 26, 2023. Candidates should plan to attend a special meeting of the Isle La Motte Selectboard at 6:00 PM on Tuesday, September 26, 2023. This is a stipend position of \$16,600—prorated for the remainder of the year.

## SELECTBOARD OFFICE ASSISTANT JOB OPENING

### SUMMARY OF POSITION

The Isle La Motte Selectboard is looking for a detail-oriented, reliable person to hold the Selectboard Office Assistant position to provide support to the Selectboard in the Town Office. This position will work with the Board Clerk, the Selectboard, and reports to the Selectboard.

### SPECIFIC DUTIES AND RESPONSIBILITIES

- Work with closely with the Board Clerk to identify action items from previous and upcoming meetings and other projects and follow up on select action items as needed (ex: sending in ads for the Islander, filing ACO reports, filing grant documents, making follow-up phone calls, etc)
- Work with the Board Clerk to maintain filing system for Selectboard work, including contracts, agreements, grant documents, animal control documents & reports, roadwork documents, committee/commission files, employee files, etc
- Work with the Board Clerk to update and manage all aspects of town website
- Assist with notification of residents during periods of emergency in the event the Emergency Management Director or Selectboard is unavailable
- Assist Selectboard with generating and organizing grant reporting documents and maintain accurate files
- Assist/support road commissioner/Selectboard with , but not limited to:
  - purchasing supplies, filing documents, sending signed contracts to grantors, and coding invoices
  - generating and organizing grant reporting documents and maintaining accurate files
  - receiving, recording, and conveying incoming road complaints or issues and compliance with government requirements
- Assist Selectboard with other tasks as needed.

### DESIRED QUALIFICATIONS, ABILITIES AND SKILLS

- Extremely detail-oriented and organized
- Knowledge of filing systems and competency in use of Google Docs and Microsoft Office
- Knowledge of, or willingness to learn how to use WordPress (our website platform)
- Able to work with minimal supervision
- Desire to provide excellent support for town taxpayers

### SALARY AND COMPENSATION

The position is budgeted for \$20-\$30, dependent on experience, with at least 15 hours per week. Hours may fluctuate higher depending on time of year and workload. Paid training will be provided.

Those interested please submit a letter of interest, resume, qualifications, and reasons for your interest in the position to the Isle La Motte Selectboard no later than 5:00 PM on Tuesday, September 26, 2023. Candidates should plan to attend a special meeting of the Isle La Motte Selectboard at 6:00 PM on Tuesday, September 26, 2023.

Applications can be emailed to the selectboard clerk: Andrea Carbone at [ilmvtselectboardclerk@gmail.com](mailto:ilmvtselectboardclerk@gmail.com), mailed to the Town Office at P.O. Box 250, 42 School St. Ext, Isle La Motte, VT 05463, or dropped off at the Town Office in person at 42 School St. Ext.

## **Municipal Government Enhanced 911 Maintenance Responsibilities**

*Updated 26 September 2022*

Vermont's 911 System is only as good as the information or data behind it. The Vermont Enhanced 911 Board (Board) depends heavily on each coordinator to be the liaison on all 911 database and mapping needs. Without your ongoing efforts as a Municipal 911 Coordinator, the System cannot work as designed. We need your assistance in maintaining the most accurate locatable information possible. The data you have provided over the last 20-plus years has saved millions of dollars in property damage and more importantly has saved many lives of residents and visitors to Vermont. We cannot do this without you.

### **Municipalities are required by law (30 V.S.A. §7056 (a)) to maintain the following in Accordance with the Board-approved 911 Addressing Standards:**

1. Municipal 911 Coordinator – appointed by the Select Board – to be a liaison to the Board on all database and mapping maintenance issues.
2. Municipal address system - increment, odd/even, direction of numbering, road naming.
3. Municipal 911 Map - submit to the Board map updates for any changes to addresses and/or roads as they occur.
4. Emergency Service Zone (ESZ) database and associated emergency service provider information.

The person appointed by the Select Board to be the Municipal 911 Coordinator should possess basic math and map reading skills and be comfortable talking to people.

### **Maintenance Guidelines**

#### **1. Addressing System**

Wherever possible, implement an addressing maintenance system that utilizes an existing process (permits for driveway, curb cuts, construction, subdivision, etc.).

When a request for a new address is made, obtain an approximate location along with identifying structures or landmarks. Many municipalities use a measuring wheel to measure from an existing driveway to the new driveway and use that measurement to calculate the new address.

Requests for an address assignment should be handled the same day, whenever possible.

We recommend that the municipality notify, *in writing*, the Board office, the property owner, the post office and emergency service providers of any new address sites and/or roads.

Keep your maps current. We recommend that communities have one set of paper maps and make changes on an “as occurred” basis in red pen. Some local 911 Coordinators recommend marking the date the change was made, too.

## 2. Municipal 911 Map

Public Safety Answering Points (PSAPs) rely heavily on their map displays to locate emergencies. Therefore, it is imperative that the municipality keep their maps up to date by doing the following:

- Submit to the Board, as they occur, updates to addresses/and or roads using the *GIS (Geographic Information System) Update Form* or *web map editor* (<https://e911.vermont.gov/forms-and-publications>) so that it can be updated on each PSAP's map displays;
- Fill out the *GIS Update form* completely: include a comment and/or site type description, and number of units within building and indicate the map book page and check the box that indicates the type of change;
- Mark on the map book page or web map the approximate structure locations and indicate the address that was assigned by the town to that site and the date the assignment was made;
- Draw on the map book page the approximate location of a new road;
- Send a photocopy of the marked-up map book page along with the *GIS Update Form*.

## 3. Mapping or Geographic Information Systems (GIS) Database

Utilities use this database to ensure that an address provided by a customer requesting service is located within the municipality he/she lives in. Board staff can work with you to incorporate these changes onto the 911 maps, if you have not already followed the procedure outlined above.

Towns should update the mapping database as changes occur. The Board will send each municipality an updated map book for review and verification each year as part of the annual review.

## 4. Emergency Service Zone (ESZ) Database

The ESZ database information must be updated *immediately* when:

- Primary providers of police, fire or emergency medical service (EMS) change;
- Dispatching arrangements for those services change;
- Emergency telephone numbers for police, fire or EMS dispatch services change;
- Geographical jurisdiction of primary police, fire or EMS services changes.

Contact the Board prior to any change made to the ESZ Database to ensure that the change will not impact 911 call handling and delivery of emergency response. Then mark ESZ changes on the municipal 911 atlas and send it along with a completed *ESZ Update Form* (<https://e911.vermont.gov/forms-and-publications>) to the Board.

Forms and instructions are also available by calling the Board's offices at 1-800-342-4911. Call anytime for help filling out the forms.

Once a year, the Board will send each municipality a printout of their ESZ information (listing their emergency service numbers (ESNs) and corresponding Emergency Service Providers) for review and verification.

Andrea Carbone <ilmvtcarbone@gmail.com>

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## ILM Board Statement re: ILM officer resignations

1 message

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**Mary-Catherine (MC) Graziano** <mcgilmvt@gmail.com>

Sun, Sep 10, 2023 at 5:27 PM

To: Michael Frett <michael.frett.writes@gmail.com>, "Donoghue, Michael" <mdonoghue@smcvt.edu>

Cc: "Frang (Selectboard)" <ilmsandvig@frang.com>, Andrea Carbone <ilmvtcarbone@gmail.com>

Dear Michael and Mike,

Here is the official statement from the selectboard as to the resignation of a Selectboard member and our Town Clerk/Treasurer.

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Last week at the 9/6/23 Selectboard meeting, Rusty Spaulding (Isle La Motte Selectboard) and Steve Mank (Isle La Motte Treasurer/Town Clerk) resigned their offices. Rusty resigned effective immediately, and Steve resigned as of 9/7/23.

We want to thank Rusty and Steve for their service to the town. Rusty's long service to Isle La Motte should be recognized—he has invested a significant portion of his life in public service. Thank you very much, Rusty, for your work. Your expertise and perspective will be missed.

We also appreciate Steve's willingness to step up into a brand-new type of work, when we had our original vacancy, and how he took on the complex and important tasks of Town Clerk and Treasurer. We have no doubt that he was eager to make positive changes for the town.

While we were not expecting Rusty to run again for Selectboard in March, his resignation was somewhat of a surprise, although he had indicated several times that the bi-monthly meeting schedule was challenging for him as a business owner.

We were hoping Steve would work with us through the ongoing issues that the majority of the Selectboard were attempting to address with him. These issues included the hiring of staff without approval or notification of the Selectboard (custodian and paying another employee for work beyond their stated duties,) making unauthorized purchases using town funds, repeated failure to provide requested budget report documents for several months, repeated failures to post agendas and minutes in compliance with Vermont Open Meeting Law, failure to update the town website with current information (ex: appointed officers' contact information), among many other items. All of these items have been discussed thoroughly with Steve, but the behaviors continued over the period of months.

Most recently, we have discovered that the Selectboard had not been forwarded a grant signature page for one of the road grant contracts we had been awarded, which would have annulled our grant. This document had gone to our Town Clerk and our Road Commissioner. We also learned of a grant

that we had received that the board did not have a record of. This grant happened before Steve's time, and should have been in the previous Road Commissioner's files, but when asked to look up the information, he waited several days to do the work, and did not provide the grant (the documents were in his inbox, even though the grant preceded his tenure.) The discovery of the existence of this grant was only a few weeks ago, and the deadline for completing all of the work was 9/30/23. Luckily, we were able to get an extension for the grant, but in an urgent situation that affects the wellbeing of the town, town officers should all take the work seriously and find a solution. Inquiries about successful filing of road grant documents were met with no response.

