

**Meeting of the Waterbury Select Board
Monday, May 15, 2023
Steele Community Room, 28 North Main Street**

Attendees: K. Sweeney, M. Bard, A. Johnson, D. Kehlmann, R. Clapp, T. Leitz Manager, K. Petrovic Clerk; R. Muse Library Director, G. Dillon Fire Chief; Public:
C. Viens, A. Mondlak,

Attending by Zoom: Orca Media; L. Scagliotti Waterbury Roundabout; N. Dunbar; L. Walton

The meeting was called to order by R. Clapp at 7:00pm

Approve Agenda: D. Kehlmann made a motion to approve the agenda which was seconded by K. Sweeney. A vote was held and passed unanimously.

Consent Agenda:

a.) Minutes of May 5, 2023

b.) 2nd Class Liquor license for Mosaic Ventures LLC (Craft Beer Store)

A. Johnson made a motion to approve the Consent agenda which was seconded by M. Bard. A vote was held and passed unanimously.

Public: C. Viens mentioned a previous conversation regarding a “meet and greet” with community members and asked the Board to continue to consider this. C. Viens continues to have concerns about homelessness and drugs in the community he wonders of the Board would consider an ordinance.

Library Strategic Planning: R. Muse presented the Board with some details regarding the Strategic plan for the library, the full plan is available on the library website. <https://www.waterburypubliclibrary.com/strategic-plan/> Lots of folks knew about traditional library services but not unique services. It is a priority to ensure the library is a safe and welcoming space for all patrons. The library has expanded services to homebound patrons. Library staff will participate in a day of training on mental health and first aid on May 25th.

Discussion/vote related to a new fire truck: G. Dillon spoke to the board about the history of the equipment and replacement schedule. The Town of Waterbury has an opportunity to purchase a demo truck which will provide a price savings. A demo truck is simply a truck the dealer has on hand for perspective buyers to be able to see. This truck had been ordered as a demo truck but offered to the Town for purchase. It should be available between April to June 2024. The Town can sign a purchase and sales agreement and if the voters do not pass a bond at Town Meeting 2024 the Town will not be required to purchase the truck because the dealer will maintain it as a demo. The old truck might have a value of \$10-\$15K to a small department that does not have the ability to purchase updated equipment. The Fire Department is currently at 39 members. Pre COVID the department had close to 50 members. A bond is estimated to be 20 years \$26,000 per year. \$10/year for 20 years on a \$300,000 home. **D. Kehlmann made a motion to approve the purchase order of a E-One tanker for \$370,000 with a non-appropriation clause. M. Bard seconded the motion. A. Johnson made a friendly amendment to authorize the manager to sign the purchase order. The amendment to the motion was accepted. A vote was held and passed unanimously.**

Appointment of ACO: A. Mondlak gave the Board background information of her time in Waterbury as well as her employment and why she has an interest to be appointed at the Animal Control Officer. The Board asked several situational questions to A. Mondlak that revolved around ACO to owner conflict.

M. Bard made a motion to approve A. Mondlak as the new animal control officer in the Town of Waterbury.

The motion was seconded by A. Johnson.

Discussion followed regarding compensation. **A vote was held and passed unanimously.**

Appointment of Deputy Health Officer effective July 1, 2023: The State has mailed the town notification that the Deputy Health Officer term is coming due. T. Leitz clarified the Health Officer is the Chair of the Select Board and the Town has in the past appointed a Deputy Health Officer. **D. Kehlmann made a motion to appoint T. Leitz as Deputy Health Officer for a term of three years beginning July 1, 2023. A. Johnson seconded the motion a vote was held and passed unanimously.**

Requesting approval to enter a \$250,000 Line of Credit with Northfield Savings Bank: T. Leitz confirmed the Town is in the process of switching banks – he is concerned about the transition and wants to ensure enough capital on hand while both bank accounts must remain open. **A. Johnson moved to authorize the Municipal Manger to secure a line of credit with Northfield Savings Bank in the amount of \$250,000. The motion was seconded by M. Bard; a vote was held and passed unanimously.**

Employee Handbook: T. Leitz stated he has incorporated changes as suggested by the Board at the last meeting. **K. Sweeney moved to approve the updated handbook as presented for the Town of Waterbury. D. Kehlmann seconded the motion. A vote was held and passed unanimously.** The inclusion statement on the top of the handbook – two themes emerged from T. Leitz conversation with Mary Gaggon two evening meetings. The Board and the Steele Community Room are open to Wednesday June 28 & Thursday June 29.

Next meeting agenda:

D Kelhmann ordinances

Library appointment

30 minutes - Planning & Zoning update – Thursday June 1st Steve will be presenting the SE Group presentation

Planning Director Follow up

June 19th Agenda SE Group

Update on the Charter

Housing Task Force Meeting Update

Leitz will prepare by the 5th a provision to spend APRA funds

Executive Session: **A. Johnson moved that premature knowledge would place the Town at a disadvantage. D. Kehlmann seconded the motion; a vote was held passed unanimously.**

A Johnson moved at 8:40pm to enter into executive session to discuss pending legal matters and personnel. Motion was seconded by M. Bard; a vote was held and passed unanimously.

M. Bard made a motion to exit executive session at 9:06pm, A. Johnson seconded the motion, a vote was held and passed unanimously. No action was taken.

Adjourn: **K. Sweeney made a motion to adjourn. D. Kehlmann seconded the motion, a vote was held and passed unanimously.**

From: Nathan Dunbar <dunbar.nathan@gmail.com>

Subject: Re: Craft Beer Cellar - 3 Elm Street

Hi Karen,

It was nice to meet you this morning! Below are a few sentences to accompany my application for the liquor license transfer for the Craft Beer Cellar to the Selectboard.

Waterbury Selectboard,

My name is Nathan Dunbar and a local resident in Waterbury Center. I am applying to transfer the liquor license of the current owner of Infinite Loop, Inc. DBA Craft Beer Cellar, to myself, operating as Mosaic Ventures LLC.

I am a beer enthusiast and look forward to growing my business and beer tourism within VT. The Craft Beer Cellar is a high-end well established business selling specialty and sought after beer, with all employees required to earn their Cicerone Level 1 certification. The business prides itself on the product it offers while also the education it can provide to its customers which I look forward to continuing.

As a young adult and teenager I held several jobs working in hospitality, from 5 star resorts to serving at a tavern. After earning my BSBA and Master of Accounting and Financial Management degrees I coached D1 soccer and once I retired from my soccer career, I found myself working on wall street as an accountant. Working on wall street helped me to realize what was truly important to me, which is how I landed in Vermont. I am an avid skier, snowboarder, hiker and mostly any activity that gets me outdoors. I met my wife the same week I came to Vermont for my first interview and we look forward to raising our family here in Waterbury. I currently run the finances for the Essex Resort and Spa and have developed a wealth of knowledge not only as a finance leader but also within hospitality operations.

My wife and I look forward to becoming more involved in the local Waterbury community and helping to develop what we consider the best place to live.

Sincerely,
Nate Dunbar



STRATEGIC PLAN 2023-2027

OUR MISSION - TO INSPIRE OUR COMMUNITY TO LEARN, CONNECT AND THRIVE

In the spring of 2022, a dedicated committee set out to identify what the Waterbury community wants and needs from its public library. Data was gathered over several months through focus groups, one-on-one interviews and community surveys.

Based on these results three overarching goals were identified along with a multitude of ideas to pursue in the coming years. Each goal and its related objectives represents a component of the community's vision for the future of the Waterbury Public Library.

AWARENESS AND OUTREACH

To enhance the Library's reputation as a vibrant, valuable and meaningful community resource, engaging a diverse population of users and partners, both inside and outside the building.

PEOPLE AND PLACE

To expand the Library's role as a welcoming, useful, accessible and safe space, meeting the needs of all community members, partners and staff.

COLLECTIONS AND PROGRAMS

To ensure that the Library provides a diverse, relevant and thoughtful range of books, digital resources and programming aimed at fostering life-long learning and growth.

*The full strategic plan will be available on our website by winter 2023 at:
waterburypubliclibrary.com/strategic-plan*

Questions and comments can be directed to Library Director Rachel Muse.

waterburypubliclibrary.com | 802-244-7036
28 North Main Street, Waterbury, VT 05676



WATERBURY MUNICIPAL OFFICE
802.244.7033 or **802.244.5858**
FAX: 802.244.1014
28 NORTH MAIN ST., SUITE 1
WATERBURY, VT 05676
WATERBURYVT.COM

Memo

To: Selectboard
From: Tom Leitz
Cc: Gary Dillon
Date: May 12, 2023
Re: Fire Truck Purchase

Chief Dillon has identified a suitable fire vehicle at a cost of \$370,000, which he would like to order promptly to ensure we have delivery within a reasonable time frame. In reviewing Town finances, it is clear we do not have sufficient reserve funds to buy the truck. Therefore any purchase will necessarily impact future tax rates.

