

**Town Board Meeting
Town of Bergen
April 14, 2015**

I Audit of the bills 6:45pm, Call to Order 7:00pm.

Prayer Almighty God, grant us wisdom that we may remember as we work, that we are servants of our constituency and all our decisions should be in the best interests of the Town and its citizens, entirely unblemished by any thoughts of personal benefit. Bless us with tolerance and understanding for opinions differing from our own and help us keep an open mind in gathering information before voting on all issues. Help us overcome any ignorance of our duties and enable us to learn more of the intricacies of the roles we have assumed. May we rest assured to know You are with us and will guide us through all we do. Amen.
Pledge to the flag

II Privilege of the Floor - None Scheduled.

III Approval of Meeting Minutes for – March 24, 2015

IV Communications:

1. Town Clerks Report for March 2015
2. Travel request from Justice Nenni
3. Notice from Village of Bulk Pick Up Day on May 9th.
4. Notice of Government Workshop from GFRPC
5. Letter from BBCS regarding certiorari proceeding participation
6. Notice from Monroe Co. Dept. of Environmental Services, Re: Proposed Mill Seat Landfill Expansion
7. Notice from Town of Riga, Re: Proposed Subdivision
8. Notice of Tentative Telecommunications Ceiling from NYS Dept. of Taxation and Finance ORPTS.
9. Letter from NYS DEC, Re: Floodplain evaluation
10. Notice from LaBella Assoc. Re: Consolidated Funding Application
11. Letter from Genesee County Legislator Bausch regarding certiorari proceeding participation
12. Memo from Assemblyman Hawley, Re: NYSDOT CHIPS & Extreme Winter Recovery Grant
13. Copy of CAB Agenda for 4/14/15.

V Board Members' items for addition to the agenda

VI Reports:

- Zoning / Code Enforcement
- Highway
 - Discuss Snow & Ice Contract Extension.
- Committees
 - Parks
 - Briefing from meeting.
 - Buildings, Grounds & Facilities.
 - Briefing from 4/6 meeting.
 - Village Relations
 - Joint meeting set for May 26th 2015.

VII Old Business:

- Update on computer network upgrades

VIII New Business:

- Approval of Travel request from Justice Nenni

IX Reports & Bills: - Action to file Town Clerks Report.

- Detailed budget reports provided separately due to size.
- Approve payment of the bills.

X Executive Session - to discuss employment history of town employee

XI Next Meeting Day: Next Meeting, Tuesday April 28th, 7 pm in the Courtroom.

XII Adjournment:

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TOWN OF BERGEN
TRAVEL REQUEST FORM (revised 1/90)

PURPOSE OF TRIP (ATTACH COPY OF CONFERENCE AGENDA IF AVAILABLE)

TAKING THE BENCH FINAL SESSION

NOTE I WILL BE TRAVELING ON 4/23/15 AND STAYING OVER NIGHT

LOCATION CASTLETON ON THE HUDSON, ALBANY, N.Y.