We had also discovered that Steve had decided to delay payment for several contractors, without notifying the Selectboard. We almost seriously damaged important relationships through unprecedented delays in payment.

These latest items necessitated a change in approach, as important town business was not being done, grants were endangered, and contractor relationships were being damaged. After a year of trying to work with Steve on the ongoing issues, and trying to find solutions, these last incidents were a significant cause for alarm. Mary Catherine sent an email (read into the minutes of the 9/6/23 meeting) alerting Steve to items on the agenda around additional Treasurer reporting items, a notification that the Selectboard would be considering shifting the website management role to another employee/office, an explanation of the reasoning behind why a new office assistant job description was being shifted to a more general town administrative role instead of mainly a Town Clerk support role. The town had budgeted for this position, but had not put out a notice of vacancy or created a job description. The town needs someone who will make sure our important documents are tracked and filed properly, so we can ensure that we successfully complete our grants and maintain our other essential records.

We are disappointed that Steve chose to resign abruptly instead of working with the Selectboard to resolve these issues, and find ways to work together for the best interest of the town.

Mary Catherine Graziano (Selectboard Chair) and Cary Sandvig (Selectboard)

Best,  
Mary-Catherine (MC) Graziano (she/her)

Notice: By Vermont's public records law, emails (and other documents) acquired/created by a government agency are considered public records and subject to disclosure, unless specifically excluded by the Public Records Act.

## Purchasing Policy

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*Town of Isle La Motte*

Adopted \_\_\_\_\_, 20\_\_\_\_

**PURPOSE.** The purpose of this Purchasing Policy is to obtain the highest quality goods and services for the Town of Isle La Motte at the lowest possible price, to exercise financial control over the purchasing process, to clearly define authority for the purchasing function, to allow fair and equal opportunity among qualified suppliers, and to provide for increased public confidence in the procedures followed in public purchasing.

**AFFIRMATIVE ACTION AND LOCAL PREFERENCE.** Whenever possible, qualified small, minority and women-owned businesses shall be included in the solicitation lists for bids or non-bid purchases. If the purchase is federally funded in whole or in part, minority and women owned businesses must be included in the solicitation lists and all other affirmative action requirements outlined in the grant provisions must be followed. The Town may exercise a preference for local businesses for purchases funded exclusively by the Town but only if such a preference does not result in unreasonable prices or rates due to a lack of competition. For purchases funded in whole or in part with federal funding the Town may not exercise a preference for local businesses.

**CODE OF CONDUCT.** Employees, officers and agents of the Town who are involved in the procurement and selection of bids and purchases shall make reasonable efforts to avoid real, apparent, or potential conflicts of interest. No employee, officer or agent of the Town shall participate in selection, award, or administration of a contract if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when:

- the employee, officer or agent,
- any member of his or her immediate family,
- his or her partner, or
- an organization which employs, or is about to employ, any of the above, has a financial or personal interest in the firm/vendor selected for award.

An employee, officer or agent of the Town who is involved in the procurement and selection of a bid or purchase and who has a real or apparent conflict of interest must disclose that conflict of interest within the context of a duly warned Selectboard meeting that occurs before the bid selection or purchase takes place. Such disclosure must be documented in the minutes for that meeting which shall be retained as part of the official record surrounding the bid or purchase.

Officers, employees and agents of the Town will not solicit nor accept gratuities, favors or anything of monetary value from contractors, potential contractors, or parties to sub -agreements.

Officers, employees and agents who fail to follow the above Code of Conduct shall be sanctioned or



disciplined, to the extent permitted by law, for violations of the above standards.

**DOCUMENTATION.** Records documenting the procurement process for any Minor or Major purchases, as those terms are defined below, including the reason for the specific procurement method chosen, the basis for the award and contract pricing (showing evidence that the process was fair and equitable), as well as any other significant decisions that were part of the procurement process **shall be maintained for a period of at least three years** from the date of the submission to the Federal government of the final expenditure report if the purchase or project was funded with federal grants, or until the completion of any litigation, claim, negotiation, audit, or other action involving the records, whichever is longer. Otherwise, records shall be maintained by the Town in accordance with the retention and disposition schedules as set by the Vermont State Archivist.

#### **PURCHASING AUTHORITY.**

**Purchasing Agents.** The following employees are designated to act as Purchasing Agents for the Town:

Selectboard

Town Clerk

Town Treasurer

Assistant Town Clerk

Assistant Treasurer

Selectboard Office Assistant

Purchasing Agents are responsible for ensuring that the best possible price and quality are obtained with each purchase and Purchasing Agents shall review all proposed procurements to avoid unnecessary or duplicative purchases of equipment, supplies and services. Purchasing Agents shall also ensure that competition is not restricted with limits on the geographic location of vendors, with unreasonable requirements or qualifications placed on vendors, or by allowing vendors to be selected who have engaged in noncompetitive pricing practices.

**Incidental Purchases.** Employees who have been designated to act as Purchasing Agents may make purchases of up to **\$500** without prior approval, provided those purchases **are a line item in the budget** and limited to the amount of the budget **line item** authorized by the Town. **If there is any question of whether something is a line item, Purchasing Agent must get approval from the Selectboard**

**Minor Purchases.** Employees who have been designated to act as Purchasing Agents may make purchases with a value between **\$500 and \$1,000** only with prior approval of the **Selectboard** and are limited to the amount of the budget **line item** authorized by the Town. Although not required, competitive quotes from at least two vendors should be obtained whenever possible.

**Major Purchases.** All purchases over **\$1,000** require prior approval of the Selectboard. **Purchases over \$5,000 require engaging in the bid process.** The Selectboard shall review all proposed procurements to avoid unnecessary or duplicative purchases of equipment, supplies and services.

The Selectboard shall also ensure that competition is not restricted with limits on the geographic location of vendors, with unreasonable requirements or qualifications placed on vendors or bidders, or by allowing vendors to be selected who have engaged in noncompetitive pricing practices.

If federal funding is used for purchases between \$10,000 (\$2,000 in the case of construction projects subject to Davis Bacon requirements) and \$250,000, price or rate quotes must be obtained from two or more qualified sources following the affirmative action provision of this policy and all provisions regarding fair and unrestricted competition.

For all major purchases with a value between \$*[insert dollar amount]* and \$*[insert dollar amount]*, price and rate quotations shall be obtained from at least two qualified vendors to ensure that the Town has received a fair and reasonable price. Vendors will be selected based on cost, the quality of the goods and services offered, and the ability, capacity, and skill of the vendor demonstrated under prior contracts with the Town.

Large purchases with a value of \$*[insert dollar amount up to \$250,000, which is the large purchase or simplified acquisition threshold under federal regulations]* or more must follow a sealed bid process as outlined below.

Purchases at or exceeding \$250,000 or construction projects of any value that are funded with federal dollars must follow a sealed bid process as outlined below and also follow any procurement guidance as outlined in the grant agreement. In addition, a pricing analysis must be completed by the purchasing agent or a qualified consultant prior to issuing the request for proposal to ensure that there is a reasonable estimate against which to compare bid proposal pricing.

**SEALED BID PROCESS.** The sealed bid process shall be initiated by the issuance of a Request for Bids prepared by the Selectboard or its designee. Notice of the Request for Bids shall be made by letters to known providers soliciting bid responses, advertisements posted in three public locations within the Town, and advertisements placed in a newspaper of general circulation in the region.

**BID SPECIFICATIONS.** A list of bid specifications shall be prepared for each purchase over \$*[insert dollar amount]* and shall be available for inspection at the Town office. Bid specifications shall include:

Bid name.

Bid submission deadline.

Date, location, and time of bid opening.

Specifications for the project or services including quantity, design, and performance features.

Bond and/or insurance requirements.

A copy of the proposed contract.

Any special requirements unique to the project or purchase.

Delivery or completion date.

For construction projects, language that sets a requirement for a bid guarantee in the amount of 5%

of the bid price from all bidders, as well as performance and payment bonds in the amount of 100% of the contract price from the contractor awarded the bid. If federally grant funded, the bidders must also include costs for Davis Bacon compliance if that is a requirement of the federal agency providing the funding.

For construction projects over \$2,000, a statement that contractors will be provided with a copy of the most current wage determination (from the DOL website at <http://www.wdol.gov/dba.aspx>) and must comply with the Davis Bacon Act.

Language that reserves for the Selectboard the right at its sole discretion to reject any and all bids, wholly or in part, to waive any informalities or any irregularities therein, to accept any bid even though it may not be the lowest bid, to call for rebids, to negotiate with any bidder, and to make an award which in its sole and absolute judgment will best serve the Town's interest. The Selectboard reserves the right to investigate the financial condition of any bidder to determine his or her ability to assure service throughout the term of the contract.

Once a Request for Bids has been issued, the bid specifications will be available for inspection at the Town office.

**BID SUBMISSION.** All bids must be submitted in sealed envelopes, addressed to the Town in care of the Selectboard, and plainly marked with the name of the bid and the time of the bid opening. Bid proposals will be date stamped on the outside of the envelope immediately upon receipt. Any bid may be withdrawn in writing prior to the scheduled time for the opening of bids. Any bids received after the time and date specified shall not be considered and shall be returned to the bidder unopened.

Bidders shall bid to specifications and any exceptions must be noted by the bidder. A bidder submitting a bid thereby certifies that the bid is made in good faith without fraud, collusion, or connection of any kind with any other bidder for the same work, and that the bidder is competing solely on his/her behalf without connection with or obligation to any undisclosed person or firm.

**BID OPENING.** Every bid received prior to the bid submission deadline will be publicly opened and read aloud by the Selectboard. The bid opening will include the name and address of bidder; for lump sum contracts, the lump sum base bid and the bid for each alternate; for unit price contracts, the unit price for each item and the total, if stated; and the nature and the amount of security furnished with the bid if required.