Due to our lack of available reserves my recommendation is as follows. The selectboard should agree to allow myself and Chief Dillon to execute the purchase of the new fire truck, contingent that any contract would have a "non-appropriations clause." This clause would effectively cancel the purchase if it is not formally approved by the voters of the Town.

I recommend we plan to finance the truck, with those expenses incorporated into the 2024 budget. For context the vehicle has an expected useful life of 20-years. If we issued a 20-year bond the total cost would be roughly \$26,000 per year. That represents a manageable increase in the tax rate, and allows for the Town to proceed on a path to rebuild its reserves. This option would need to be warned as a bond vote, and could not simply be part of the vote to adopt the Town budget.

I also wanted to raise a few other relevant issues for consideration. First, I will present a deep dive into our fund balances and reserve funds when the 2022 audit is completed. I hope to schedule that presentation by the end of June. In short, given our lack of reserves our best short-term option is to finance all large capital purchases. Second, a local option tax, with a portion dedicated to our capital needs, would be an effective means of building our capital reserves without impacting the property tax rate.

At the meeting I will conduct a brief review of our 2021 fund balances to illustrate the above point about building our reserves.

TOWN OF WATERBURY, VERMONT
BALANCE SHEET
GOVERNMENTAL FUNDS
DECEMBER 31, 2021

	General Fund	Highway Capital Fund	Fire Department Capital Fund	Tax Stabilization Fund	Cemetery Fund	Library Trust Fund	Non-Major Governmental Funds	Total Governmental Funds
ASSETS								
Cash	\$ 2,822,913	\$ 0	\$ 0	\$ 705	\$ 2	\$ 155,974	\$ 0	\$ 2,979,594
Investments	0	0	0	374,423	289,694	492,845	0	1,156,962
Receivables	175,533	170,000	0	0	6,500	0	0	352,033
Loans Receivable (Net of Allowance for Uncollectibles)	0	0	0	0	0	0	147,064	147,064
Advances to Other Funds	0	0	0	499,300	0	0	0	499,300
Due from Other Funds	0	0	682,872	177,878	349,722	0	161,520	1,371,992
Prepaid Items	13,426	0	0	0	0	0	0	13,426
Total Assets	\$ 3,011,872	\$ 170,000	\$ 682,872	\$ 1,052,306	\$ 645,918	\$ 648,819	\$ 308,584	\$ 6,520,371
LIABILITIES								
Accounts Payable	\$ 259,146	\$ 155,757	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 414,903
Accrued Payroll and Benefits Payable	27,137	0	0	0	0	0	0	27,137
Advances from Other Funds	18,000	207,900	273,400	0	0	0	0	499,300
Due to Other Funds	1,317,046	355,260	0	0	0	0	44,156	1,716,462
Unearned Revenue	807,206	0	0	0	0	0	0	807,206
Total Liabilities	2,428,535	718,917	273,400	0	0	0	44,156	3,465,008
DEFERRED INFLOWS OF RESOURCES								
Prepaid Property Taxes	989	0	0	0	0	0	0	989
Unavailable Property Taxes, Penalties and Interest	120,000	0	0	0	0	0	0	120,000
Unavailable Grants	0	170,000	0	0	0	0	147,064	170,000
Unavailable Loan Receivable	0	0	0	0	0	0	0	147,064
Total Deferred Inflows of Resources	120,989	170,000	0	0	0	0	147,064	438,053
FUND BALANCE/(DEFICIT)								
Nonspendable	13,426	0	0	644,000	418,000	0	0	1,075,426
Restricted	97,861	0	0	408,306	227,918	648,819	56,003	1,438,907
Committed	18,513	0	409,472	0	0	0	0	427,985
Assigned	0	0	0	0	0	0	105,517	105,517
Unassigned/(Deficit)	332,548	(718,917)	0	0	0	0	(44,156)	(430,325)
Total Fund Balance/(Deficit)	462,348	(718,917)	409,472	1,052,306	645,918	648,819	117,364	2,617,310
Total Liabilities, Deferred Inflows of Resources and Fund Balance	\$ 3,011,872	\$ 170,000	\$ 682,872	\$ 1,052,306	\$ 645,918	\$ 648,819	\$ 308,584	
Amounts Reported for Governmental Activities in the Statement of Net Position are Different Because:								
Capital Assets Used in Governmental Activities are not Financial Resources and, Therefore, are not Reported in the Funds.								42,172,473
Other Assets are not Available to Pay for Current-Period Expenditures and, Therefore, are Deferred in the Funds.								437,064
Long-term and Accrued Liabilities, including Bonds Payable and the Net Pension Liability, are not Due or Payable in the Current Period and, Therefore, are not Reported in the Funds.								(5,788,578)
Deferred Outflows and Inflows of Resources related to the Town's Participation in VMERS are applicable to Future Periods and, Therefore, are not Reported in the Funds.								254,235
Net Position of Governmental Activities								\$ 39,692,504

The accompanying notes are an integral part of this financial statement.

Desorcie Emergency Products, LLC
1045 Bronson Road
St. Albans, VT 05478
Phone (802) 370-5856
e-mail garthbrooks@comcast.net



EMERGENCY VEHICLE PURPOSAL

DATE: May 1, 2023

This proposal has been prepared for: Waterbury Fire Department

We hereby purpose to furnish to you, subject to proper execution of the attached agreement by you and an officer of this Company in Ocala, Florida, the following apparatus and equipment to be built in accordance with the attached specification:

<u>Option</u>	<u>Pricing:</u>
2024 E-One Freightliner M2 106 1250/2000 Gallon Tanker MSRP:	\$388,187
<i><u>2024 E-One Freightliner M2 106 1250/2000 Gallon Tanker Stock Unit:</u></i>	<i>\$370,000</i>
<i>Optional Items:</i>	
2025 E-One Freightliner M2 106 1250/2000 Gallon Pumper/Tanker MSRP:	\$417,157
<i><u>2025 E-One Freightliner M2 106 1250/2000 Gallon Pumper/Tanker Bid Price:</u></i>	<i>\$403,837</i>

Final Delivery of E-One Vehicles will be made in approximately 540 calendar days from complete execution of the Sales Contract.

This proposal shall expire unless accepted on 5/15/23. It maybe extended in writing at the description of Desorcie Emergency Products and E-One, Inc.

Emergency One, Inc.

Garth Brooks

Garth A. Brooks
Desorcie Emergency Products, LLC.

Waterbury Fire Department Apparatus

<u>Truck</u>	<u>Year</u>	<u>Function</u>	<u>Replacement Date</u>
Tower 1	1999	95' Tower Truck	2030 – Fluid/Needs
Engine 1	2020	1500 gpm pump	2040
Engine 2	2010	1500 gpm pump	2030
Engine 3	2019	1500 gpm pump	2039
Engine 4	2006	500 gpm Mini Pumper	2026
Engine 11	2006	Utility/Command Pickup	2026 - Fluid
Engine 12	2014	Brush Truck	2030 - Fluid
Rescue 1	2014	Heavy Rescue	2034
Tanker 1	1999	1800 Gallon Tank Truck	2022
Tanker 2	1999	1800 Gallon Tank Truck	2021
Boat	2014 Rehab	Pontoon Boat for Reservoir	Unknown
Cascade System 2023		Fills SCBA Bottles	2043 +

Ariel Mondlak
Animal Control Officer Statement

To whom it may concern,

I am preparing this to express my interest in the Animal Control Officer position in Waterbury, Vermont. I have been a Waterbury resident since 2019 and have become an active community member. I initially moved to town for a job as the Marketing Associate at Revitalizing Waterbury, where I worked until the fall of 2022. I also spent three years and two seasons as the Waterbury Farmers Market Manager, from 2019 through 2021. At present, I am the President Elect of the Waterbury Rotary Club and will be taking over as President on July 1.

With all of those positions, I have gained a deep understanding and love for this community. I have established good relationships with many other organizations and key individuals in town, and I have plenty of experience negotiating between stakeholders locally and beyond. Prior to moving to Waterbury, I worked in other non-profits and the National Park System, all in position with a large amount of customer service or public relations.