MEETING START: DATE 4/24/15 TIME 0830 AM

MEETING END: DATE 4/24/15 TIME 0530 PM

WILL YOU BE ATTENDING THE ENTIRE PROGRAM YES X NO _____

IF NO STATE PLANNED ARRIVAL AND DEPARTURE TIMES _____

MEANS OF TRANSPORTATION CAR

ESTIMATED EXPENSES: REGISTRATION \$0.00

TRANSPORTATION MILEAGE - 575mi x 500 = \$299.00

LODGING _____

MEALS 2 Dinner Lunch \$64.00

OTHER Thruway Tolls \$21.00

EXPLAIN _____

TOTAL \$384.00

REQUESTED BY: NAME Joseph A. Nenni

POSITION Town Justice

TOWN CLERK USE ONLY

BUDGET ACCOUNT NO. _____

MONEY AVAILABLE IN BUDGET: YES _____ NO _____

ACTION BY TOWN BOARD: APPROVED _____ DENIED _____ DATE _____

BOARD COMMENTS _____

COPY OF COMPLETED FORM MUST BE ATTACHED TO VOUCHER FOR PAYMENT

03/25/15
DSC

②

TAKING THE BENCH, the Final Session – April 24, 2014

OJCS-EdTrain

Wed 3/25/2015 11:20 AM

Inbox

To: Hon. Ralph H. Arrandale <rarrandale@nycourts.gov>; Hon. Ronald J. Bates <rjbates@nycourts.gov>; Hon. Brandy D. Battease <bbattease@nycourts.gov>; Linda Becker <lbecker@nycourts.gov>; Hon. Kent R. Blair <krblair@nycourts.gov>; Hon. Charles W. Brooks <cwbrooks@nycourts.gov>; Hon. Lawrence Cabana <lcabana@nycourts.gov>; Hon. Jeremy A. Colby <jacolby@nycourts.gov>; Hon. Robert E. Compton <recompton@nycourts.gov>; Hon. James S. Cox <jscox@nycourts.gov>; Hon. Ronald R. Errington <rerrington@nycourts.gov>; Hon. Joseph T. Fuller <jtfuller@nycourts.gov>; Hon. Charles A. Gardner <cagardner@nycourts.gov>; Hon. David C. Gaudioso <dgaudioso@nycourts.gov>; Hon. Jeffrey Gier <jgier@nycourts.gov>; Hon. Glanda J. Tyler <gjtyler@nycourts.gov>; Hon. Dennis T. Gorski <dgorski@nycourts.gov>; Daniel J. Guiney <dguiney@nycourts.gov>; Hon. Ann Gulliver <agulliver@nycourts.gov>; Hon. Royce C. Hoad <rchoad@nycourts.gov>; Hon. Patrick K. Hogan <pkhogan@nycourts.gov>; Hon. Michael H. Hyjek <mhyjek@nycourts.gov>; Hon. William R. Jacobs <wrjacobs@nycourts.gov>; Hon. Dianne R. Jones <drjones@nycourts.gov>; Hon. Jeffrey P. Kelley <jpkelley@nycourts.gov>; Hon. Joseph Kujawa <jkujawa@nycourts.gov>; Hon. Jennifer A. McPhail <jmcpfail@nycourts.gov>; Hon. John M. Meekins <jmeekins@nycourts.gov>; Norman L. Miller <nlmiller@nycourts.gov>; Hon. Anna B. Milucky <amilucky@nycourts.gov>; Hon. Edward John Morehouse <emorehouse@nycourts.gov>; Hon. Jessie C. Morgan <jcmorgan@nycourts.gov>; Hon. Lawrence R. Musella <lmusella@nycourts.gov>; Hon. Joseph Nenni <jnenni@nycourts.gov>; Hon. Eric Place <eplace@nycourts.gov>; Hon. Melanie A. Quinn <maquinn@nycourts.gov>; Hon. Marylou Rhodes <marylourhodes@nycourts.gov>; Hon. Frederick J. Salanitro <fsalanitro@nycourts.gov>; Hon. Scott Scherer <sscherer@nycourts.gov>; Hon. Michael R. Schneider <mschneider@nycourts.gov>; Hon. Elizabeth R. Sharpe <ersharpe@nycourts.gov>; Hon. Jeffrey S. Shelly <jsshelly@nycourts.gov>; Hon. Amy J. Simpson <ajsimpson@nycourts.gov>; Hon. Thomas F. Slavin <tslavin@nycourts.gov>; Hon. David M. Szucs <dszucs@nycourts.gov>; Kelly Vacco <kvacco@nycourts.gov>; Hon. Daniel P. Waldron <dpwaldron@nycourts.gov>; Hon. Joe Walker <joewalker@nycourts.gov>; Hon. Larry Daniel Walker <ldwalker@nycourts.gov>; Hon. James A. Wawrzyniak <jwawrzyniak@nycourts.gov>; Hon. Joseph J. Zavaglia <jzavaglia@nycourts.gov>; Hon. Gayle K. Zelazny <gzelazny@nycourts.gov>; Hon. Michael A. Fedish <mfedish@nycourts.gov>; Hon. Mike Corpin <mcorpin@nycourts.gov>; Hon. Missie L. Hastings-LaVigne <mlhastings@nycourts.gov>; Hon. L. Steven Kampnich <skampnich@nycourts.gov>; Hon. Gary J. Prawel <gprawel@nycourts.gov>; Hon. Gregory Thomas <gregorythomas@nycourts.gov>; Hon. William P. Barrett <wpbarrett@nycourts.gov>; Hon. Jeffrey P. Kelley <jpkelley@nycourts.gov>; Hon. Ernest D. Wilczewski <ewilczewski@nycourts.gov>; Hon. Susan M. Johnson <smjohnson@nycourts.gov>; Hon. William G. Andrews <wandrews@nycourts.gov>;