**CRITERIA FOR BID SELECTION.** In evaluating bids, the Selectboard will consider the following criteria:

- Price.
- Bidder's ability to perform within the specified time limits.
- Bidder's experience and reputation, including past performance for the Town.
- Quality of the materials and services specified in the bid.
- Bidder's ability to meet other terms and conditions, including insurance and bond requirements.
- Bidder's financial responsibility.
- Bidder's availability to provide future service, maintenance, and support.

- Nature and size of bidder.
- Contract provisions that are acceptable to the Town.
- For construction projects over \$2,000, contractor's indication of acceptance of wages in the current wage determination provided as part of the Request for Bids.
- Any other factors that the Selectboard determines are relevant and appropriate in connection with a given project or service.

*In addition to the above, in the case of a contract supported by federal funds, the additional criteria shall apply:*

There shall be no preference exercised for local contractors or suppliers.

Minority and women-owned businesses must be included in the solicitation list for the request for proposal.

13. The Selectboard will not select a bidder who is listed on the Excluded Parties List System website (<https://www.sam.gov>).

**CHANGE ORDERS.** If specification changes are made prior to the close of the bid process, the Request for Bids will be amended and notice shall be sent to any bidder who already submitted a bid and a new bid process will be initiated. Once a bid has been accepted, if changes to the specifications become necessary, the Selectboard will prepare a change order specifying the scope of the change. Once approved, the contractor and an authorized agent of the Town must sign the change order.

**EXCEPTIONS.** The following exceptions may apply, however there must be written documentation created and maintained that outlines the process and rationale for such exceptions:

**Competitive Proposals.** If time does not permit the use of sealed bids, or the award will be made on the basis of non-price related factors, a competitive proposal process shall be initiated by the issuance of a Request for Bids (RFB) or Request for Qualifications (RFQ) prepared by the Selectboard or its designee that includes the factors that will be used to evaluate and compare the proposals. Bids or qualifications shall be obtained from an adequate number of qualified sources (at least two vendors) to ensure that the Town has received a fair and reasonable price and all notification and record keeping requirements of the sealed bid process shall be followed. If architectural or engineering services are being solicited, this process should be used with the most qualified firm or individual awarded the bid and price or fees negotiated after the award. If competitive proposals are used, all of the above steps in the sealed bid process should be followed except that: 1) the bid submission need not be sealed; and 2) price will not be the primary factor in the proposal selection.

**Sole Source Purchases.** If the Selectboard determines that there is only one possible source for a proposed purchase, it may waive the bid process and authorize the purchase from the sole source.

**Recurring Purchases.** If the total value of a recurring purchase of a good or service is anticipated to exceed \$[insert dollar amount] during any fiscal year, the bid process shall be utilized and shall specify the recurring nature of the purchase. Once a bid has been accepted, all future purchases shall be made from that bidder without necessity of additional bids, until such time as the Selectboard votes to initiate a new bid process.

**Emergency Purchases.** The Selectboard may award contracts and make purchases for the purpose of meeting the public emergency without complying with the bid process. Emergency expenditures may include immediate repair or maintenance of town property, vehicles, or equipment if the delay in such repair or maintenance would endanger persons or property or result in substantial impairment of the delivery of important Town services.

**Professional Services.** The bid process shall not apply to the selection of providers for services that are characterized by a high degree of professional judgment and discretion including legal, financial, auditing, risk management, and insurance services with a value of up to \$[insert dollar amount].

Federally funded non-competitive purchases for \$250,000 or more require a cost analysis to determine the reasonableness of the proposed pricing and should be completed in accordance with the requirements of the federal or state agency issuing the grant funding.

The foregoing Policy is hereby adopted by the Selectboard of the Town of \_\_\_\_\_, Vermont, this \_\_\_\_ day of \_\_\_\_\_ and is effective as of this date until amended or repealed.

**SIGNATURES.**

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Selectboard Chair

*Selectboard members:*

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**VLCT MODEL PERSONNEL POLICY  
LEVEL I MODEL**

**PERSONNEL POLICY  
TOWN OF ISLE LA MOTTE, VERMONT**

**Section 1: TITLE AND AUTHORITY**

This Policy shall be known as the Town of Isle La Motte’s Personnel Policy. It has been adopted by the Town of Isle La Motte (hereinafter “Town”) Selectboard pursuant to 24 V.S.A. §§ 1121 and 1122.

**This Personnel Policy is a guide and may not be construed under any circumstances as a contract or binding agreement. This Policy is not intended nor does it constitute a contract or agreement for employment. With the exception of those town officers who, by law, can only be removed for cause (e.g. town manager, zoning administrator, etc.), employment with the Town of Isle La Motte is *at-will* and not for any definite period or succession of periods of time. The Town or the employee may terminate employment at any time, for any reason or no reason at all, with or without notice. Employee discipline or termination is left entirely to the discretion of the *Selectboard*. A disciplined or terminated employee will have no right to appeal such determination.**

**This Personnel Policy does not constitute an express or implied contractual modification of employees’ at-will employment arrangement with the Town as employer. Nothing contained in this Policy is intended to be part of the employment relationship; instead, the contents merely represent general statements of Town Policy. Any prior policies or verbal or written assurances of continued employment which could be construed as altering the at-will status of this employment relationship or any other unwritten practices or policies to the contrary are hereby superseded and nullified.**

The selectboard reserves the right to amend any of the provisions of this Personnel Policy for any reason, at any time, with or without notice. The selectboard also retains the right to modify or amend the terms of employment at any time and for any reason, including unilaterally eliminating a position and thus terminating employment, reducing the work hours for some or all employees due to economic necessity, shortage of work, organizational efficiency, changes in departmental functions, reorganizing or reclassifying positions resulting in the elimination of a position, or for other reasons without limitation.

This Personnel Policy will be administered by the Selectboard.

**Section 2: PERSONS COVERED**

This Personnel Policy applies to full-time and part-time employees of the Town. Except by separate written agreement, elected officers and their statutory assistants, members of Town boards and commissions, volunteers, and persons who provide the Town with services on a contract basis are not covered by this Policy.

For purposes of this Policy, a full-time employee is an employee who works at least \_\_\_\_\_ hours per week on a regular and continuing basis. A part-time employee is an employee who works fewer than \_\_\_\_\_ hours per week on a regular and continuing basis.

Where a conflict exists between this Policy and any collective bargaining agreement or individual employment contract, the latter will control.

### **Section 3: EQUAL EMPLOYMENT OPPORTUNITY**

It is the policy of the Town to provide equal opportunity to all employees and applicants without regard to race, color, religion, ancestry, sex, sexual orientation, gender identity, age, national origin, place of birth, marital status, disability, veteran's status, HIV status, pregnancy, health coverage status, genetic information, crime victim status, or any other category of person protected under state or federal law.

### **Section 4: CONDUCT OF EMPLOYEES**

All employees are considered representatives of the Town and as such are expected to conduct themselves in a courteous, helpful, and respectful manner in all their interactions with the public, other employees, and town officials.

All employees are expected to faithfully execute the duties and responsibilities of their office to the best of their ability.

### **Section 5: CONFLICTS OF INTEREST**

A conflict of interest means a direct or indirect personal or financial interest of an employee or a person or group closely tied with the employee including a close relative, household member, business associate, or employer or employee. A close relative includes a spouse, civil union partner, romantic co-habitant, parent, stepparent, grandparent, child, stepchild, grandchild, sibling, aunt or uncle, niece or nephew, parent-in-law and sibling-in-law.

Every employee of the Town shall carry out their job in a way that avoids conflicts of interest so that the public trust will be preserved. All decisions made by Town employees shall be made

based on the best interest of the community at large rather than the interests of any particular individual or employee.

An employee shall not participate in any official action if the employee has a conflict of interest in the matter under consideration. An employee shall not personally, or through any member of their household, business associate, employer or employee, represent, appear for, or negotiate in a private capacity on behalf of any person or organization in a cause, proceeding, application or other matter pending before the Town.

An employee shall not use resources not available to the general public, including but not limited to Town staff time, equipment, supplies, or facilities for private gain or personal purposes.

An employee may accept a nominal gift or gratuity in connection with an action associated with their official duties on behalf of the Town with an estimated monetary value not exceeding [*insert de minimus amount, e.g., \$20*] once per calendar year, with the understanding that employees may not directly or indirectly ask, demand, exact, solicit, accept or receive any gift, gratuity, act or promise beneficial to that individual, or another, which could influence any action or inaction associated with their official duties on behalf of the Town, or create the appearance of impropriety in connection with any actions or inactions associated with their official duties on behalf of the Town. Nor shall any employee authorized to procure or to recommend procurement of materials, supplies or services, directly or indirectly, ask, demand, exact, solicit, seek, accept, receive or agree to receive for the employee or another person, any benefit or benefits from the person providing or soliciting the provision of such materials, supplies or services with the exception of items of a de minimus nature valued [*repeat de minimus amount*] or less (such as vendor booth “freebies”). An employee may attend a hosted meal when it is provided in conjunction with a meeting directly related to the conduct of Town business or where official attendance is appropriate. An employee may accept an award publicly presented in recognition of public service.

## **Section 6: HOURS OF SERVICE**

Regular work hours for persons employed at the Town hall or other Town offices shall be \_\_\_ a.m. to \_\_\_ p.m., Monday through Friday, with [*number of minutes*] [*paid or unpaid*] time allowed for lunch.

Regular work hours for the road crew shall be \_\_\_ a.m. to \_\_\_ p.m., Monday through Friday, with \_\_\_\_\_ allowed for lunch, unless the [*insert "Road Foreman" or "Road Commissioner"*] and the [*insert "Town Manager" or "Selectboard"*] agree otherwise.