A large part of why I am interested in taking on this role is to help the community and the pets that live within it. I am a life-long animal lover; I grew up with two dogs and currently have one of my own. I believe that all the animals in this town deserve safe and happy homes, and I would work diligently to ensure this. Based on conversations with Tom Leitz and Karen Petrovic, it seems that this position often involves neighbor mediation and other efforts to ensure all animals are cared for within the guidance of the town animal control ordinance. I have plenty of experience with conflict negotiation as well as paperwork and compliance.

Additionally, I am aware that many animal control calls in this town revolve around dog leash laws. This is an issue that is near to my heart, as my dog and I have encountered off-leash dogs in on-leash areas many times. If selected for this position, I would love to create a messaging campaign around the town guidelines, what areas are on- versus off-leash, why leashing is important, and other related topics. I believe that these situations often arise due to a lack of proper knowledge or signage, and that more messaging can help reduce these occurrences. All dogs and their human companions deserve spaces to recreate where they can feel comfortable and safe, whether on- or off-leash, and I would love to help make this a reality.

I look forward to meeting with the Select Board and am happy to share any additional information about myself, my experience, or my interest in this position.

Thank you for your consideration,
Ariel

Department of Health

Environmental Health
108 Cherry Street – PO Box 70
Burlington, VT 05402-0070

HealthVermont.gov

Agency of Human Services

[phone] 802-863-7220

[fax] 802-863-7483

[toll free] 800-439-8550

May 1, 2023

Chair of the Selectboard
Town of Waterbury
Town Clerk's Office
28 North Main Street #1
Waterbury, VT 05676

Dear Sir or Madam:

I am writing to you regarding your Deputy Health Officer's term of office, which, will expire on 6/30/2023. We would like to have a recommendation from the Selectboard for a Deputy Health Officer to serve for the next three years. The law provides that the Department of Health appoint a Health Officer upon recommendation of the Selectboard. Thus, we urge you to give this matter your immediate attention.

The Department of Health believes that you should recommend someone who is interested in responding to and resolving **issues associated with rental housing, water/septic, mold and other public health issues** that often arise or are disputed between different parties.

Electronically fillable versions of the Town Health Officer Recommendation and Oath Forms can be found on the Vermont Department of Health's Town Health Officer webpage (healthvermont.gov/tho), or you may use the enclosed forms.

If you designate a new individual to be appointed to this position, please ensure that the recommended individual takes the enclosed oath/affirmation in the presence of a person authorized to administer oaths/affirmations. This must be returned to the Health Department in tandem with the recommendation form. We will be unable to process the appointment of the new Health Officer until we are in possession of the completed oath.

If you have any questions please contact me at 800-439-8550.

Sincerely,

Meg McCarthy
Compliance and Enforcement Advisor
Environmental Health Division
Vermont Department of Health

Enclosures (2)





FOR OFFICE USE ONLY
 Beginning Date: _____
 Expiration Date: _____
 Resignation Date: _____
 Entered: _____

Deputy Town Health Officer Recommendation Form

This is a: New Appointment Re-appointment

Is a resignation letter needed from previous Health Officer? Yes No

Start Date: 7/1/23 Town/Municipality: Town of Waterbury

County: Washington Full Name: Thomas J. Leitz

Home Delivery Address: 3308 Lower Pleasant Valley Rd. Cambridge, VT 05444
(DO NOT USE the Town Clerk Office or a Business for your Home Address)

Street Address for UPS Deliveries: 28 North Main Street, Waterbury, VT 05676

Email Address: TLeitz@waterburyvt.com

Telephone(s): W: 802-244-4300 H: _____ Cell: 802 999 6450

Education: High School _____ College Other (list) B.S. & MPA

Professional Degree: MPA (e.g. MD, RN, DVM, DDS) Occupation: Municipal Manager

Please give a brief statement noting why the select board believes the recommended individual will make a good Health Officer:

Signed: _____ 5/15/23
Chair of the Local Board of Health Board Meeting Date

Print Name: _____

Return completed recommendation form to:
 VT Department of Health / Environmental Health
 108 Cherry Street • PO Box 70
 Burlington, VT 05402



Town Health Officer Oath / Affirmation

In taking actions as a Local Health Officer under the authority of 18 VSA Chapters 3 and 11, I do solemnly swear/affirm that I will be true and faithful to the State of Vermont, and that I will not, directly or indirectly, do any act or thing injurious to the Constitution or Government thereof, so help me God (oath)/under the pains and penalties of perjury (affirmation).

I do solemnly swear/affirm that I will faithfully execute the office of Local Health Officer for the municipality named below and therein do equal right and justice to all persons, to the best of my judgment and ability, according to law, so help me God (oath)/under the pains of penalties of perjury (affirmation).

A handwritten signature in black ink, appearing to read "Thomas Leitz", written over a horizontal line.

(Signature)

The name "Thomas Leitz" printed in a simple, black, sans-serif font, positioned above a horizontal line.

(Name Printed)

Local Health Officer for the Municipality of

Date 5/19/03



WATERBURY MUNICIPAL OFFICE
802.244.7033 or 802.244.5858
FAX: 802.244.1014
28 NORTH MAIN ST., SUITE 1
WATERBURY, VT 05676
WATERBURYVT.COM

Memo

To: Selectboard
From: Tom Leitz
Cc: Karen Petrovic
Date: May 12, 2023
Re: Line of Credit

This summer the Town will moving its banking to Northfield Savings Bank. We don't believe this will result in any extra costs to the Town. We do firmly believe Northfield will streamline some of work at Town Hall and provide good customer service when needed.

As a part of the transition, likely for a period of 1-2 months, there exists some minor potential for disruption. We will need to have accounts at both the old and new banks, and will need to update a number of electronic records to transition to the new account.

Due to this I am requesting the authority to open a \$250,000 line of credit with Northfield Savings Bank. These funds would only be needed during the transition period, and would only be used if needed. This merely represents a safety net should there be any delays during the transition period.

Town of Waterbury Declaration of Inclusion

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

Employee Handbook

Town of Waterbury & Edward Farrar Utility District



**TOWN OF WATERBURY
AND EDWARD FARRAR UTILITY DISTRICT**

The Town of Waterbury is governed by an elected Selectboard. The chief executive and administrative officer for the Town of Waterbury is the Municipal Manager who is granted authority by 24 V.S.A. Chapter 37. The Municipal Manager is also responsible for carrying out the policies and directives of the elected Boards. All managers and supervisors, as well as staff members who have no intervening supervisor, employed by the Town report directly to the Municipal Manager who is responsible for the administration of personnel matters, except as noted herein.

Residents of the Edward Farrar Utility District ("EFUD"), the boundaries of which are those of the former Village of Waterbury, which provides water and sewer services, elect a five-member Board of Utility Commissioners. The EFUD Commissioners have historically appointed a Municipal Manager in coordination with the Town.

The contents of this handbook have been prepared to provide Town employees with information regarding their employment. This handbook also applies to the elected Clerk/Treasurer, excepting those sections pertaining to disciplinary procedures as the Clerk/Treasurer position reports to the legal voters of the Town of Waterbury rather than the Municipal Manager.

This Handbook outlines the expectations of employees and describes benefits of employment. It is hoped that this publication will be a useful reference concerning rights, privileges and responsibilities for those employed by the Town or EFUD.

This handbook is intended to be comprehensive but exceptions to the policies and procedures described herein may arise. If you have any questions concerning eligibility for a particular benefit or the applicability of a policy or practice to you, you should address your specific questions to the Municipal Manager.

Herein after the Town and EFUD will be referred to as the Town.

Employee Handbook Acknowledgment and Receipt

I have received my copy of the Employee Handbook.

The employee handbook describes important information about employment with the Town of Waterbury ("Town") and the Edward Farrar Utility District ("EFUD"), collectively referred to as the "Town." I understand that I should consult the Municipal Manager regarding any questions not answered in the handbook. I have entered into my employment relationship with the Town voluntarily and acknowledge that there is no specified length of employment.

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

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

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

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

Employee's Signature

Employee's Name (Print)

Date

TO BE PLACED IN EMPLOYEE'S PERSONNEL FILE

Table of Contents

1. Employee Relations

Equal Employment Opportunity Statement

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

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

Sexual Harassment Policy and Complaint Procedure

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

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

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

Sexual harassment may be indirect or even unintentional, and may include off-duty conduct that affects an employee's working environment. Examples of sexual harassment may include, but are not limited to, coercion of sexual relations, touching or grabbing an employee's body

parts, and sexually offensive comments, name-calling, jokes, gestures, whistling, innuendos and other unwelcome sexually oriented statements or suggestions. Employees of the Town are prohibited from bringing into the workplace or otherwise displaying any written materials or images that may be considered sexually suggestive or offensive in nature. Sexual harassment can also include offensive remarks about a person's sex, such as a man making offensive comments about women in general.