cc: Connie S. Cutler <ccutler@nycourts.gov>; Nancy Sunukjian <nsunukji@nycourts.gov>; Anthony Rossi <arossi@nycourts.gov>;

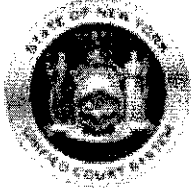
Good Morning,

We are pleased to welcome you back to TAKING THE BENCH, the Final Session. This training will take place on Friday, April 24, 2015, (8:30 am to 5:30 pm) at the Third District Administrative Office, 2500 Pond View, 1st Floor, Castleton-On-Hudson, New York. This training will consist of a round-table discussion to address the issues with which you have been exposed over your first few months on the bench, as well as Criminal, DWI, Domestic Violence & Orders of Protection, Small Claim and Civil Matters, and administrative and reporting matters. Please note, there will be NO assessment at the conclusion of the session.

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Please RSVP to register for the program by responding to this email. Additionally, if you have any questions please reach out to us as well.

Thank you,
Connie Cutler, Michele Martone
Office of Justice Court Support
187 Wolf Road, Suite 103
Albany, New York 12205
Phone: 1-800-232-0630
Fax: 1-518-438-3518



*The information contained in this message, including attachments, is privileged and confidential, may contain confidential inter-office work product of attorneys prepared for judges of the Unified Court System in legal matters, and is intended only for the use of the individual or entity named above. **If you have received this message and are not its intended recipient, please erase or delete it. Please refrain from any further dissemination, distribution or copying of this message.***

Donald Cunningham

3

From: Cortney Gale [cgale@villageofbergen.com]
Sent: Wednesday, April 01, 2015 9:21 AM
To: Almquist; Bailey; Bausch; Black; Blair; Booher; Cunningham; Cunningham, Norma; Denson; donolley; Donofrio; Donovan; Fargo; Grant; Howard; Jeff Russell; Jim Moses; MacConnell; McCartney; Mensinga; Mike Johnson; Mr. Barclay; Nenni; Parnapy; Parnapy, Alana; Rowsick; Schuck; Smith; Smith, Elizabeth; Stein; Stone; Tyson; Williamson
Subject: Bulk Pick Up Day

Good Morning! Just a quick reminder that the annual bulk pick up day will be Saturday May 9th.

Have a good day!

Cortney W. Gale
Administrator, Clerk/Treasurer
Village of Bergen

11 N Lake Ave Phone (585) 494-1513
P.O. Box 100 FAX (585) 494-1730
Bergen, NY 14416 Cell (585) 813-5905

4

Donald Cunningham

From: David S. Zorn [dave.zorn@gflrpc.org]
Sent: Thursday, April 02, 2015 7:26 AM
To: David S. Zorn
Subject: Genesee/Finger Lakes Regional Planning Council EBlast

Spring 2015 Regional Local Government Workshop, Thursday, May 14, 2015, Burgundy Basin Inn, Pittsford, NY

For information and registration please visit <http://www.gflrpc.org/Spring2015.htm> or contact David Zorn at Genesee/Finger Lakes Regional Planning Council at dave.zorn@gflrpc.org or 585-454-0190 x14.