Regular work hours may be changed, and employees may be expected to work additional hours that may exceed forty hours in a given week, as circumstances require. All road crew employees are required to be available for work on an on-call basis, especially during the winter months.



All Town employees are required to be available for work in the case of an emergency, weather-related or otherwise.

All employees are expected to be in attendance during regular work hours. Employees who will be absent from work are expected to notify their supervisor in advance whenever possible. Employees who are calling in sick are expected to notify their Supervisor as soon as possible, but no later than \_\_\_ a.m.

### **Section 7: OUTSIDE EMPLOYMENT**

The primary occupation of all full-time employees shall be with the Town. Employees may not engage in any outside business activities during their normal working hours. Employees are prohibited from undertaking outside employment that interferes with their job performance or constitutes a conflict of interest, as defined in Section 5 of this Policy.

Prior to accepting any outside employment, employees will disclose their intent to do so in writing and obtain prior clearance from the [*Selectboard/Town Manager/employee's supervisor*] that such employment does not constitute a conflict of interest.

### **Section 8: POLITICAL ACTIVITY**

No employee may use their official authority for the purpose of interfering with or affecting the nomination or election of any candidate for public office, or demand or solicit from any individual direct or indirect participation in any political party, political organization, or support of any political candidate. Employees are prohibited from using Town facilities, equipment, or resources for political purposes and from pursuing political activities while working.

This Personnel Policy is not to be construed to prevent employees from becoming or continuing to be members of any political party or organization, from attending political party or organization meetings or events, or from expressing their views on political matters, so long as: 1) these views are clearly articulated as being those of the individual and not of the Town, 2) these activities do not interfere with the individual's ability to effectively perform their duties, and 3) these activities take place or are expressed during non-working hours. This Personnel Policy is not to be construed as prohibiting, restraining, or in any manner limiting an individual's right to vote with complete freedom in any election.

### **Section 9: NEPOTISM**

The Town – in recognition of the potential for a conflict of interest to occur in the workplace– prohibits the hiring or transferring of relatives, when doing so will result in a close relative

supervising or evaluating another close relative, or a close relative supervising or evaluating the immediate supervision of another close relative.

A close relative includes a spouse, civil union partner, romantic co-habitant, parent, stepparent, grandparent, child, stepchild, grandchild, sibling, aunt or uncle, niece or nephew, parent-in-law and sibling-in-law.

## **Section 10: DRUG AND ALCOHOL USE**

The Town intends to maintain a drug-free workplace and workforce. The use of alcohol or illegal drugs and the abuse of prescription drugs are not tolerated in the workplace or at work-related events.

As a Town employee, you are prohibited from working, or presenting yourself for work, while under the influence, or severe after effects, of illegal drugs, controlled substances, and/or alcohol. This Policy is designed to promote our goal of providing a safe, healthy and productive work environment. This Policy covers all employees, including drivers and other employees who are also subject to drug testing programs performed in accordance with Federal Department of Transportation (DOT) requirements.

It is the Policy of the Town to prohibit the manufacture, distribution, transfer, display, transportation, sale, dispensation, possession, consumption, or use of illegal drugs, controlled substances, and/or alcohol by Town employees at the workplace and/or during work hours. Prohibited behavior includes manufacturing, distributing, transferring, displaying, transporting, selling, dispensing, possessing, consuming, using, or being under the influence of illegal drugs, controlled substances, and/or alcohol during work hours, on work premises, while engaged in work activities away from work premises, and/or during work-related events.

For the purposes of this Policy, the term “illegal drug” includes both: (a) all state and/or federally controlled substances, including look-alike and designer drugs, and drug paraphernalia, and (b) prescription medications that have not been prescribed for current use by an authorized medical practitioner or that are being used contrary to the prescribing medical practitioner’s instructions. Controlled substances include but are not limited to the following substances: marijuana, cocaine, opiates, amphetamines, phencyclidine (PCP), barbiturates, benzodiazepine, methadone, methaqualone, and propoxyphene.

### Prohibited Conduct:

The following actions are prohibited in the workplace, on municipal property, while using municipal equipment, or during any time period in which you are on municipality business:

- Possessing, consuming, or using illegal or controlled substances, as defined by federal, state, and local statutes. (Controlled substances may be taken pursuant to a properly issued prescription, provided the controlled substance is taken as, and in the amount,

prescribed and so long as the medication does not adversely affect the employee's ability to perform the essential functions of their job).

- Distributing, transferring, displaying, transporting, selling, or possessing with the intent to distribute illegal or controlled substances.
- Possessing or using drug paraphernalia except when used for legal substances and in a legally prescribed manner.
- Being under the influence of illegal or controlled substances as demonstrated by actions and/or other evidence.
- Growing and/or manufacturing any illegal drug or controlled substance.
- Possessing or using alcohol.
- Being under the influence of alcohol.

*[If the municipality is awarded EBSA grants, the employer must provide a "Drug-Free Workplace" as required by 31 C.F.R. Part 20. In that case, this section must be adopted as drafted and include the following:*

*An employee must notify the [Town Manager/Selectboard/employee's supervisor] in writing if they are convicted of a violation of a criminal drug statute occurring in the workplace and must do so no more than five (5) calendar days after the conviction.]*

The limited, responsible consumption of alcohol on or off municipality premises at a Town-sponsored business or social function is permitted, but only if it has been authorized in writing and in advance by the [Town Manager/Selectboard/employee's supervisor]. The Town expects all attendees at such a function to behave in a professional manner and in accordance with Town policies.

The Town reserves the right to search and inspect all areas of the workplace and its premises for the purposes of maintaining a safe and healthy workplace.

The illegal use of prescription drugs is prohibited. If an employee is legally taking prescription drugs that affect the employee's ability to safely perform any of the essential functions of their job, their supervisor or the [Town Manager/Selectboard/employee's supervisor] will determine whether the employee should continue to perform their functions until concerns regarding safety can be addressed. Medical certification may be required.

In addition to this Policy, employees who operate commercial motor vehicles (CMVs) for the Town are also subject to the provisions of the Town's CMV Drug and Alcohol Policy.

## **Section 11: TOBACCO USE**

In recognition of the hazards that tobacco poses to the health of employees, and in accordance with 18 V.S.A. §§ 1421 et seq. and §§ 1741 et seq., the Town hereby prohibits employees' use of tobacco in any form, including electronic cigarettes, in all publicly owned buildings, offices and enclosed areas, designated smoke-free areas of Town property, and in all Town vehicles.

## **Section 12: PERFORMANCE EVALUATIONS**

Employees may be provided job performance evaluations at such times and in such manner as the *[Town Manager/Selectboard/employee's supervisor]* deems reasonable. The results of such evaluations will be discussed with the employee, the employee's supervisor, the *[Town Manager/Selectboard/employee's supervisor]* and will become a part of the employee's personnel file.

## **Section 13: PERSONNEL RECORDS**

Personnel records will be maintained for each employee of the Town. In accordance with Vermont's Public Records Law, any employee or the employee's designated representative may inspect or copy their personnel file at a mutually agreeable time during regular office hours. The Town reserves the right to have its representative present at the time its files are examined or copied.

## **Section 14: USE OF TOWN EQUIPMENT**

Except as provided in Section 15, the use of Town equipment or property for personal use is strictly prohibited. Employees should have no expectation of privacy regarding anything stored in or on Town-owned property or Town-owned equipment, including but not limited to desks, filing cabinets, lockers, and vehicles. Employees should expect that such areas may be searched at any time to retrieve work-related materials or to investigate suspected violations of workplace rules.

## **Section 15: USE OF TOWN COMPUTER SYSTEM**

For purposes of this Policy, "computer system" means all computers and devices and any related hardware, equipment, components, or software, including, but not limited to, host computers, file servers, workstation terminals, laptops, tablets, smartphones, internal or external communication networks, the world wide web (www), the Internet, commercial online services, bulletin board systems, backup systems, and the internal and external e-mail systems accessed via the Town's computer equipment.

All electronic communications regarding Town business should be, to the furthest extent possible, conducted via official Town computer systems. A Town employee should avoid conducting Town business using their personal computer, device, or account unless authorized by the Town. The Town computer system is to be used by employees for the purpose of conducting Town business. Occasional, brief, and appropriate personal use of the Town computer system is permitted, provided it is consistent with this Policy and does not interfere with an employee's job duties and responsibilities.

Employees should have no expectation of privacy or confidentiality regarding anything created, sent, or received on the Town computer system. The Town may monitor at any time its computer system without warning or any specific notice to employees, including any and all computer transactions, communications, and transmissions for any reason including, but not limited to ensuring compliance with this Policy and evaluating the use of its computer system. All files, documents, data, and other electronic messages created, received, or stored on the Town computer system are open to review and regulation by the Town and may be subject to the provisions of Vermont's Public Records Law.

Employees may not introduce software from any outside source on the Town's computer system without prior, written authorization from their supervisor. Employees may be held responsible for any damages caused by using unauthorized software or viruses they introduce into the Town computer system.

Employees who have a confidential password to access the Town's computer system should be aware that this does not mean the computer system is for personal confidential communication, nor does it suggest that the computer system is the property of that person. Additionally, employees who have a confidential password to access the Town's computer system, or to access any Town-sponsored computer networks, or software-as-a-service, shall provide access to the [*Town Manager/Selectboard/employee's supervisor*] upon request.