Retaliation against an employee who complains in good faith about having been subjected to sexual harassment, or who cooperates in an investigation of sexual harassment, is a violation of this policy. Retaliation is a recognized form of harassment and will be handled in the same manner as other forms of harassment under this policy.

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

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

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

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

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

If an allegation of sexual harassment is found to be credible the Town will take appropriate corrective action. The complaining person and the accused person will be informed of the results of the investigation and what actions will be taken to ensure that the harassment will cease and that no retaliation will occur. Any employee, supervisor, or agent who has been found by the employer to have harassed another employee will be subject to sanctions appropriate to the circumstances, up to and including immediate termination.

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

Harassment by Non-Employees

Any harassing or otherwise discriminatory behavior by community members, or any other third parties, should be reported to the Municipal Manager as soon as possible so that appropriate corrective action can be taken.

Anti-Discrimination Policy & Complaint Procedure

Discrimination based on any of the Protected Bases described in the Equal Employment Opportunity Statement above is prohibited. Harassment of one employee by another employee or supervisor based on one of the Protected Categories is a form of discrimination and is prohibited. An employee who commits harassment will be subject to discipline up to and including immediate dismissal. Examples of harassment may include, but are not limited to: offensive jokes, gestures, slurs, epithets or name calling, physical assaults or threats, intimidation, ridicule or mockery, insults or put-downs, and offensive objects, pictures, or written materials.

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

Any employee who believes they have been subjected to conduct which violates this policy should report it promptly to the Municipal Manager (who has been designated to receive such complaints or reports). If necessary, such an instance when the alleged complaint includes the Municipal Manager or Library Director, the complaint should be reported to the Chair of the Selectboard, Chair of the EFUD Commissioners, or the Chair of the Library Board.

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

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

If the Town receives a complaint or has reason to believe that a violation of this policy has occurred, it will investigate the matter. Investigations will be conducted in a confidential and discrete manner to the extent possible, and complaints will be disclosed only to those persons necessary to thoroughly investigate and address the matter. If a violation of this policy is found to have occurred, corrective action will be taken and the offending employee shall be subject to discipline including but not limited to dismissal from employment.

Individuals and Conduct Covered

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

Disabilities

Applicants and employees with disabilities who may require reasonable accommodations to perform the essential job duties of an employment position are encouraged to notify the Town of any such requirements.

If an employee believes they will need an accommodation for a disability in order to perform the essential functions of their job, they must inform the Municipal Manager of that need and suggest a reasonable accommodation that will allow them to carry out their affected duties and responsibilities. The Town will reasonably accommodate qualified individuals with a disability to allow performance of the essential functions of a job unless an accommodation would create an undue hardship for the Town or there exists a direct threat to health and safety in the workplace which cannot be eliminated by reasonable accommodation.

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

2. Employment

Probationary Period

The first three months of employment for all employees shall be a probationary period of employment to allow the Town time to determine a new employee's fitness and ability to do the work provided. During this time employees are expected to become accustomed to their job duties and responsibilities and are encouraged to determine whether the position meets their expectations.

At-Will Employment

During the probationary period, and any extension thereof, employment is considered to be "at-will." This simply means that employees may leave their employment at any time, with or without cause, and with or without prior notice.

Likewise, probationary employees may be discharged, with or without cause and with or without notice, at any time for any lawful reason. No circumstances arising out of employment, including any written or verbal statements, will alter the "at-will" employment relationship.

End of Probation

An employee's probationary period may be extended for a period of time not to exceed three months upon written notification by the Municipal Manager or Library Director. Following the end of any probationary period employees may not be discharged from employment except for just cause.

Classification of Employees

Full-Time Employees: Employees regularly scheduled to work 35 hours each week. Full-time employees are entitled to all rights and benefits set forth in this Employee handbook.

Part-Time Employees: Employees regularly scheduled to work a minimum of 20 hours each week, but less than 35 hours. Part-time employees are entitled to all rights and benefits set forth in this Employee Handbook on a pro-rated basis, with the following exceptions. Part-time employees are eligible for Town health insurance, at the full-time rate, if they work at least 30 hours per week. Employees must also work a minimum of 24 hours each week to be eligible to participate in the Vermont Municipal Employees Retirement System (VMERS).

Temporary Employees: Employees hired for a specified period of time to provide services for a specific project, seasonal need, or program. Such positions are subject to all the rules and regulations specified in this handbook but are not entitled to the benefits associated with full or part-time employees.

Grant Funded Employees: Employees hired on a full-time, part-time or temporary basis as set forth above, whose funding is provided through a grant awarded to the Town. Such employees are entitled to the same benefits, subject to the same limitations as set forth above, and shall be subject to the same policies, practices and performance expectations as all other employees. All costs associated with compensation and benefits must be borne by available grant funds. The Town reserves the right to terminate the employment of a grant-funded employee when grant funding is terminated. An exception may be made based on the availability of grant funding; such exception must be approved in writing by the Municipal Manager.

Independently Elected Officers & Appointees: The Town Clerk & Treasurer are elected by the citizens of the community. The Clerk & Treasurer and Assistant Town Clerk shall be eligible to participate in the Town's benefit plans and are subject to the policies contained herein in the same manner as other employees of the Town. The Assistant Town Clerk is considered to be an at-will employee without regard to the length of employment. As such, either the Town Clerk or Assistant Town Clerk may terminate the employment relationship at any time, subject to statutory requirements, with or without cause or notice for any lawful reason.

Exempt and Non-Exempt Employees

Non-exempt employees are employees whose work is covered under the Fair Labor Standards Act (FLSA).

Exempt employees are generally managers or professional, administrative or technical staff who are exempt from the minimum wage and overtime provisions of the FLSA. Exempt employees hold jobs that meet the standards and criteria established under the FLSA by the U.S. Department of Labor.

Workweek and Workday

The workweek is defined as 7 consecutive 24-hour periods, beginning Sunday and extending through the following Saturday. The workweek shall be calculated by including all time during which an employee is required to be on the employer's premises, on duty, or at a prescribed work place.

The workday is defined as the 24-hour period starting at 12:00 a.m. and ending at 11:59 p.m.

Employees shall submit a record of hours worked on a weekly basis as directed by their supervisors. Each employee is to maintain an accurate daily record of their hours worked to the nearest quarter hour. All absences from work shall be appropriately recorded.

Meal and Rest Periods

The scheduling of meal periods is set by the employee's immediate supervisor with the intent of providing the least amount of disruption to public services. The meal period is not considered "time worked" and non-exempt employees are to "clock out" during the meal period. Non-exempt employees are permitted a 15-minute rest for each 4 hours of work. Rest periods are considered "time worked" and are compensated as such.

Overtime Pay

Overtime pay for non-exempt employees is paid at the rate of 1.5 times the normal rate of pay. Overtime is defined as hours worked by a non-exempt employee in excess of 40 hours in a work week. Overtime must, when practicable, be approved in advance by the supervisor to whom the employee reports. During busy periods, such as major snow events, employees may be required to work overtime on a regular basis. For purposes of calculating overtime on a weekly basis holiday pay, vacation leave, the use of compensation time, and sick leave time are included in the calculation.

Call-In Pay (non-exempt employees)

A non-exempt employee who is called into work outside their normal work schedule shall be paid for the time worked or a minimum of 3 hours, whichever is greater. Time worked shall be calculated at the employee's regular rate of pay unless 40 hours are exceeded in the work week.

Payroll

Town employees shall normally be paid on a weekly basis. Employees should always review their paycheck statements for accuracy. The Town is committed to observing all applicable State and Federal wage and hour laws. Employees should notify the Municipal Manager if it is believed an error in their pay has occurred. If the Town receives notice that an error has been made every effort will be made to correct the issue immediately, or to notify the employee and provide an explanation if no error exists.

The Town shall notify employees if information is received related to mandatory deductions from their paychecks, such as court-ordered attachments. Employees are responsible for providing the Town with accurate entitled deductions.

Expense Reimbursement

The Town will reimburse employees for expenses incurred as part of their responsibilities. Such expenses may include, but not be limited to, mileage for travel, training or meals. Reimbursements shall be made through the normal payroll process. The Town has a formal travel and training policy that should be followed by all employees. Employees shall make reasonable efforts to secure items in a cost effective, efficient and reasonable manner making the most of

governmental resources. Expenses related to alcoholic beverages, tobacco products, or marijuana products are never reimbursed.