Sessions include: Planning Board Overview, Zoning Board of Appeals Overview, Public Meetings & Hearings, Enforcement of Zoning and other Local Laws, Defining the Community Rating System: What Your Community is Doing Today and How Those Actions Can Be the Start of a Successful CRS Program, Streamlining Solar Permitting, Green Infrastructure 101, Introduction to Solarize: Stimulating Local Solar Market Growth, Accessing and Working with US Census Data and The Life Cycle of a Piece of Census Data, Millennial Generation's Impact on Land Use, Better Living Through Zoning!, The 'Devil in the Details' or Better Site Plan Review, Funding Opportunities for Water and Wastewater Infrastructure, and Demystifying Viewsheds: How to Apply the Latest Tools and Research to Development Projects

Member Counties: Genesee, Livingston, Monroe, Ontario, Orleans, Seneca, Wayne, Wyoming & Yates

**Workshop Guide advertisements are available in full, 1/2, and 1/4 ;
Vendor/Exhibitor Registrations Available**

Please contact David Zorn at G/FLRPC for details—585-454-0190 x14, dave.zorn@gflrpc.org

**Please include voucher or payment with all registrations
Thank you**

Genesee/Finger Lakes Regional Planning Council
50 West Main Street, Suite 8107
Rochester, New York 14614
<http://www.gflrpc.org>
585-454-0190
gflrpc@gflrpc.org



Follow @GFLRPC



BYRON-BERGEN CENTRAL SCHOOL DISTRICT



District Office

6917 West Bergen Road
Bergen, NY 14416-9747
(585) 494-1220
FAX (585) 494-2613

Superintendent – Casey Kosiorek
Business Official – William E. Snyder, Jr.
Special Education Chairperson – Donna M. Moscicki, Ed.D.

March 24, 2015

Mr. Donald Cunningham, Supervisor
Town of Bergen
P.O. Box 249
10 Hunter Street
Bergen, NY 14416

Dear Mr. Cunningham,

We are in receipt of your March 12, 2015 letter regarding the Global Signal Acquisitions cell tower certiorari proceeding regarding their 2014 assessment. Per your request, Byron-Bergen Central School District agrees to share in the expense of this proceeding.

Please keep the District updated on the proceedings.

Sincerely,

Casey Kosiorek
Superintendent of Schools

CK:plg

cc: W. Snyder, School Business Manager

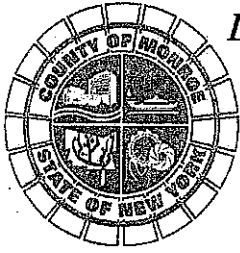


Challenge, Engage, and Nurture



04/06/15
DSC

6



Department of Environmental Services
Monroe County, New York

Maggie Brooks
County Executive

Michael J. Garland, P.E.
Director

April 1, 2015

Honorable Donald Cunningham
Supervisor
Town of Bergen
10 Hunter Street
P.O. Box 249
Bergen, New York 14416

**SUBJECT: Transmittal of Final Scoping Document for the
Proposed Mill Seat Landfill Expansion
Town of Riga, New York
Facility ID No. 8-2648-00014**

Dear Supervisor Cunningham: *Don*

Monroe County, as the permittee and owner of the Mill Seat Landfill, is seeking a permit modification for a Proposed Mill Seat Landfill Expansion in the Town of Riga, New York. As Lead Agency, Monroe County has completed and accepted a Draft Supplemental Environmental Impact Statement (DSEIS) for the Proposed Action. The Notice of Completion/Public Hearing and Public Comment Period is enclosed for your information.

If you have any questions, please contact me at (585) 753-7511 or mgarland@monroecounty.gov.