Transmission of electronic messages on the Town computer system shall be treated with the same degree of propriety, professionalism, and confidentiality as written correspondence. The following are examples of prohibited uses of the Town computer system:

- Communications that in any way may be construed by others as disruptive, offensive, abusive, discriminatory, harassing, or threatening;
- Communications of sexually explicit images or messages;
- Transmission of chain letters or solicitations for personal gain, commercial or investment ventures, religious or political causes, outside organizations, or other non-job-related solicitations during or after work hours;
- Access to Internet resources, including websites and news groups, that are inappropriate in a business setting;
- Unauthorized disclosures. Unauthorized disclosures include disclosures of non-public information, unless the disclosure is authorized by law; and the dissemination of confidential, proprietary, or privileged information.
- Any other use that may compromise the integrity of the Town and its business in any way.

Nothing in this Policy will be interpreted or applied in a manner that interferes with employee rights to organize, form, join, or assist labor organizations, to bargain collectively through representatives of their choosing to the extent allowed by law, or to engage in other concerted activities for the purpose of addressing the terms and conditions of employment.

## **Section 16: PERSONAL USE OF SOCIAL MEDIA**

This section applies to employees using social media in their personal, non-official capacity. Personal or non-official use of social media means day-to-day use of social media by employees that is unrelated to their official work duties. Employees' personal or non-official use of social media may occur during work or off-duty hours. Consistent with Section 15, occasional, brief, and appropriate personal use of social media is permitted during work hours provided it is consistent with this Policy, does not interfere with an employee's job duties and responsibilities, and does not have a detrimental effect on employee productivity or the Town's operations.

Employees using social media in their personal capacity are expected to be truthful, courteous, and respectful toward supervisors, co-workers, residents, customers, and other persons or entities associated with or doing business with the Town.

When posting content or commenting on Town business in their personal capacity, employees must use a disclaimer which establishes that their posted content or comments represent their own opinions and do not represent those of the Town. Employees must not attribute personal statements or opinions to the Town when engaging in the use of social media and if, through their identification or posts, any confusion as to whether their statements might be attributable to the Town arises, they must clarify that their posts are their own and not those of the Town.

Personal use of social media should not be tied to the Town's business and employees must not use their town email account or password in conjunction with a personal social media platform.

Personal use of social media that adversely or negatively affects or impacts the workplace is prohibited. The following is a non-exhaustive list of examples, situations, or activity when personal use of social media may adversely or negatively affect an employee's duties or the workplace:

- Name calling and personal attacks or other such demeaning behavior;
- Friendships, dating or romance between co-workers;
- Cyber-bulling, stalking, or harassment;
- Release of private or confidential data;
- Unlawful activities;
- Misuse of town social media;
- Inappropriate use of the Town's name, logo, or the employee's position or title;
- Using town-owned computer systems or equipment for extensive personal social media use; or
- Violating federal, state, or local law.

## **Section 17: PUBLIC RECORDS**

Any written or recorded information that is produced or acquired by a Town employee in the course of Town business is a public record, subject to Vermont's Public Records Law and may be

covered by the State of Vermont's retention rules and disposition schedules for municipal records. Although the Town discourages the use of personal computers, devices, or accounts to conduct Town business (see Section 15, above), the use of a personal computer, device, or account does not prevent an otherwise public record from being subject to public inspection and copying. In the uncommon event that an employee uses their personal computer, device, or account to conduct Town business, the record created, sent, or received should be forwarded by the employee to the employee's Town computer system, or otherwise captured and retained as a Town record. All employees are required to respond in the manner prescribed by Vermont's Public Records Act regardless of where a Town public record may be stored. All employees must provide any Town public records stored in their personal computers, devices, or accounts that are responsive to a public records request.

### **Section 18: ELIGIBILITY FOR BENEFITS**

The Town offers group insurance and other benefit programs to its eligible *[insert applicable language such as "full time" or "full and part-time"]* employees *[insert "and elected officials" if applicable]*. Details about those benefits, as they exist on the date of hire *[insert "or election" if applicable]*, are included as an attachment to this Policy.

*[If benefits are offered to part-time employees, insert language regarding eligibility such as "Part-time employees who are regularly scheduled to work at least \_\_\_ hours a week are eligible to receive the above benefits on a prorated basis, subject to the eligibility requirements of the insurance carrier."]*

The Town reserves the right to change insurance carriers, or to add, delete, or amend insurance or other benefit programs in its sole discretion. The Town also reserves the right to change the amount or percentage of its contribution to the cost of any group health insurance program. Employees will be provided with advance notice of any change in the contribution rate. Workers' compensation insurance applies to all employees. Employees may be covered by workers' compensation insurance if their injury arises out of and is in the course of employment. Questions should be posed to the *[Town Manager/Selectboard/employee's supervisor]*.

### **Section 19: HOLIDAY LEAVE**

Full- and part-time employees will receive the following paid holiday leave:

- New Year's Day (January 1)
- Martin Luther King, Jr.'s Birthday (3<sup>rd</sup> Monday in January)
- Presidents' Day (3<sup>rd</sup> Monday in February)
- Town Meeting Day (1<sup>st</sup> Tuesday in March)
- Memorial Day (last Monday in May)

- Juneteenth National Freedom Day (3<sup>rd</sup> Saturday in June)
- Independence Day (July 4)
- Bennington Battle Day (August 16)
- Labor Day (1<sup>st</sup> Monday in September)
- Indigenous Peoples' Day (second Monday in October)
- Veterans' Day (November 11)
- Thanksgiving Day (4<sup>th</sup> Thursday in November)
- Christmas Day (December 25)

Employees will receive holiday leave pay for the number of hours in the employee's typical workday on which the holiday falls, at the employee's regular rate of pay. Part-time employees will receive prorated holiday leave pay based on the number of hours the employee is regularly scheduled to work. Holiday leave that is not actually worked by an employee will not be included in calculating overtime for that employee.

Holidays falling on a Saturday will be observed the preceding Friday. Holidays falling on a Sunday will be observed the following Monday.

Holidays that fall during an employee's vacation leave will not be charged as vacation leave.

**Section 20: VACATION LEAVE**

Full-time employees will accrue vacation at the following rates:

Years of Service	Annual Accrual Rate	[pick one: Weekly/Bi-weekly/Monthly] Accrual Rate
___ years	___ days	___ hours
___ years	___ days	___ hours
___ years	___ days	___ hours
___ years	___ days	___ hours
___ years	___ days	___ hours

Part-time employees who work at least \_\_\_ hours per week will accrue a pro-rated amount of vacation based on their normal work schedule.

Vacation leave accrual begins [*insert applicable time such as "on the date of hire" or "on the first of the month following hire date"*] on a [*insert applicable time such as "weekly," "bi-weekly," or "monthly"*] basis. An increase in the annual rate of accrual of vacation time will occur [*insert applicable time such as "the beginning of the calendar year" or "on the anniversary of the date of hire."*]

Full-time employees will receive vacation leave pay at the employee's regular rate of pay. [*If part-time employees are offered vacation time, insert language such as the following:*



*"Part-time employees will receive prorated vacation leave pay based on the number of hours the employee is regularly scheduled to work in a week." Leave must be taken in a minimum of [insert applicable time such as "15-minute" or "2 hour"] increments.*

Employees are strongly encouraged to take an annual vacation. Requests for vacation should be submitted to the employee's supervisor as soon as possible but not less than [48 hours/one week, etc.] in advance of the requested time off. [This notice may be waived at the discretion of the Town Manager/Selectboard/employee's supervisor.]

*[If employees are allowed to carry over any unused vacation leave to the next year, insert language such as "If an employee does not use all of the employee's accrued vacation leave in a year, the employee may carry unused, accrued vacation leave forward to the next year up to a maximum of \_\_\_ vacation days. Any unused, accrued vacation leave that exceeds the amount carried forward will be forfeited."]*

An employee who resigns from employment with the Town [will/will not] be compensated for unused, accrued vacation leave.

## **Section 21: SICK LEAVE**

### Definition

For the purposes of this Section of the Policy, the following definition shall apply: "eligible employee" means an employee or an elected official of the Town who: (a) is age 18 or older; (b) works an average of 18 or more hours per week during the year; and (c) is expected to work more than 20 weeks in a 12-month period. This definition does not include an individual who: (i) works on a per diem or intermittent basis; (ii) works only when he or she indicates that he or she is available to work; (iii) is under no obligation to work for the Town; and (iv) has no expectation of continuing employment with the Town.

### Earned Sick Leave

Eligible employees will earn [insert number that is equal to or greater than one] hour of paid sick leave for every [insert number that is equal to or less than fifty-two] hours worked by that employee. Such leave will [insert either "be awarded to employees in a lump sum at the beginning of the annual period," or "accrue to the employee based on hours actually worked by that employee."]

### Accrual Limit

[If the municipality will limit the amount of leave that an eligible employee may accrue, insert the following language: "The amount of leave that an eligible employee may accrue in a 12-month period is limited to [insert number that is equal to or greater than forty (40)] hours."]

### Waiting Period

*[If the municipality requires eligible employees to wait before using such leave, insert the following sentences: "Eligible employees who are employed by the Town on January 1, 20\_\_ will begin to accrue paid leave on January 1, 20\_\_ but such leave may not be used until [insert date that is on or before the next January 1<sup>st</sup>]. Newly-hired employees who are eligible to earn leave will begin to accrue that leave on the first day of employment but may not use such leave until [insert period of time up to one year] from the date of hire."]*

An employee [insert "may" or "may not"] take sick leave during the employee's first year of employment.

#### Use of Paid Leave

*[If the municipality will limit the amount of accrued leave that may be used by employees, insert the following: "An employee may not use more than 40 hours of accrued leave within a 12-month period."]*

Eligible employees may use paid leave in increments no smaller than [insert language that indicates the minimum increment that may be used such as "fifteen minutes," "half hour," or "one hour"].

