

REGULAR TOWN BOARD MEETING

Town of Ulysses

April 14, 2015

Audio of the minutes are available on the website at ulysses.ny.us.

The meeting was held at the Ulysses Town Hall at 10 Elm Street, Trumansburg.

PRESENT:

Supervisor- Liz Thomas
1st Deputy Supervisor- Nancy Zahler
2nd Deputy Supervisor- Michelle Wright
Board members- John Hertzler, Rich Goldman, Dave Kerness
Clerk- Carissa Parlato
Highway Superintendent- Jim Meeker
Planner/Zoning Officer- Darby Kiley
Attorney for the Town- Mariette Geldenhuis
Consulting engineer- Bill Davis from MRB

OTHERS PRESENT: Phillip Antweiler, Jacksonville Community Association (JCA), Dave Schurman

Notice of Town Board meetings are posted on the town's website and clerk's board.

CALL TO ORDER:

Ms. Thomas called the meeting to order at 7:02 p.m.

GENERAL BUSINESS:

APPROVAL OF MEETING AGENDA

Ms. Thomas made the following edits to the agenda:

- Deleting the credit card topic under old business
- Adding a resolution for an encroachment agreement
- Adding a confirmation of a new highway superintendent
- Adding an executive session at the end

RESOLUTION 2015-68:

BE IT RESOLVED that the Ulysses Town Board approve the agenda for April 14, 2015 with those changes.

Moved: Ms. Thomas

Seconded: Ms. Zahler

Ms. Thomas aye
Ms. Zahler aye
Mr. Hertzler aye
Mr. Kerness aye
Mr. Goldman aye

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Vote: 5-0

Date Adopted: 4/14/15

PRIVILEGE OF THE FLOOR:

Mr. Antweiler noted that he is going to see if Soil & Water Conservation can test the pond in Jacksonville Park to compare the results with the 2015 test.

REPORTS FROM REPRESENTATIVES:

(none)

TOWN REPORTS: *(see appendix)*

NEW BUSINESS:

DECLARING SURPLUS EQUIPMENT

RESOLUTION 2015-69:

BE IT RESOLVED that the Ulysses Town Board declares that the following equipment belonging to the town is surplus and can be sent to auction, sold or disposed of by the Highway Superintendent:

- 2003 Ford F250 truck, 4x4 with plow, VIN number 3FTNF21L03MB49101
- 2003 Ford F550 truck, 4x4 W/ 9' plow and salt box, VIN number 1FDAF57S63EC57724

Moved: Ms. Thomas

Seconded: Mr. Goldman

Ms. Thomas aye
Ms. Zahler aye
Mr. Hertzler aye
Mr. Kerness aye
Mr. Goldman aye

Vote: 5-0

Date Adopted: 4/14/15

AUTHORIZING THE HIGHWAY SUPERINTENDENT TO PURCHASE A VEHICLE

RESOLUTION 2015-70:

BE IT RESOLVED that the Ulysses Town Board authorizes James Meeker, Highway Superintendent, to purchase at auction a used plow truck with a value of up to \$50,000.

Moved: Ms. Thomas

Seconded: Mr. Kerness

Ms. Thomas aye
Ms. Zahler aye

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Mr. Hertzler aye
Mr. Kerness aye
Mr. Goldman aye

Vote: 5-0

Date Adopted: 4/14/15

RESOLUTION TO HIRE WILLIAM CONROY- (*withdrawn*)

**REFERRAL TO PLANNING BOARD VOR PROPOSED OPEN DEVELOPMENT AREA
PURSUANT TO TOWN LAW SECTION 280a**

Ms. Kiley and Ms. Geldenhuys explained the rationale and legalities behind this resolution.

RESOLUTION 2015-71:

WHEREAS, the property owner of Tax Parcel Number 18.-1-19.8 would like to pursue a building permit for a residence on the property;

WHEREAS, pursuant to Town Law section 280-a, a building permit cannot be issued if a property does not have access to a street or highway; and

WHEREAS, access from Taughannock Boulevard to TPN 18.-1-19.8 is via a right of way across the lands of adjacent property owners; and

WHEREAS, the same right of way and the driveway located therein also provides access from Taughannock Boulevard to TPN 18.-1-19.4, 18.-1-19.5, 18.-1-19.62, and 18.-1-19.7, and it would be in the best interest of the Town and the owners of these parcels to consider all parcels served by the same right of way for inclusion in a proposed open development area; and

WHEREAS, Town Law section 280-a(4) requires that the Town Board refer the matter to the Planning Board for its advice;

NOW, THEREFORE, BE IT RESOLVED that the Town Board will consider establishment of an open development area pursuant to Town Law §280-a(4), to include the following properties: TPN 18.-1-19.4, 18.-1-19.5, 18.-1-19.62, 18.-1-19.7 and 18.-1-19.8; and be it further

RESOLVED that the Town Board hereby refers the proposed establishment of an open development area as described above to the Town of Ulysses Planning Board for advice, as required by Town Law §280- a(4); and be it further

RESOLVED that the Town Board hereby directs the Planning Board to provide its advice to the Town Board in a written report; and that the Planning Board include any proposed conditions for an open development area in its report.