Sincerely,

Michael J. Garland, P.E.
Director of Environmental Services

Attachments

*04/02/15
DSC*



6460 EAST BUFFALO ROAD
CHURCHVILLE, NEW YORK 14428
Telephone (585) 293-3880 Fax (585) 293-1917

7

Dear Property Owner,

COPY

**LEGAL NOTICE
TOWN OF RIGA**

NOTICE IS HEREBY GIVEN pursuant to Section 276 of the Town Law that a Public Hearing will be held by the Riga Planning Board on Monday, April 6th, 2015 at 7:00 PM, Town Hall, 6460 E. Buffalo Road, Churchville, New York, at which time all interested persons will be heard with regard to the following applications:

1. **APPLICATION** by Waste Management, 425 Perinton Parkway, Fairport, NY 14450 for **Subdivision Approval**. The applicant proposes subdividing a 131 acre parcel into two lots. Lot 1 will be 109 acres and lot 2 would be 22 acres and would retain the existing structures. No future development is planned at this time. The parcel is located at 850 Bovee Rd, on the north side. The parcel is zoned Rural/Agricultural. **Tax account No. 183.01-1-1**
2. **APPLICATION** by Waste Management, 425 Perinton Parkway, Fairport, NY 14450 for **Re-Subdivision Approval**. The applicant proposes subdividing 2 parcels totaling 207 acres into 3-lots. Lot 1 would be 191 acres. Lot 2 would be 9.6 acres and would retain the existing structures. Lot 3 would be 6.3 acres. No future development is planned at this time. The parcel is located at 515 Bovee Road, on the south side. The parcel is zoned Rural/Agricultural. **Tax account No. 183.01-1-8 & 183.01-1-12.1**

Copies of the above-referenced subdivision maps may be seen at the Town Clerk's office during normal business hours, 9:00 a.m. to 4:00 p.m. Monday, Tuesday, Thursday, and Friday and 9:00 a.m. to 5:00 p.m. on Wednesdays.

Dated: March 23, 2015
Lori Kellogg
Secretary-Town of Riga Planning Board

04/06/15
DSC



STATE OF NEW YORK
 DEPARTMENT OF TAXATION AND FINANCE
 OFFICE OF REAL PROPERTY TAX SERVICES
 W.A. Harriman State Campus
 Albany, NY 12227
 (518) 530-4900

RP650A

Dated
 March 19, 2015

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NOTICE OF TENTATIVE TELECOMMUNICATIONS CEILING
 For city and town assessment roll to be filed in 2015

Mr. Donald Cunningham, Supervisor 182600
 Town of Bergen
 P.O. Box 249
 Bergen, NY 14416-0249

Hearing Date and Location:
 May 07, 2015 at 10:00 am
 CR226, Bldg 9, 2nd Floor
 WA Harriman State Campus
 Albany, New York

The New York State Department of Taxation and Finance, Office of Real Property Tax Services, in accordance with Title 5 of Article 4 of the Real Property Tax Law, has determined the tentative telecommunications ceiling for the telecommunications real property of the utility company in each municipality named below in the amount shown opposite the name of the utility. The Commissioner, or his or her duly authorized representative, will conduct a hearing at the Department of Taxation and Finance office in the City of Albany on the day indicated above as the "Hearing Date" to hear any complaints concerning these ceilings. In order for a complaint to be considered, a complainant must:

- (1) Specify its objections to the tentative telecommunications ceiling on Form RP-7143 available from the Office of Real Property Tax Services.
- (2) Serve its complaint to the Commissioner at least ten (10) days prior to the hearing date. Service may be made in person or by mail.
- (3) Serve a copy of the complaint upon the appropriate utility company at least ten (10) days prior to the hearing date.
- (4) File with the Commissioner on or before the hearing date an affidavit stating in substance that the copy required in step 3 above has been served by the required date.