An employee may use sick leave for the purposes below:

- The employee is ill or injured.
- The employee obtains professional diagnostic, preventive, routine, or therapeutic health care.
- The employee cares for a sick or injured parent, grandparent, spouse, child, brother, sister, parent-in-law, grandchild, or foster child, including helping that individual obtain diagnostic, preventive, routine, or therapeutic health treatment, or accompanying the employee's parent, grandparent, spouse, or parent-in-law to an appointment related to their long-term care.
- The employee is arranging for social or legal services or obtaining medical care or counseling for the employee or for the employee's parent, grandparent, spouse, child, brother, sister, parent-in-law, grandchild, or foster child, who is a victim of domestic violence, sexual assault, or stalking or who is relocating as the result of domestic violence, sexual assault, or stalking. As used in this section, "domestic violence," "sexual assault," and "stalking" shall have the same meanings as in 15 V.S.A. § 1151.
- The employee cares for a parent, grandparent, spouse, child, brother, sister, parent-in-law, grandchild, or foster child, because the school or business where that individual is normally located during the employee's workday is closed for public health or safety reasons.

*[If the municipality will allow for the use of paid leave for additional reasons, insert language such as the following "Leave may also be used for any appointment or event authorized in advance by the employee's supervisor such a real estate closing or a funeral."]*

Employees must provide notice as soon as practicable of the intent to use earned sick time and the expected duration of the employee's absence. Employees must make reasonable efforts to

avoid scheduling routine or preventive health care or other appointments during regular work hours.

Compensation for use of paid leave will be at the employee's regular rate of pay.

#### Carryover of Paid Leave

*[If the municipality will not provide a lump sum at the beginning of the year and will not pay out for unused time, insert the following language: "If an employee does not use all of their accrued sick leave in a 12-month period the accrued, unused sick leave carries over into the next 12-month period." If the municipality will provide a lump sum of paid sick leave at the beginning of year, insert the following language: "Employees accrued, unused sick leave will not carry over at the end of the year into the next 12-month period." If the municipality will pay out employees for unused sick leave time at the end of the year, insert the following language: "At the end of the year, the Town will compensate employees at their regular rate of pay for accrued, unused sick leave hours."]*

#### Compensation at Time of Separation from Employment

The Town *[insert either "will" or "will not"]* compensate eligible employees for unused, accrued sick leave at the time of separation from employment.

### **Section 22: BEREAVEMENT LEAVE**

Employees may be provided with up to *[insert number]* paid bereavement leave days (pro-rated for part-time employees) related to the death of a close family member, domestic partner or member of an employee's household. The exact amount of time off depends upon the circumstances and subject to supervisor approval. For purposes of this section of the Personnel Policy, "close family member" is defined as the following: *[insert some or all of the following terms: spouse, civil union partner, romantic co-habitant, parent, stepparent, grandparent, child, stepchild, grandchild, sibling, aunt, uncle, niece, nephew, parent-in-law, or sibling-in-law.]*

If additional time off is needed, or if time off is needed for the funeral of a friend or a relative who is not included above, the employee's supervisor may grant, on a case-by-case basis, the use of a reasonable amount of accrued sick leave, if available, or unpaid leave, if unavailable. The amount of such time off, if approved, will depend upon the individual circumstances such as the distance to be traveled, closeness of the employee's relationship with the person who died or the employee's family, and the employee's level of responsibility in making funeral or other arrangements.

Paid bereavement leave does not accrue and thus, when not used, is not carried forward into the next year nor compensated upon separation from employment.

## **Section 23: PARENTAL AND FAMILY LEAVE**

*[If your municipality has fewer than 10 employees, this entire section should be omitted, unless the municipality wishes to observe the VPFLA.]*

*[If your municipality has between 10 and 49 employees, insert language such as "Eligible employees may receive leave as described in the Vermont Parental and Family Leave Act (VPFLA). This State law will determine employee eligibility, the qualifying reasons for such leave, and the length of leave."]*

*[If your municipality has 50 or more employees, insert language such as "Eligible employees may receive leave as described in the Family and Medical Leave Act (FMLA) and Vermont Parental and Family Leave Act (VPFLA). These federal and state laws will determine employee eligibility, the qualifying reasons for such leave, and the length of leave."]*

The Town reserves the right to designate any qualifying leave of absence granted under this Policy as leave under FMLA or the VPFLA. A request for leave must be made to the [Town Manager/Selectboard/employee's supervisor]. Where an employee's leave request is covered by the VPFLA and the FMLA, the Town will adhere to the law that provides the most benefits to the employee. If an employee is entitled to leave under both the VPFLA and FMLA, the leave periods will run concurrently.

For the purposes of determining the 12-month period in which an employee may be entitled to VPFLA and/or FMLA leave, the Town will use a rolling 12-month period measured backward from the date an employee uses such leave.

## **Section 24: SHORT TERM FAMILY LEAVE**

In accordance with 21 V.S.A. § 472a, eligible employees may be entitled to take unpaid leave not to exceed four hours in any 30-day period and not to exceed 24 hours in any 12-month period for the following purposes:

- To participate in preschool or school activities directly related to the academic educational advancement of the employee's child, stepchild, foster child, or ward who lives with the employee, such as a parent-teacher conference;
- To attend or accompany the employee's child, stepchild, foster child, or ward who lives with the employee or the employee's parent, spouse or parent-in-law to routine medical or dental appointments;
- To accompany the employee's parent, spouse or parent-in-law to other appointments for professional services related to their care and well-being; or
- To respond to a medical emergency of the employee's child, stepchild, foster child, or ward who lives with the employee or the employee's parent, spouse or parent-in-law.

The Town may require that leave (including accrued paid leave) be taken in a minimum of two-hour segments. At the option of the employee, accrued paid leave may be used. Before taking leave under this section an employee shall make a reasonable attempt to schedule appointments outside of regular work hours. An employee shall provide the Town with the earliest possible notice of the intent to take short term family leave, but in no case later than seven days before leave is to be taken, except in an emergency where the required seven-day notice could have a significant adverse impact on the family member of the employee.

### **Section 25: CRIME VICTIM LEAVE**

In accordance with 21 V.S.A. § 472c, eligible employees who are crime victims may be entitled to take unpaid leave for the purpose of attending a deposition or court proceeding related to:

- a criminal proceeding when the employee has a legal right or obligation to appear at the proceeding;
- a relief from abuse, neglect, or exploitation hearing when the employee is the plaintiff; or
- hearings concerning an order against stalking or sexual assault, when the employee seeks the order as plaintiff.

A “crime victim” is a person who has:

- obtained a relief from abuse order against a family or household member;
- obtained a court order against stalking or sexual assault;
- obtained a court order against abuse of a vulnerable adult; or
- sustained physical, emotional or financial injury as the direct result of the commission or attempted commission of a crime or act of delinquency and is identified as a crime victim in an affidavit filed by law enforcement official with a prosecuting attorney. This includes the victim’s child, foster child, parent, spouse, stepchild or ward of the victim who lives with the victim, or a parent of the victim’s spouse, provided that the individual is not identified in the affidavit as the defendant.

At the option of the employee, accrued sick leave, vacation leave, or any other accrued paid leave may be used.

### **Section 26: LEAVE OF ABSENCE WITHOUT PAY**

A request to take unpaid leave from employment for the purpose of attending town meeting must be made at least seven days prior to the date of the town meeting. Such leave will be granted provided that it does not cause an interruption of the essential operation of town government.

Other requests for leaves of absence without pay for any reason other than those covered by federal or state law must be submitted in writing to the employee’s supervisor and must set

forth the purpose for which the leave is requested. All leave requests must be for a definite period of time and include a specified date of return. Such leave requests are subject to the sole discretion of the Town.

If a leave of absence without pay is granted, the employee may, at the Town's sole discretion, continue the employee's group health plan coverage by paying the required premium in accordance with the payment schedule established by the Town. Other employee benefits (e.g., sick leave, vacation, seniority, etc.) will not accrue during an unpaid leave period that exceeds \_\_\_\_ *[insert number]* days.

### **Section 27: MILITARY LEAVE**

The Town will comply with the requirements of the Uniformed Services Employment and Reemployment Rights Act (USERRA), 38 U.S.C. §§ 4303 et seq., and 21 V.S.A. §§ 491 et seq. Employees who take military leave subject to the provisions of these laws will be granted leave without pay. At the option of the employee, any paid leave accrued prior to the commencement of the leave may be used.

### **Section 28: JURY LEAVE**

The Town *[will/will not]* compensate employees for their service as jurors or witnesses when unrelated to their status as a Town employee. *[If compensation is offered, insert language regarding the rate of such compensation such as "at the employee's regular hourly rate."]* In accordance with 21 V.S.A. § 499, employees will otherwise be considered in the service of the Town for purposes of determining seniority, benefits, credit towards vacations, sick leave, and other rights, privileges, and benefits of employment.

When Town employees are called to serve as a witness in a court proceeding due to their status as an employee of the Town, the Town will compensate the employee for the difference between their regular rate of pay and their compensation as a witness. The Town will pay the difference only when the employees' regular rate of pay exceeds their compensation as a witness.

### **Section 29: OVERTIME AND COMPENSATORY TIME OFF**

In accordance with the federal Fair Labor Standards Act (FLSA), the Town compensates nonexempt employees at the rate of one and one-half hours for each hour actually worked in excess of forty hours in any workweek. Holidays, sick time, and vacation days do not count as hours worked for purposes of calculating either overtime or compensatory time eligibility.