Emergency Circumstances Leave Buyback

Upon a satisfactory showing that an emergency financial circumstance exists and the need for funds is severe, the Town will consider paying out a portion of the employee's vacation and/or compensation time leave accruals. Requests for emergency funds must be made to the Municipal Manager in writing. The Municipal Manager, at their discretion, has the authority to approve or deny the request. The circumstances leading to the need for emergency funds shall be treated as confidential information by the Municipal Manager.

Performance and Conduct Expectations

All employees shall comply with the following conduct guidelines. Violation of these rules of conduct may lead to disciplinary action, up to and including dismissal from employment. However, these rules of conduct do not restrict the Town from taking disciplinary action for other reasons as the Town may determine appropriate in its sole discretion.

REQUIRED CONDUCT. The following conduct is required of all employees, except as may be otherwise authorized by law, rule, contractual agreement, or supervisor approval:

- 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 and other employees. Employees should recognize the collective job of the town is to pursue the common good for all town residents and it is incumbent on every employee to uphold the public trust and to inspire public confidence. Employees that fail to live up to this standard will be subject to discipline, up to and including termination.
- Employees shall be punctual in reporting to work and shall remain at work until the scheduled end of their workday unless otherwise authorized by a supervisor. Unexpected absences shall be reported as soon as possible. Employees are allowed to work from home on a part-time or occasional basis with the expressed approval of the Municipal Manager.
- Employees shall devote their full time, attention, and effort to the duties and responsibilities of their position during their scheduled work time, to the exclusion of other activities including but not limited to political activity.
- Employees shall respect the legitimate privacy interests of their co-workers, superiors, and employer, both as to personal property and work product in the workplace.
- Employees shall wear attire and equipment which is safe and reasonable for their position, and shall carry out their work in a manner which minimizes risk of personal injury or property damage to the employee, other employees, the Town, and the public.

- Employees shall carry out their work in a manner which complies with applicable state and federal laws, including but not limited to VOSHA. Employees who are unsure of VOSHA requirements should ask their supervisor.
- Employees shall report to an immediate supervisor, or other appropriate officials if the immediate supervisor is unavailable, any work incident which results in personal injury or property damage, including but not limited to injury or damage to Town personnel or property. Any such incident warranting emergency services shall be immediately reported to the police or fire and rescue as appropriate. Employees shall not discuss any such incident with anyone other than Town officials, except as may be necessary for rendering of emergency services.
- Employees shall alert their supervisor when Town equipment or property may be in need of repair or in an unsafe condition.

PROHIBITED CONDUCT. Prohibited conduct for all employees includes but is not limited to the following:

- Employees shall not use, or attempt to use, their positions to obtain special benefits, privileges or exemptions for themselves or others.
- Employees shall not use, or attempt to use, Town personnel, property, or equipment for their private use or for any use not required for the proper discharge of their official duties.
- Employees shall not solicit or accept any form of compensation from anyone except the Town for activities which are related to their position, unless it is provided for by law or approved by the Selectboard. Prohibited compensation shall include any gift, reward, loan, gratuity or other valuable consideration, including free meals, provided to employees, their immediate family, or business associate(s).
- Employees shall not engage in any employment, activity, or enterprise which is inconsistent, incompatible, or in conflict with their duties as a Town employee or with the duties, functions or responsibilities of the Town.
- Employees shall not engage in any outside employment, activity, or enterprise during their work hours.
- Employees shall not disclose, directly or indirectly, information which they receive or have access to by virtue of their official duties, either for the private gain or benefit of themselves or others, except as authorized by their superiors or by law.
- Employees shall not interfere with a lawful request for public information. Providing information must be done in a manner which does not show preference to any particular entity, business or organization.
- Employees shall not use tobacco or vaping products within any Town-owned buildings, work areas or vehicles.

- Employees shall not report to work or engage in work under the influence of alcohol or drugs (including marijuana), and employees shall not consume alcohol or drugs during their scheduled work time. The only exception to this rule is use of a drug prescribed by a duly licensed health care provider, provided such use is in the manner prescribed and the employee is cleared to work while using such prescription drug.
- Employees shall not violate the Town's Equal Employment, Anti-Discrimination Policies, Conflict of Interest, or Sexual Harassment policies, whether set forth in this Handbook or a stand-alone policy.
- Confidential information made available in connection with Town employment must not be used outside of the Town premises or disseminated to persons who are not Town employees, except as authorized and necessary for Town business or as required by law.
- All media inquiries should be directed to the Municipal Manager, and employees should not speak to the media on behalf of the Town unless approved by the Municipal Manager.

Conflicts of Interest

The Town expects our employees to conduct business according to the highest ethical standards of conduct. Employees are expected to devote their best efforts to the interests of the Town. Business dealings that create, or appear to create, a conflict between the interests of the Town and an employee are unacceptable. Employees must avoid any relationship or activity that might impair, or even appear to impair, their ability to make objective and fair decisions when performing their jobs.

For purposes of this policy, a potential or actual conflict of interest occurs whenever an employee is in a position to influence a decision that may result in a personal gain for the employee or an immediate family member (i.e., spouse or significant other, children, parents, siblings) as a result of the Town's business dealings.

The Town recognizes the right of employees to engage in activities outside of their employment which are of a private nature and unrelated to Town's business. However, the employee must disclose any possible conflicts so the Town may assess and prevent potential conflicts of interest from arising.

Employees with a conflict of interest question should seek advice from the Municipal Manager, who shall follow the Town's adopted conflict of interest policy.

Personal Property and Workplace Privacy

Employees should have no expectation that their workplace and/or materials contained within their workplace are private. Supervisors and other authorized persons may have a legitimate

business need to enter an employee's workplace including, but not limited to offices, Town vehicles, computers, email, cabinets, and desks to search for documents, files and other work-related items.

In addition, in cases of suspected employee misconduct or criminal activity, the Town may search the workplace for evidence of such misconduct and will cooperate with law enforcement officials in any criminal investigation.

Electronic Communication and Internet Use

The following are summary guidelines only; employees should contact the Municipal Manager for more detailed information regarding particular questions, situations, or concerns.

The Town provides a variety of electronic communications systems for use in carrying out its business. All communication and information transmitted by, received from or stored in these systems are the property of Town and, as such, are intended to be used for job-related purposes only. Data and information on the system will not be deemed personal or private.

Personal use, other than brief and occasional use, of electronic communications systems, software, computers and other electronic devices owned, leased or maintained by the Town is strictly prohibited. Employees with Internet access are expressly prohibited from accessing, viewing, downloading, or printing pornographic or other sexually explicit materials.

Employees who utilize their computers for personal use and cause damage, such as that as may occur from a virus or ransomware, to their individual computer or the Town's network, may be subject to discipline, up to and including termination.

The Town may access and disclose all data or messages stored on its systems or sent over its electronic mail system. The Town reserves the right to monitor communication and data at any time, with or without notice.

Employees are not authorized to retrieve or read any e-mail messages that are not sent to them and cannot use a password, access a file, or retrieve any stored information unless authorized to do so.

Passwords: Assigned individual passwords to Town computer data, accounts or systems should not be given to other employees, unless so directed by a supervisor, or to any persons outside the Town's employment. The Town reserves the right to override any employee-selected passwords and/or codes. Employees are required to provide the Town with any such codes or passwords if requested by a supervisor. An employee concerned about a supervisor's directive to share a password or login code may bring such concerns to the Municipal Manager. Passwords

should not be stored in computer data files, on the network, or be displayed openly at any workstation.

Emails: No electronic messages may be sent from or to the Town's e-mail system which violate any provision of this Handbook. Employees will use the e-mail system or address/account provided by the Town for e-mail communications concerning Town matters, and personal use of Town e-mail systems, addresses, or accounts should be generally be avoided.

Public Records: All files, documents, data and other electronic messages created, received or stored in the course of official Town business may be subject to the provisions of Vermont's Public Records Act and may be covered by the record retention requirements of the State of Vermont's General Records Schedules or Disposition Orders. Accordingly, employees shall not discard or delete any files, documents, data and other electronic messages created, received or stored in the course of official Town business except as in accordance with law. Questions regarding the requirements of the Vermont Public Records Law, General Records Schedules, or Disposition Orders as they apply to particular files, documents or data should be directed to the Municipal Manager.