<u>Town of Bergen, Genesee County</u>	<u>Ceiling Number</u>	<u>Tentative Ceiling</u>
Equalization Rate: 100.00		
Verizon New York, Inc. P.O. Box 635 Basking Ridge, NJ 07920		
Village of Bergen		\$ 661
Town Outside Villages		\$ 14,685
Total Town:	631900-1826 \$	15,346
Frontier Tel of Rochester 3 High Ridge Park Stamford, CT 06905		
Village of Bergen		\$ 43,892
Town Outside Villages		\$ 209,982
Total Town:	639100-1826 \$	253,874
Grand Total		\$269,220

W. Alan Kresge
 W. Alan Kresge
 Program Manager
 Valuation Services Bureau

04/02/15
 DSC

Note: The amounts of the telecommunications ceilings set forth in this notice are "tentative" and must not be applied to the final assessment roll. The final ceilings for use on the assessment roll will be transmitted at a later date.

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NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Water, Bureau of Flood Protection and Dam Safety, Western Hub
6274 East Avon-Lima Road, Avon, NY 14414-9516
P: (585) 226-5450 | F: (585) 226-9485
www.dec.ny.gov

April 3, 2015

Mr. David Mason, Code Enforcement Officer
Town of Bergen
P.O. Box 249
Bergen, NY 14416

RE: Community Assistance Contact
Town of Bergen, Genesee County

Dear Mr. Mason:

It was a pleasure talking with you on April 3, 2015 to discuss the Town of Bergen's flood damage prevention program. As I indicated during the call, the Federal Emergency Management Agency (FEMA) requires that communities submit to periodic evaluations of their floodplain management program in order to maintain program eligibility and the New York State Department of Environmental Conservation, as state coordinator for the National Flood Insurance Program (NFIP), has contracted with FEMA to perform this evaluation.

As floodplain administrator you gave me the clear indication that the Town is aware of NFIP development requirements and is regulating development in special flood hazard areas to ensure that these standards are met. For your use, I have enclosed a disk containing community guidance materials. Included in the outreach materials are a number of residential and non-residential guidance documents that can assist you with the implementation of the NFIP in your community.

Should you have any questions about any aspect of the NFIP, do not hesitate to contact me. I am located in the Department's office in Avon, Livingston County and can be contacted at 585-226-5447 or mary.binder@dec.ny.gov.

Sincerely,



Mary Binder
Environmental Program Specialist

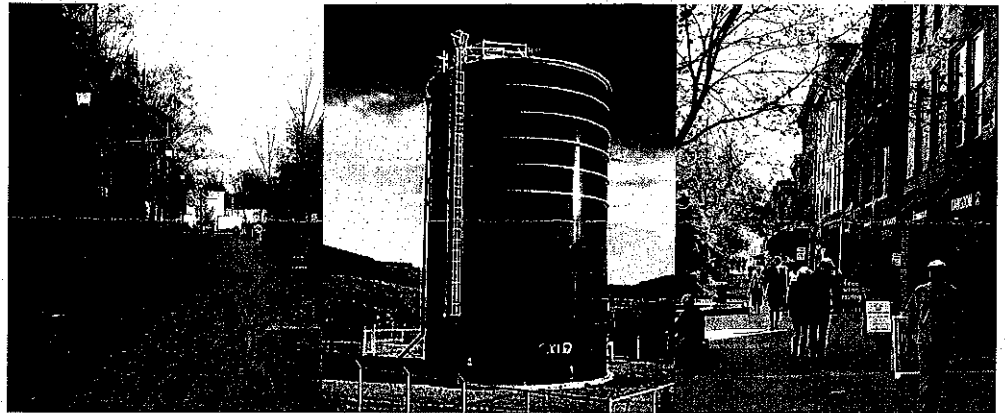
Enclosures: Guidance Materials Disc
Guidance Materials Index



Department of
Environmental
Conservation

04/08/15
DSC

Regional Economic Development Councils 2015 Consolidated Funding Applications (CFA) Are You Ready?