*[If your municipality offers comp time, insert the following section:]*

In place of overtime pay, the Town in its discretion may provide nonexempt employees with compensatory time off (“comp time”), subject to the following conditions:

- Comp time is earned at a rate of one- and one-half hours for each hour worked in excess of forty hours actually worked in any workweek.
- An employee may accrue a maximum of *[insert number]* hours of comp time. An employee who has accrued *[insert number]* hours of comp time will be paid overtime compensation for additional overtime hours of work.
- The Town may, at its sole discretion and at any time, pay the employee for time worked in lieu providing comp time. Additionally, the Town may “buy down” the employee’s accrued comp time balance, partially or entirely, by paying the employee a sum commensurate with the number of hours being eliminated from the employee’s accrued comp time balance.
- An employee receiving payment for accrued comp time will be paid at the regular rate of pay earned by the employee at the time the employee receives such payment.
- Upon termination from employment, an employee will be paid for unused comp time at a rate not less than the average regular rate of pay received by the employee during the last three years of employment or the employee’s final regular rate of pay, whichever is higher.

An employee who has accrued comp time and requests use of comp time will be permitted to use such time off within a reasonable period after making the request, if such use does not unduly disrupt the Town’s operations. Requests for use of comp time must be submitted to the employee’s supervisor. Requests for use of comp time will not unreasonably be withheld.

### **Section 30: EMPLOYMENT HARASSMENT AND DISCRIMINATION**

The Town is committed in all areas to providing a work environment that is free from unlawful discrimination. Vermont and federal law prohibit employment discrimination or retaliation based on race, color, religion, sex, gender identity, marital status, national origin, age, pregnancy, genetic information, health coverage status, crime victim or veteran status, any other category of person protected under federal or state law, or against a qualified individual with a disability with respect to all employment practices. Vermont law also prohibits discrimination based on sexual orientation, ancestry, HIV status, and place of birth. It is unlawful to retaliate against employees or applicants who have alleged employment discrimination.

Harassment based on a person’s protected category is a type of discrimination. Examples of harassment include the following: insulting comments or references based on a person's race, color, religion, sex, gender identity, marital status, national origin, age, pregnancy, genetic information, crime victim or veteran status, disability, sexual orientation, ancestry, HIV status, place of birth; aggressive bullying behaviors; inappropriate physical contact or gestures; physical assaults or contact that substantially interferes with an individual’s work performance or creates an intimidating, hostile, or offensive working environment; and retaliation against an employee for complaining about the behaviors described above or for participating in an investigation of a complaint of harassment. Petty slights, annoyances, and isolated incidents (unless serious) will

not rise to the level of illegality. To be unlawful, the conduct must create a work environment that would be intimidating, hostile, or offensive to reasonable people.

The Town will not tolerate unlawful harassment based on a person's race, color, religion, sex, gender identity, marital status, national origin, age, pregnancy, genetic information, crime victim or veteran status, disability, sexual orientation, ancestry, HIV status, place of birth, or membership in a classification protected by law. Likewise, the Town will not tolerate retaliation against an employee for filing a complaint of harassment or for cooperating in an investigation of harassment.

Any employee who believes that they have been the target of this type of harassment, or who believes they have been subjected to retaliation for having brought or supported a complaint of harassment, is encouraged to directly inform the offending person or persons that such conduct is offensive and must stop.

Any employee who wishes to report harassment should file a complaint with:

*[Insert the name and contact information for at least two people with whom internal complaints may be filed.]*

A prompt, thorough, and impartial investigation will be conducted, and confidentiality will be protected to the extent possible. If it is determined that unlawful harassment has occurred, the Town will take immediate and appropriate corrective action. No person will be adversely affected in employment with the Town as a result of bringing a complaint of unlawful harassment.

Complaints of harassment or retaliation may also be filed with the following agencies:

Civil Rights Unit  
Vermont Attorney General's Office  
109 State Street  
Montpelier, VT 05609-1001  
Tel: (802) 828-3657 (voice)  
(888) 745-9195 (Toll Free VT)  
(802) 828-3665 (TTY)  
Fax: (802) 828-2154  
Email: [ago.civilrights@vermont.gov](mailto:ago.civilrights@vermont.gov)  
Online: <http://ago.vermont.gov/about-the-attorney-generals-office/divisions/civil-rights/>

Equal Employment Opportunity Commission  
JFK Federal Building  
475 Government Center  
Boston, MA 02203  
Tel: 1 (800) 669-4000 (voice)



1 (800) 669-6820 (TTY)  
1 (844) 234-5122 (ASL Video)  
Fax: 617-565-3196  
Email: [info@eeoc.gov](mailto:info@eeoc.gov)  
Online: [www.eeoc.gov](http://www.eeoc.gov)

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

### **Section 31: SEXUAL HARASSMENT**

Sexual harassment in the workplace is illegal under federal and Vermont law and is strictly prohibited. The Town is committed to providing a workplace free from this unlawful conduct. All employees have the right to work without being subjected to insulting, degrading or exploitative treatment on the basis of their sex, sexual orientation, or gender identity. It is against the policies of the Town for any individual, male or female, to sexually harass another individual in the workplace. In accordance with 21 V.S.A. §§ 495 and 495h, the Town has adopted the following sexual harassment policy. All employees are required to read this policy before signing the employee acknowledgement form.

Sexual harassment is a form of sex discrimination and means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- submission to that conduct is made either explicitly or implicitly a term or condition of employment;
- submission to or rejection of such conduct by an individual is used as a component of the basis for employment decisions affecting that individual; or
- the conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Examples of sexual harassment include, but are not limited to, the following, when such instances or behavior come within one of the above definitions:

- explicitly or implicitly conditioning any term of employment (e.g., continued employment, wages, evaluation, advancement, assigned duties or shifts) on the provision of sexual favors;
- touching or grabbing a sexual part of an individual's body;
- touching or grabbing any part of an individual's body after that party has indicated, or it is known, that such physical contact was unwelcome;
- continuing to ask an individual to socialize on- or off-duty when that person has indicated they are not interested;
- displaying or transmitting sexually suggestive pictures, objects, cartoons, or posters if it is known or should be known that the behavior is unwelcome;

- continuing to write sexually suggestive notes or letters if it is known or should be known that the person does not welcome such behavior;
- referring to or calling a person a sexualized name if it is known or should be known that the person does not welcome such behavior;
- regularly telling sexual jokes or using sexually vulgar or explicit language in the presence of a person if it is known or should be known that the person does not welcome such behavior;
- retaliating in any way for having filed or supported a complaint of sexual harassment (e.g., ostracizing the person, pressuring the person to drop or not support the complaint, adversely altering that person's duties or work environment, etc.);
- making derogatory or provoking remarks about or relating to an employee's sex, sexual orientation, or gender identity;
- directing harassing acts or behavior against a person on the basis of their sex, sexual orientation, or gender identity;
- any off-duty conduct which falls within the above definition and affects the work environment.

It is also unlawful to retaliate against employees for filing a complaint of sexual harassment or for cooperating in an investigation of sexual harassment.

Any employee who believes that they have been the target of sexual harassment, or who believes they have been subjected to retaliation for having brought or supported a complaint of harassment, is encouraged to directly inform the offending person or persons that such conduct is offensive and must stop.

Any employee who wishes to report sexual harassment should file a complaint with:

*[Insert the name and contact information for at least two people with whom internal complaints may be filed.]*

A prompt, thorough, and impartial investigation will be conducted, and confidentiality will be protected to the extent possible. If it is determined that unlawful harassment has occurred, the Town will take immediate and appropriate corrective action. No person will be adversely affected in employment with the Town as a result of bringing a complaint of unlawful harassment.

Complaints of sexual harassment or retaliation may also be filed with the following agencies:

Civil Rights Unit  
 Vermont Attorney General's Office  
 109 State Street  
 Montpelier, VT 05609-1001  
 Tel: (802) 828-3657 (voice)  
 (888) 745-9195 (Toll Free VT)  
 (802) 828-3665 (TTY)

Fax: (802) 828-2154

Email: [ago.civilrights@vermont.gov](mailto:ago.civilrights@vermont.gov)

Online: <http://ago.vermont.gov/about-the-attorney-generals-office/divisions/civil-rights/>

Equal Employment Opportunity Commission

JFK Federal Building

475 Government Center

Boston, MA 02203

Tel: 1 (800) 669-4000 (voice)

1 (800) 669-6820 (TTY)

1 (844) 234-5122 (ASL Video)

Fax: 617-565-3196

Email: [info@eeoc.gov](mailto:info@eeoc.gov)

Online: [www.eeoc.gov](http://www.eeoc.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.

**ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**SIGNATURES of SELECTBOARD:**

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**ADDENDUM A: Personnel Acknowledgement**

I, \_\_\_\_\_, acknowledge that:

- A. I received a copy of the Town’s Personnel Policy on \_\_\_\_\_ and it is my responsibility to familiarize myself with its contents;
- B. I understand that it is my responsibility to ask questions if there is anything in the Policy that I do not understand;
- C. I understand that the language used in this Personnel Policy is not intended to create, nor should it be construed to create, a contract or agreement for employment between myself and the Town;
- D. I understand that this Policy replaces any and all prior versions and that the Town reserves the right to add, amend, or discontinue any of the provisions of this Policy for any reason or none at all, in whole or in part, at any time, with or without notice.

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Employee’s Signature Date

**ADDENDUM B: Agreement by Independently Elected Officer to be Bound by Personnel Policy**

This is an agreement between the Town of the *[insert name of municipality]* and *[insert name and title of independently elected officer]* (hereafter "Town Official"), collectively referred to as "parties."

In exchange for the provision of benefits by the Town as follows:

*[list benefits]*

Town Official agrees to be bound by the provisions of the *[insert name of municipality]* Personnel Policy *[if applicable, insert any exceptions]*.