Personal Computer Security: Only legally licensed software will be installed on Town computers. Software (including applications, demos, upgrades) cannot be copied or installed without permission of the Municipal Manager. Virus protection software shall not be removed or disabled. Each employee must follow Town guidelines for scanning all incoming communications and media, including but not limited to all data disks and files entering or leaving Town systems should be scanned for viruses.

If you do not understand any part of the policy, it is your responsibility to obtain clarification from the Municipal Manager. If a violation of this policy is found to have occurred, the offending employee may be disciplined including but not limited to dismissal from employment.

Political Activity

You are encouraged to individually exercise your right to vote and to privately exercise your political views as a citizen. While you are on duty or acting in an official capacity, you cannot take an active part in any political campaign or fund-raising effort or serve as a member of a political party, club, or organization. This includes distributing badges, pamphlets, handbills, etc. favoring or opposing any candidate's election or nomination.

An employee may not use his/her authority, influence, or official position as a municipal Employee to influence the result of any election or nomination for elective office. An employee may not directly or indirectly coerce, command, or advise any public officer or employee to pay, lend or contribute anything of value to any person or organization for political purposes. Municipal resources shall not be used in or for any campaign or other political activity.

Employee Personnel Files

Employee personnel files are maintained by the Municipal Manager or his designee and are considered confidential. Managers and supervisors may only have access to personnel file information on a need-to-know basis and with express permission of the Municipal Manager. Personnel files may, in whole or in part, be subject to disclosure under the Vermont Public Records Act. Any employee or the employee's designated representative may inspect or copy their personnel file at a mutually agreeable time during regular office hours.

Health care records maintained by the Town for employment purposes shall be stored separately from an employee's personnel file and the Town shall not disclose such information to any persons beyond need-to-know Town personnel and officials.

Performance Reviews

The Municipal Manager may conduct performance appraisals at such times or intervals as the Town determines in its discretion. Department heads may conduct performance reviews at the direction of the Municipal Manager. Performance reviews will generally be conducted annually. Employees have the right to request a performance review if one has not been conducted within the past year.

Emergency Closings – Weather Conditions

The Municipal Manager is the only municipal official who has the authority to close the municipal offices and facilities due to emergencies or inclement weather. In the event the Town's facilities are closed due to an emergency condition a general announcement will be made to local media. It is the employee's responsibility to report to work as scheduled at all times including during inclement weather conditions. In the event inclement weather conditions prevent an employee from reporting to work, the employee is required to notify their supervisor. Such absence shall be unpaid or charged against the employee's available leave accruals.

Resignation

The Town understands that it may become necessary for you to leave employment. In order to remain in good standing and to maintain eligibility for rehire employees are asked to provide a minimum of two-weeks' notice.

Exit Interview

Employees who resign are required to schedule an exit interview with the Municipal Manager for the purpose of returning town property, if any, and to complete documents related to continuation of benefit coverages as mandated by COBRA law. Employees are also strongly en-

couraged to schedule an exit interview with their supervisor, Department Head of the Municipal Manager to discuss the reasons for leaving and any other impressions they may have about their experience with the Town.

References for Future Employment

The Town will respond to reference requests on former employees by confirming dates of employment and position held unless specific approval is received from the Municipal Manager to release more information.

3. Time off From Work

Leave Accruals

Temporary and seasonal employees, as well as a small number of special jobs, are not eligible to accrue leave time.

For eligible employees accrued vacation leave time shall be as follows:

Years of Service	Accrual Rate	Days Per Year
1st - 5th Year of Employment	0.83 days per month	10
6th - 10th Year of Employment	1.25 days per month	15
10th - 20th Year of Employment	1.5 days per month	18
More than 20 Years of Employment	1.66 days per month	20

Vacation leave must be approved in advance by the appropriate supervisor based on the operational needs of the Town. Employees should request to use accrued vacation as soon as possible to maintain efficient operations. Employees may carry over accrued, but unused vacation leave time, into a subsequent calendar year, but in no instance may the amount of accrued vacation leave exceed 240 hours.

Employees hired before July 1, 2013 are allowed to accrue up to 480 hours of vacation leave, and to carry up to that amount into a subsequent calendar year.

As per applicable state and federal law vacation leave time is paid in full at the termination of an individual's employment at their current rate of pay. The employee can request to have that leave time paid in a lump-sum, or over a period of time. The Manager shall have the authority to approve or deny that request. However, upon the termination of employment leave time is no longer accrued, even if it is requested to be paid over a period of time.

Part-time employees shall receive vacation leave time in accordance with Vermont State Law, or on a prorated basis, whichever is greater.

For eligible employees sick leave time shall be accrued as follows:

Years of Service	Accrual Rate	Days Per Year
1st - 10th Year of Employment	1 day per month	12
11+ Years of Employment	1.5 days per month	18

Employees may carry over accrued, but unused sick leave time, into a subsequent calendar year, but in no instance may the amount of accrued sick leave exceed 240 hours.

Employees hired before July 1, 2013 are allowed to accrue an unlimited amount of sick leave, and to carry that amount into a subsequent calendar year.

Unused sick leave time is not paid upon the termination of an individual's employment.

Part-time employees shall receive sick leave time in accordance with Vermont State Law, or on a prorated basis, whichever is greater.

Personal Days

All full-time employees, upon completion of their first year of employment, shall be provided with one personal day per year. Personal days, if unused, are not carried forward into future years.

Leave Accruals for New Hires

The Municipal Manager has the discretion to credit new hires with vacation and sick accruals as may be necessary to attract top talent to the Town. This can include both starting new hires with leave balances, and/or crediting them for years of service in a manner that impacts their leave accrual rates. This shall be exercised with caution and shall generally be reserved for positions that are difficult to fill. The Manager does not have the authority to hire individuals and provide them with leave accrual rates above and beyond those stated in this policy.

Compensation Time

Non-exempt employees are eligible to earn compensation time off at a rate of 1.5 times their regular rate in lieu of overtime pay. Such compensatory time off shall not exceed 100 hours at any given time. Employees should use compensation time in a manner that is not unduly disruptive to the operational needs of the Town. Compensatory time remaining unused at the time of an employee's termination from the Town shall be paid in full at the employee's current rate of pay.

Exempt Staff Time Off

As required by the Fair Labor Standards Act (FLSA), exempt staff is paid on a salaried basis. This dictates that their pay does not vary with regard to the number of hours worked. Exempt staff frequently works in excess of their normally scheduled hours and do not receive overtime or any additional pay beyond their salary. Therefore, occasional brief absences from work of less than a half-day will not be deducted from the accrued leave banks of exempt staff with the exception of approved leaves of absence under the Family and Medical Leave Act (FMLA).

Leave will be recorded in full day (8 hour) increments when an exempt staff member is away from work for the entire day. If an exempt staff person works a partial day leave time should be utilized based on their actual hours worked.

Exempt staff maintains regular schedules and deviations from these schedules must be approved by their supervisors. In situations of a reduced schedule or repeated or regular absences, managers and staff should make arrangements to enter leave time to adjust for absences.

Holidays

Regular full-time employees and regular part-time employees, who are scheduled to work Mondays through Fridays will receive the following paid holiday leave:

- New Year's Day (January 1st)
- Martin Luther King, Jr. Day (3rd Monday January)
- Town Meeting Day (1st Tuesday in March)
- Memorial Day (Fourth Monday in May)
- Independence Day (July 4)
- Labor Day (1st Monday in September)
- Indigenous Peoples Day (Second Monday in October)
- Thanksgiving Day (4th Thursday in November)
- Day After Thanksgiving (Day after 4th Thursday in November)
- Veterans Day (November 11)
- Christmas Day (December 25)

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

Employees will receive holiday leave pay 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. A non-exempt employee who is required to work on a holiday will be paid their regular hourly wage plus their holiday pay. If a non-exempt employee is not required to work on a holiday, hours paid for the holiday will be counted as hours worked when determining overtime compensation. Any hours worked over 40 hours for the week will be calculated at 1.5 times the regular hourly rate. Exempt employees required to work on a holiday may take a floating holiday, or add those hours worked to their accrued vacation time.

HOLIDAYS THAT FALL DURING AN EMPLOYEE'S SCHEDULED VACATION SHALL NOT COUNT AGAINST VACATION USAGE.

Employees who desire to observe a religious holiday that is not recognized by the Town should notify the Municipal Manager who, subject to exercise of discretion, may accommodate the request. In this instance the Municipal Manager shall inform the selectboard of the accommodation and make recommendations with regards to any permanent changes which may need to be made to the employee handbook.

Individuals who have left Town employment are no longer eligible to receive holiday pay, even if their leave accruals are being paid over a period of time.