LABELLA
Associates, D.P.C.

Leverage LaBella's
experience with
grant funding.

**LaBella's Planning
Division has
obtained more than
\$426 Million in
funding for more
than 1,100 projects!**

Contact Us!

Ed Flynn
eflynn@labellapc.com

Phone: 585-295-6285

The LaBella Associates Planning Division is gearing up for the upcoming 2015 Consolidated Funding Application (CFA) round. **Last year New York State opened up the CFA Round at the beginning of May and had an application due date in mid June.** We anticipate a similar schedule for the 2015 CFA round.

We are available to help! We can work with you to tailor and align your project with the appropriate CFA funding sources. We have experience in developing CFA grant applications for all types of projects including:

- Infrastructure: Water, Sewer, Sanitary Sewer, Streetscape
- Parks & Trails
- Downtown Revitalization
- Economic Development
- Green Infrastructure and Energy Efficiency
- Planning: Economic Development, Downtown, Comprehensive Plans, Infrastructure, Historic Preservation, and Waterfronts

Governor Cuomo and the Regional Economic Development Councils have announced that **there will be more funding in this year's CFA round than in the past** because of several economic development initiatives, including the Upstate Revitalization Initiative. Please contact us if you need assistance and we would be happy to discuss your projects with you!

(11)

Robert J. Bausch

*Legislator, District 2
Genesee County Legislature
585-797-9357 (Cell)*

*PO Box 81
Bergen, NY 14416
585-494-2114*

April 11, 2015

Donald S. Cunningham
Supervisor
Town of Bergen
PO Box 249
Bergen, NY 14416

Ref: Global Signal Acquisitions

Dear Don,

As we recently discussed, the county will not be participating in your certiorari proceedings against Global Signal Acquisition.

The county position is that assessment is a town responsibility and based on its shared revenue agreements, the cost of any disputes should be paid for by the town. This may be a topic that should be considered as the county and the other local governments consider the shared services and sales tax agreement.

Sincerely,

Bob

Robert J. Bausch
Legislator, District 2

*04/13/15
DSC*



THE ASSEMBLY
STATE OF NEW YORK
ALBANY

12

OFFICE OF
Steve Hawley
Assemblyman 139th District

ASSISTANT MINORITY LEADER

COMMITTEES
Ways and Means
Agriculture
Insurance
Racing and Wagering
Ranking Minority Member
Veterans' Affairs

Memorandum

TO: Highway Superintendent
FROM: ASSEMBLYMAN STEVE HAWLEY
RE: NYSDOT Consolidated Local Street and Highway Improvement Program
(CHIPS) and Extreme Winter Recovery Grant
DATE: April 9, 2015

Please see attached recently released NYSDOT document regarding the 2015 CHIPS allocation and Extreme Winter Recovery Grant.

If you have any questions or concerns please do not hesitate calling (585)589-5780.

Town of Bergen

CHIPS

\$49,363.22

Extreme Winter Recovery Grant

\$7,072.74

04/13/15
DSC

**Citizens Advisory Board
Mill Seat Landfill**

Meeting Agenda Tuesday, 4/14/15

Call to Order, Peg Steffan

Introduction of Members and Guests

Approval of Minutes from last meeting

Operations Report-Jeff Richardson

Community Relations Report-Nicole Dennis

**Nicole has agreed to take minutes at this meeting.

Committee Reports

Budget-Brad O'Brocta

Community Relations-Sue Davis

Environmental Monitoring-Mark McAnany

Safety-Mark McAnany

Property Protection-Ken Kuter

Old Business

completed program given to the State

New Business

Upcoming presentation to citizens

Community Comments

Adjournment

Next Meeting, 6 pm, Mill Seat Conference Room, Tuesday, 7/21/15

**Please Note-environmental monitoring report will be given at the July Meeting

4/13/15
DSC