Town Official:

- has received a copy of the Town’s Personnel Policy and understands that it is *[insert name’s]* responsibility to familiarize themselves with its contents;
- has been given an opportunity to ask questions about said Policy and has been provided with satisfactory information in response to those questions;
- acknowledges that as per section 1 of the Town’s Personnel Policy, the selectboard reserves the right to amend any of the provisions of the Personnel Policy for any reason, at any time, with or without notice;
- acknowledges that they understand the Town’s Personnel Policy and agrees to comply with all of its provisions *[if applicable, insert “except the provisions listed above”]*.

The parties agree that this shall not constitute a contract for employment.

If any term of this agreement, the provisions of the Personnel Policy to which it incorporates by reference, or the application hereof of either to any person or a circumstance(s) is held invalid, this invalidity does not affect other provisions or applications of the agreement’s terms, which can be given effect without the invalid term(s) or application(s). For this purpose, this agreement is severable.

*[if applicable, insert the following: "In addition to the above, Town Official agrees that all personnel hired or appointed by them shall be subject to the Town's Personnel Policy except the provisions governing performance evaluations, discipline, or termination which do not apply to Town Official. In return, said personnel will receive benefits from the Town as follows: [list benefits].]*

Entered into this \_\_\_\_ day of \_\_\_\_\_, 20\_\_

**BY: Independently Elected Official:**

**Selectboard:**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## Town Ownership of the School Action List

- Ask Toby Peacock to do walkthrough of maintenance and operations of the building, including “quirks” of the equipment
- Obtain any facilities manuals/instructions/documents (ex: HVAC, security, etc)
- Ask CIUUSD facilities team for contracts and services regularly provided to the school & contact information of same
- Transfer contracts to Town for remainder of year
  - Potentially do research on lower-cost/local bids for services
- Ask CIUUSD facilities team for contractor list for reference in case of issues
- Re-key building
- Re-code security system
- Change combination of vaults?
- Begin planning reorganization of office space to optimize use while also allowing for other community uses of the building.
- Fire Alarm System repair (constantly in a status of error)
- Pull together long-term replacement/capital plan for maintenance of the building
- Food Shelf idea?
- Relocate generator from R. Spaulding storage to Town Office
- Discuss voicemail AC logged Friday regarding locksmith
- Powerwash of entrance?
- Landscaping/garden/holiday planning
- Review of building inspection report

**TOWN OF ISLE LA MOTTE**  
**INVITATION TO BID: SCHOOL STREET CULVERT & DITCHING PROJECT**

The Town of Isle La Motte is currently accepting bids for a culvert and ditching contract for a grant-funded and scoped project. This project will be using the road segments from MRGP map at the intersection of Isle La Motte's School Street and West Shore Road:

<https://vapda.maps.arcgis.com/apps/webappviewer/index.html?id=2eedb2a33b674abc9926298aa4dd9047>

You can find the project map here: [https://bit.ly/ILM\\_BR\\_2024\\_map](https://bit.ly/ILM_BR_2024_map)

**Please Provide Bids for each of the following specifications:**

**Road Segment 59166.10:** Replace existing 15" x 65' CMP with 24"x70' HDPE, stabilize outlet with stone at south end. Reshape 30' section of ditch/settlement area and stabilize with stone on the north end. Reshape 120' section of ditch where needed and stabilize with vegetation.

**Road Segment 59167.10:** Two culverts, one west, one east. Replace existing eastern culvert, 15"x30' CMP with 18" x 30' HDPE and add stone headers. Add stone headers to western driveway culvert. Reshape 10' section of ditch and stabilize with stone. (Shallow ditch because of tree)

**Road Segment 59168.10:** Two culverts (one not on map): add stone headers at western driveway culvert. Replace existing eastern driveway culvert 15" x 20' CMP with 18"x 30' HDPE and add stone headers.

**All Segments:** Road Segments 59168.10, 59166.10, and 59167.10

**Other Requirements:**

1. The Contractor shall be liable for any personal property damages which The Contractor causes.
2. The Contractor must provide a firm completion date in the bid.
3. The Contractor must file a certificate of insurance with The Town within ten (10) days of being awarded the contract.
4. Equipment breakdown experienced by The Contractor is the sole responsibility of The Contractor, and in no way shall reflect a cost overrun.
5. In the event this contract is not adhered to, The Town will have the option to terminate said contract with a thirty (30) day notice to The Contractor.
6. The Contractor will provide and use proper signage (e.g., two "Road Work Ahead" signs).
7. The contractor shall be responsible for leaving the roads and roadsides in a neat and orderly condition at the end of each workday.

8. Work must conform to State and Town road standards.

**Payment:**

Assuming timely and successful completion of work tasks as specified above, all payments will be made within thirty (30) days of submission of the applicable invoice.

**Bid Submission Details:**

Bids form and proof of insurance must be sealed and received at the Town Office located at **School St. Ext. Isle La Motte, Vt. 05463** or mailed to **P.O. Box 250 Isle La Motte, Vt. 05463** by 9/26/23 at 6:00 pm. **Please write: “Attn: School Street Culvert Project” on the front of the envelope.** A contract will be required for this work. Please provide your company’s standard document for review with the bid, if available.

Bids will be opened at the Select Board Meeting on 9/26/2023. Any questions (including project maps) regarding this bid please contact Mary Catherine Graziano at [mcgilmvt@gmail.com](mailto:mcgilmvt@gmail.com).

The Town of Isle La Motte reserves the right to accept or reject all bids.



**TOWN OF ISLE LA MOTTE  
INVITATION TO BID: ROADSIDE TREE TRIMMING**

The Town of Isle La Motte will be accepting bids for a 1-year roadside tree trimming contract for 2023 for Main Street, West Shore Rd and East Shore Rd. The Town would like the roadsides trimmed one time in 2023.

**Please Provide Lump Sum Bids for each of the following specifications:**

**Specification A:** Trim all overhanging limbs that break the vertical plane of the town right of way to a vertical height of 14' on **Main Street, East Shore Rd, and West Shore Rd.**

**Specification B:** Trim all overhanging limbs that break the vertical plane of the town right of way to a vertical height of 14' to **4' from the edge of the pavement on Main Street, East Shore Rd, and West Shore Rd.**

**Specification C:** Trim all overhanging limbs that break the vertical plane of the town right of way to a vertical height of 14' on **East Shore Rd and West Shore Rd.**

**Specification D:** Trim all overhanging limbs that break the vertical plane of the town right of way to a vertical height of 14' to **4' from the edge of the pavement on East Shore Rd and West Shore Rd.**

**Specification E:** Trim all overhanging limbs that break the vertical plane of the town right of way to a vertical height of 14' on **Main Street.**

**Specification F:** Trim all overhanging limbs that break the vertical plane of the town right of way to a vertical height of 14' to **4' from the edge of the pavement on Main Street.**

**Other Requirements:**

1. Trees must be trimmed in a manner that does not cause unnecessary damage to the tree, and retains the aesthetic character of the Town (i.e. no splintered branches and limbs)
2. Contractor must describe the method they plan to use to trim the trees.
3. The Contractor shall be liable for any personal property damages which The Contractor causes.
4. The Contractor must provide a firm completion date in the bid.
5. The Contractor must file a certificate of insurance with The Town within ten (10) days of being awarded the contract.
6. Equipment breakdown experienced by The Contractor is the sole responsibility of The Contractor, and in no way shall reflect a cost overrun.

7. In the event this contract is not adhered to, The Town will have the option to terminate said contract with a thirty (30) day notice to The Contractor.
8. The Contractor will provide and use proper signage (e.g., two “Road Work Ahead” signs).
9. The contractor shall be responsible for leaving the roads and roadsides in a neat and orderly condition at the end of each workday.

**Payment:**

Assuming timely and successful completion of work tasks as specified above, all payments will be made within thirty (30) days of submission of the applicable invoice.

**Bid Submission Details:**

Bids form and proof of insurance must be sealed and received at the Town Office located at **School St. Ext. Isle La Motte, Vt. 05463** or mailed to **P.O. Box 250 Isle La Motte, Vt. 05463** by 9/26/23 at 6:00 pm **Please write: “Attn: Tree Trimming Bids” on the front of the envelope.** A contract will be required for this work. Please provide your company’s standard document for review with the bid, if available.

Bids will be opened at the Select Board Meeting on 9/26/23. Any questions regarding this bid please contact the Town Office at 1-802-928-3434.

The Town of Isle La Motte reserves the right to accept or reject all bids.

**INVITATION TO BID  
TOWN OF ISLE LA MOTTE: TRANSITIONAL AUDIT**

The Town of Isle La Motte is accepting bids for a transitional audit of financial records due to the resignation of the Town Treasurer for this fiscal year.

Isle La Motte has a year round population of about 500, and an average budget of 2.8 million (mainly education taxes). The previous year's Town Report budget documents can be found here: [https://bit.ly/2022\\_ILM\\_Town\\_Budget\\_Report](https://bit.ly/2022_ILM_Town_Budget_Report)

Bids form and proof of insurance must be sealed and received at the Town Office located at **School St. Ext. Isle La Motte, Vt. 05463** or mailed to **P.O. Box 250 Isle La Motte, Vt. 05463** by 9/26/23 at 6:00 pm. **Please write: "Attn: Auditor Bid" on the front of the envelope.** A contract will be required for this work. Please provide your company's standard document for review with the bid, if available.

The Selectboard reserves the right to reject any and all bids.

**TOWN OF ISLE LA MOTTE**  
**INVITATION TO BID: CUSTODIAL SERVICES**

Isle La Motte is looking for a cleaner to come in one day a week (preference is Thursday afternoon) to clean floors, bathrooms (currently 2), take out trash, and other high-traffic surfaces. Please send a letter of interest and the estimated cost for this work by 9/26/23 5:00 pm to Andrea Carbone, Selectboard Clerk at: [ilmvtselectboardclerk@gmail.com](mailto:ilmvtselectboardclerk@gmail.com).