Moved: Ms. Thomas

Seconded: Mr. Kerness

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Ms. Thomas aye
Ms. Zahler aye
Mr. Hertzler aye
Mr. Kerness aye
Mr. Goldman aye

Vote: 5-0

Date Adopted: 4/14/15

ENCROACHMENT RESOLUTION (with property neighboring the town hall)

RESOLUTION 2015-72:

WHEREAS, the Town of Ulysses (“the Town”) is the owner of real property located at 10 Elm Street in the Village of Trumansburg, Town of Ulysses, State of New York, designated as Village of Trumansburg tax parcel numbers 6.-1-24 and 6.-1-22.1, where the Ulysses Town Hall is located (hereafter referred to as “the Town Property”); and

WHEREAS, Tielens Properties LLC is the owner of property located at 44 East Main Street in the Village of Trumansburg, Town of Ulysses, State of New York, designated as Village of Trumansburg tax parcel number 6.-1-23 (“the Tielens Property”), which adjoins the Town Property to the east; and

WHEREAS, a survey map entitled “Lands of Tielens Properties LLC, Town of Ulysses, Village of Trumansburg, County of Tompkins, State of New York, tax map no. 6-1-23 by Reagan Land Surveying, dated April 6, 2015 (hereafter referred to as “the Survey Map”) shows that a portion of the Town’s stone retaining wall encroaches on the Tielens Property by approximately 3.5 feet; and

WHEREAS, it is in the Town’s interest to enter into an agreement which permits the encroaching stone retaining wall to remain in its current location;

NOW, THEREFORE

BE IT RESOLVED that, upon verification of the lot boundaries, the Town shall enter into an encroachment agreement with Tielens Properties LLC, subject to review and approval by the Attorney for the Town, which permits the Town’s stone retaining wall to encroach on the Tielens Property; and be it further

RESOLVED that the Town Supervisor is hereby authorized to execute the above-referenced encroachment agreement on behalf of the Town.

Moved: Ms. Thomas Seconded: Mr. Kerness

Ms. Thomas aye
Ms. Zahler aye
Mr. Hertzler aye

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Mr. Kerness aye
Mr. Goldman aye

Vote: 5-0
Date Adopted: 4/14/15

BUDGET MODIFICATIONS

RESOLUTION 2015-73:

BE IT RESOLVED that the Ulysses Town Board approve the following budget modifications:

DA FUND BUDGET MODIFICATIONS			
DA5120.4	Maintenance of Bridges CE	Increase	\$36,018.24
DA822.1	Bridge Repair Reserve	Decrease	\$36,018.24
Tompkins County's invoice for shared cost of bridge repair and maintenance on West Seneca Road Bridge (BIN 3210250).			

Moved: Ms. Thomas Seconded: Mr. Goldman

Ms. Thomas aye
Ms. Zahler aye
Mr. Hertzler aye
Mr. Kerness aye
Mr. Goldman aye

Vote: 5-0
Date Adopted: 4/14/15

APPROVAL OF CLAIMS

RESOLUTION 2015-74:

BE IT RESOLVED that the Ulysses Town Board approve payment of claims, voucher 94 through 137, in the amount of \$69,323.59.

Moved: Ms. Thomas Seconded: Mr. Goldman

Ms. Thomas aye
Ms. Zahler aye
Mr. Hertzler aye
Mr. Kerness aye
Mr. Goldman aye

Vote: 5-0
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At this time, Ms. Zahler raised the question as to whether official contracts were needed to formalize town agreements to give funds to non-profit agencies like the Jacksonville Community Association or the library. Ms. Geldenhuys will look into it.

NEW BUSINESS:

DISTRIBUTION OF LATE FEES ON TAXES

RESOLUTION 2015-75:

BE IT RESOLVED that the Ulysses Town Board authorizes the Town Bookkeeper to deposit into the general fund the revenue of \$4,121.39 collected from late payments on property taxes.

Moved: Ms. Thomas Seconded: Mr. Kerness

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Kerness	aye
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 4/14/15

At this time, discussion returned to Town Board reports.