Short Term Family Leave

In accordance with the Vermont Short Term Family Leave Law, eligible employees may be entitled to take unpaid leave not to exceed four hours in any thirty-day period and not to exceed twenty-four hours in any twelve-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, step-child, foster child, or ward;
- To attend or accompany the employee's child or other family member 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 family member.

The Town may require that leave be taken in a minimum of two-hour segments. At the option of the employee, accrued paid leave may be used. An employee shall make a reasonable attempt to schedule appointments for which leave may be taken outside of regular work hours. An employee shall provide the municipality 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 the case of an emergency.

Bereavement Leave

Paid bereavement leave of up to three (3) days may be available to an employee who wishes to take time off due to the death of a family member. The employee should notify their supervisor as promptly as possible of the request for leave. Bereavement leave may be denied if necessary for Town operations.

Family member is defined as:

An employee's spouse, child, grandchild, parent, mother-in-law, father-in-law, brothers, sisters, brothers-in-law, and sisters-in law.

Paid bereavement leave may be taken near the time of the death or the time of scheduled service and the time may be split between those times. Total paid bereavement leave may not exceed three days.

Employees are allowed up to four hours of bereavement leave to attend the funeral of an employee or retiree of the municipality.

Jury Duty

The Town compensates employees for their service as jurors or witnesses. In accordance with 24 V.S.A. § 499, employees will otherwise be considered in the service of the "Town" for purposes of determining seniority, benefits, credit towards CTO leave, and other rights, privileges, and benefits of employment.

When municipal employees are called to serve as a witness in a court proceeding due to their status as an employee of the municipality or as a Juror, 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 or juror. Employees will retain any expense reimbursements issued by the Court to the employee.

Military Leave of Absence

The Town provides military leave to eligible employees consistent with the requirements of state and federal law including, but not limited to, the Uniformed Services Employment and Re-employment Rights Act (USERRA) 38 USC Section 4301. Employees called to military duty are entitled to an unpaid leave of absence in order to perform their service requirements. Employees must submit copies of their military orders to the Municipal Manager to qualify for military leave. Employees retain re-employment rights following completion of the military duty or training, in accordance with USERRA. All regular, full-time and part-time employees are eligible for military leave. Temporary employees are not eligible for military leave.

Unpaid Leave of Absence

Employees may be granted an unpaid leave of absence, at the discretion of the Municipal Manager, if all other accrued time off or other applicable leave benefits have been exhausted. In deciding whether to grant a request for unpaid leave of absence the Municipal Manager will take into consideration whether the employee has presented a compelling need for the absence, the impact on the leave on departmental operations, and the ability to recruit temporary personnel to replace the employee during the leave period.

During the leave of absence the employee will not be eligible for benefits, except as prescribed by law. Following the leave period reinstatement of employment and benefits is not guaranteed, except as may be required by law.

An employee on unpaid leave of absence may not engage in outside employment without the expressed, written approval of the Municipal Manager. Violation of this provision will result in

termination of employment with the Town for abandonment of employment. In this instance the termination date shall be the last day worked for the Town.

4. Family and Medical Leave Act (FMLA)

Upon hire, the Town provides all new employees with notices required by the U.S. Department of Labor (DOL). The function of this policy is to provide employees with a general description of their FMLA rights. In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law.

If you have any questions, concerns or disputes with this policy, you should contact the Municipal Manager in writing.

General Provisions

The Town will grant up to 12 weeks (or up to 26 weeks of military caregiver leave to care for a covered service member with a serious injury or illness) during a 12-month period to eligible employees. The leave may be paid, unpaid or a combination of paid and unpaid leave, depending on the circumstances of the leave and as specified in this policy. All FMLA statutory and regulatory provisions, guidelines, and definitions apply to FMLA leave for Town employees regardless of whether they are restated in this Policy.

Eligibility

To qualify to take family or medical leave under this policy, the employee must meet the following conditions:

- The employee must have worked for the municipality for 12 months or 52 weeks. The 12 months or 52 weeks need not have been consecutive. Separate periods of employment will be counted, provided that the break in service does not exceed seven years. Separate periods of employment will be counted if the break in service exceeds seven years due to National Guard or Reserve military service obligations or when there is a written agreement, including a collective bargaining agreement, stating the employer's intention to rehire the employee after the service break. For eligibility purposes, an employee will be considered to have been employed for an entire week even if the employee was on the payroll for only part of a week or if the employee is on leave during the week.
- The employee must have worked at least 1,250 hours during the 12-month period immediately before the date when the leave is requested to commence. The principles established under the Fair Labor Standards Act (FLSA) determine the number of hours worked by an employee. The FLSA does not include time spent on paid or unpaid leave as hours worked. Consequently, these hours of leave should not be counted in determining the 1,250 hours eligibility test for an employee under FMLA.

- The employee must work at a location where the employer has at least 50 employees within 75 miles. If the Town's number of employees falls below 50, then no employees may be eligible for federal FMLA leave (but may be eligible for Vermont Parental and Family Leave).

Type of Leave Covered

To qualify as FMLA leave under this policy, the employee must be taking leave for one of the reasons listed below:

- The birth of a child and in order to care for that child.
- The placement of a child for adoption or foster care and to care for a newly placed child.
- To care for a spouse, child or parent with a serious health condition.
- The serious health condition of the employee.
- A qualifying exigency arising out of the foreign deployment of the employee's spouse, child, or parent.

An employee may take leave because of a serious health condition that makes the employee unable to perform the functions of the employee's position.

A serious health condition is defined as a condition that requires inpatient care at a hospital, hospice or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care or as a condition that requires continuing care by a licensed health care provider.

Amount of Leave

An eligible employee may take up to 12 weeks for the first five FMLA circumstances above (under heading "Type of Leave Covered") under this policy during any 12-month period. The Town will measure the 12-month period as a rolling 12-month period measured backward from the date an employee uses any leave under this policy. Each time an employee takes leave, the Town will compute the amount of leave the employee has taken under this policy in the last 12 months and subtract it from the 12 weeks of available leave, and the balance remaining is the amount of time the employee is entitled to take at that time.

An eligible employee can take up to 26 weeks for the FMLA military caregiver leave circumstance above during a single 12-month period. For this military caregiver leave, the Town will measure the 12-month period as a rolling 12-month period measured forward. FMLA leave already taken for other FMLA circumstances will be deducted from the total of 26 weeks available.

If both spouses work for the Town and each wishes to take leave for the birth of a child, adoption or placement of a child in foster care, or to care for a parent (but not a parent "in-law") with a serious health condition, the spouses may only take a combined total of 12 weeks of leave. If both spouses work for the municipality and each wishes to take leave to care for a covered injured or ill service member, the spouses may only take a combined total of 26 weeks of leave.

Employee Status and Benefits During Leave

While an employee is on leave, the Town will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work.

Employee Status After Leave

An employee who takes leave under this policy may be asked to provide a fitness for duty (FFD) clearance from the health care provider.

Use of Paid and Unpaid Leave

A worker may choose to use sick leave, or vacation leave, or any other accrued paid leave time during the leave, up to 6 weeks. The employer may not require the worker to do so. Use of paid leave does not extend the overall leave time to which the worker is entitled.

Disability leave for the birth of a child and for an employee's serious health condition, including workers' compensation leave (to the extent that it qualifies), will be designated as FMLA leave and will run concurrently with FMLA.

Employees whose tenure with the Town is more than 3-years shall receive two weeks of paid FMLA. This shall be a onetime payment and shall not recur, unless said recurrence meets the following criteria:

- The employee has given birth to a child.
- The employee is the spouse of a person who has given birth to a child.
- The employee has adopted a child or has been placed with a foster child. The adoption of a new spouse's child is excluded from this policy.

Intermittent Leave or a Reduced Work Schedule

The employee may take FMLA leave in 12 consecutive weeks, may use the leave intermittently (take a day periodically when needed over the year) or, under certain circumstances, may use the leave to reduce the workweek or workday, resulting in a reduced-hour schedule. In all cases, the leave may not exceed a total of 12 workweeks (or 26 workweeks to care for an injured or ill service member over a 12-month period).

Certification for the Employee's Serious Health Condition

The Town will require certification for the employee's serious health condition. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave.

Certification for the Family Member's Serious Health Condition

The Town will require certification for the family member's serious health condition. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave.

Certification of Qualifying Exigency for Military Family Leave

The Town will require certification of the qualifying exigency for military family leave. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave.

Certification for Serious Injury or Illness of Covered Service Member for Military Family Leave

The Town will require certification for the serious injury or illness of the covered service member. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave.

Recertification

The Town may request recertification for the serious health condition of the employee or the employee's family member when circumstances have changed significantly, or if the employer receives information casting doubt on the reason given for the absence, or if the employee seeks an extension of their leave. Otherwise, the Town may request recertification for the serious health condition of the employee or the employee's family member every six months in connection with an FMLA absence.

Procedure for Requesting FMLA Leave

All employees requesting FMLA leave must provide the Municipal Manager with verbal or written notice of the need for the leave. Within five business days after the employee has provided this notice, the Municipal Manager will provide the employee with the DOL Notice of Eligibility and Rights.

When the need for the leave is foreseeable, the employee must provide the employer with at least 30 days' notice. When an employee becomes aware of a need for FMLA leave less than 30 days in advance, the employee must provide notice of the need for the leave either the same day or the next business day. When the need for FMLA leave is not foreseeable, the employee must comply with the municipality's usual and customary notice and procedural requirements for requesting leave.

Designation of FMLA Leave

Within five business days after the employee has submitted the appropriate certification form, the Municipal Manager will provide the employee with a written response to the employee's request for FMLA leave. The Town may designate qualifying leave as FMLA leave even if an employee does not request FMLA leave.

Intent to Return to Work from FMLA Leave

The Town may require an employee on FMLA leave to report periodically on the employee's status and intent to return to work.

5. Benefits

Health Insurance Coverages

The Town currently offers regular full-time employees scheduled to work a minimum of 30 hours per week enrollment in a medical insurance plan. Enrollment in vision and dental plans will begin on January 1, 2024. Coverage is available the first day of the month following their first day of work. Coverage ends on the last day of the month in which an employee works.

Medical Insurance

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

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

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

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

The Town also provides an amount to employees who are eligible for health insurance, but opt to utilize a different plan. This typically applies to individuals who receive coverage through a spouse. In this instance employees are required to show proof of other coverage.

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

Vision Insurance

Beginning in 2024 the Town will offer full-time employees a vision insurance plan. The Town will pay the premium cost of the plan for the employee. If the employee wishes to add dependents to the plan they are responsible for any and all premium costs, which shall be made through a payroll deduction.

Dental Insurance

Beginning in 2024 the Town will offer full-time employees a dental insurance plan. The Town will pay the premium cost of the plan for the employee. If the employee wishes to add dependents to the plan they are responsible for any and all premium costs, which shall be made through a payroll deduction.

Group Life Insurance

The Town offers an employer-paid basic group term life policy at no cost to the employee. Any regular full-time and regular part-time employees working a minimum of twenty (20) hours, who have been employed for at least 30 days, are eligible for this benefit.

Long-Term Disability Benefits

The Town offers eligible employees (i.e., regular full-time and regular part-time employees working a minimum of twenty (20) hours, who have been employed for at least 30 days,) a non-contributory, long-term disability (LTD) base plan. This non-contributory base plan provides for monthly LTD benefits of 60% of basic monthly earnings to a maximum benefit of \$4,000 per month, less any other offsets. Eligible employees are automatically enrolled as of the first day of the calendar month following their date of hire. Employer paid long-term disability coverage terminates on the last day of employment.

Please refer to the Plan document for further details and contact the Municipal Manager if you have questions.

Long-Term Care Insurance

The Town also offers eligible employees long-term care insurance. This insurance will pay a portion of the fees incurred at either a long-term care facility or professional home and community care for a period of up to three (3) months. Employees have the option of purchasing additional benefits at their own expense.

Employee Assistance Program (EAP)

Through the employee assistance program (EAP), the Town provides confidential access to professional counseling services. The EAP, available to all employees and their immediate family

members, offers problem assessment, short-term counseling and referral to appropriate community and private services. This service is provided through the Town's membership in the Vermont League of Cities and Towns (VLCT) and may be discontinued if VLCT ceases to offer the plan or the Town fails to renew its membership with VLCT.

The EAP is strictly confidential and is designed to safeguard an employee's privacy and rights. Contacts to and information given to the EAP counselor may be released to Town only if requested by the employee in writing. There is no cost for an employee to consult with an EAP counselor. If further counseling is necessary, the EAP counselor will outline additional community and private services that may be available. The counselor will also let employees know whether any costs associated with private services may be covered by their health insurance plan. Costs that are not covered are the responsibility of the employee.

Vermont Employees Municipal Retirement System

Through the Vermont Municipal Employees Retirement System (VMERS) the Town provides defined contribution and defined benefit retirement programs. Details regarding the plans will be provided to each employee upon hire and updated as necessary. All employees who regularly work more than 24 hours per week are required to participate in VMERS. The costs for VMERS are not set by the Town, and any cost increases or decreases to the employee, as determined by the VMERS Board of Trustees, are subject to change and will be borne by the employee.

State of Vermont 457 Deferred Compensation Plan

The Town offers the option for employees to have payroll deductions deposited into the State of Vermont's 457 Deferred Comp Plan. This is a voluntary option and the Town does not match any funds deposited to this Plan. Further details about the Plan may be obtained from the Municipal Manager and the Plan document.

Social Security

The Town and all employees are required to participate in the Social Security program. Both the employee and the Town are required to contribute to Social Security. Employee and Town contributions are determined by law and are subject to change.

Workers' Compensation Insurance

Town employees are covered by workers' compensation insurance for injuries sustained within the scope of employment. This insurance is at no cost to the employee. In the event of a work-related injury the immediate supervisor should be notified. All injuries, even those in which no loss of work is anticipated, need to be reported to the Town's insurance carrier. It is the responsibility of every employee to report a workplace related injury to their immediate supervisor.

Unemployment Insurance

The Town provided Unemployment Compensation insurance for all employees of the Town at no cost to the employee.

Cobra Continuation Coverage

Employees who voluntarily or involuntarily terminate their employment with the Town shall have the opportunity to continue their participation in the Town's sponsored health care insurance programs for a period of up to eighteen months after the date of separation. These benefits shall also be available to employees' dependents, spouses in the case of death, divorce or legal separation, ineligibility of dependents' children due to age or student status, or employee's eligibility for Medicare.

Additional Benefits

From time-to-time additional benefit plans may become available to employees. If these plans are at no cost to the Town, the Municipal Manager shall have the authority to enroll the Town without the pre-approval of the Selectboard.

If any legislative action modifies any of the benefit plans noted above the Municipal Manager shall update the employee handbook and present the changes to the Selectboard for consideration.

End of Employment

The benefits noted above are only available for active employees. When an individual ceases to be an active employee their insurance coverages shall be terminated at the end of the month in which they last work. Individuals may request their accrued vacation and compensation time be paid out on a weekly basis rather than a lump-sum, but this payout period does not constitute a period of employment.

6. Disciplinary Actions

Progressive Discipline

Poor performance or behavior that does not meet expectations will be addressed and documented on an ongoing basis as appropriate. The Town may take corrective or disciplinary actions, which may include verbal or written warnings, suspension with or without pay, and termination of employment. The specific circumstances in any situation will determine what action is taken, up to and including termination of employment.

Involuntary Separation of Employment

The section below applies to both a permanent involuntary separation, and a disciplinary action that results in an unpaid suspension.

In instances where the Town is contemplating termination of employment, employees who do not report directly to the Municipal Manager and who have completed their probationary period shall receive written notice of the Town's intent and the basis for the decision from the Department Head. Prior to any termination the employee shall be afforded a reasonable opportunity to respond in writing or verbally in a meeting with the Department Head. Responses, whether in writing or in a meeting, must be made within 5 days of the receipt of the notice unless a separate agreement is reached with the Department Head. Following such a meeting the Department Head shall make a final decision regarding the termination of employment. Upon termination employees may appeal the decision to the Municipal Manager by requesting a meeting within 5 days of the date of termination. Employees may be represented by an attorney at their own expense and may present documentation or other information to refute the stated rationale for dismissal or to justify a lesser form of discipline. Following the meeting the Municipal Manager shall make a decision to uphold or reverse the decision of the Department Head, which shall be in writing. The Municipal Manager's decision shall be final. The employee retains the right to challenge the decision of the Town via the court system.

In instances when the Town is contemplating termination of employment and the employee reports directly to the Municipal Manager the process shall be the same, with one change. In this instance, the individual may appeal the decision of the Municipal Manager to the selectboard.

The above provisions related to discipline and termination of employment are not applicable to independently elected officers and their appointees.

The employee shall be paid for any wages earned, and unused vacation or compensation leave time, within 72-hours of dismissal.