PRIVILEGE OF THE FLOOR:

(no comments spoken nor submitted)

MONTHLY BUSINESS:

APPROVAL OF MINUTES: 3/10, 3/21, 3/24 Public hearing, 3/24, meeting

RESOLUTION 2015-76:

BE IT RESOLVED that the Ulysses Town Board approve the minutes of 3/10, 3/21, 3/24 public hearing, and 3/24 meeting as edited.

Moved: Ms. Thomas Seconded: Mr. Goldman

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	aye
Mr. Kerness	abstain
Mr. Goldman	aye

Vote: 5-0

Date Adopted: 4/14/15

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PRIVILEGE OF THE FLOOR:

Mr. Schurman inquired as to what is being done on the Mekeel Road property.

Ms. Thomas offered some history on the past efforts to get it cleaned up.

EXECUTIVE SESSION:

Ms. Thomas moved to go into Executive Session at 9:55pm for purposes leading to matters of the appointment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person. This was seconded by Ms. Zahler and passed unanimously.

Ms. Thomas moved to end executive session at 10:29pm, seconded by Ms. Zahler and passed unanimously.

ADJOURN:

Mr. Goldman moved to adjourn the meeting at 10:30pm, seconded by Mr. Hertzler and passed unanimously.

APPENDIX:

TOWN REPORTS:

PLANNING BOARD / ZONING OFFICER- Darby Kiley

Planning Board

At the March 17 meeting, the Planning Board met Bill Davis from MRB Group and discussed solar and wind regulations. At the April 7 meeting, the PB approved the new Trumansburg Wine and Spirits Shop freestanding sign, and also approved a 2-lot subdivision on Perry City Rd. The PB discussed solar regulations, the Agricultural meeting on 3/25/15, the zoning amendments grant, the training and attendance policy, and design guidelines.

BZA

No BZA meeting in March.

Enforcement actions

- Stormwater violation: The Maintenance Agreement for the Stormwater Plan for the property on Pennsylvania Ave is completed.
- Zoning violation: 1942 Trumansburg Rd –On March 10 Judge Dresser closed the matter and ordered Mr. Dodge to appear at the Tompkins County jail on March 13 to serve the 10 day sentence. He did not go because his attorney asked for a stay from the County Judge.

Grants

Residential Energy Score Project Grant – Susan Brock researched the legal issues associated with the project, and found that municipalities do not have the authority to pass an energy rating disclosure law and suggested that changes need to be made at the State level. The project

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consultant is preparing a report summarizing the research conducted on existing home energy laws and programs.

Zoning Amendments Grant – NYSERDA is reviewing the contract documents.

Other Meetings/Issues

Water Resources Council (WRC) – Michael Thorne, City of Ithaca Superintendent of Public Works, presented on a recent City project to address flooding issues. The project will model the current stream conditions with different sized storm events, recommend possible solutions, and then prioritize the work. The Village of Dryden is planning to do a similar project. The WRC heard an update on hydrilla and discussed the Cornell boathouse dredging project, and voiced concerns regarding the dredge spoils disposal location.

Cayuga Lake Watershed Intermunicipal Organization (IO) – The IO and the Cayuga Lake Watershed Networks are beginning work on updating the Cayuga Lake Restoration and Protection Plan. A Technical Advisory Committee will review the existing plan and identify accomplishments and gaps. The IO continues to want more municipalities to join and be represented.

Strategic Plan Meeting for Agricultural Environmental Management 5-year update – Hosted by Tompkins County Soil and Water Conservation District, the participants prioritized watersheds in the County to focus AEM projects, and prioritized water and soil resource concerns in the priority watersheds.

Stormwater Coalition of Tompkins County – The Coalition discussed lawn care advertising in the Ithaca Times; sewershed mapping; drainage law presentation by David Orr; Ditch BMP training by Rebecca Schneider.

HIGHWAY SUPERINTENDENT- Jim Meeker

Mr. Meeker reported the following:

- Had to repair broken rear springs one one of the plow truck
- Plowed/salted as needed
- Had to thaw a frozen pipe on Agard Road- water was backed up
- Put a new muffler on jeep, and did other servicing
- Filled some holes in roads with crusher run
- Patched potholes
- Will be sending some trucks to the May 9 auction, hoping to get a new (used) plow truck
- Still waiting on a new plow ordered last year.

TOWN CLERK- Carissa Parlato

Financial report for March:

\$1175.00	Collected in fees for licenses (dog, marriage, sporting)
\$914.30	Stays in the town

Licenses given in March:

Sporting licenses	7
Disabled parking permits	14
Dog licenses and renewals	56
Marriage licenses	1

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Plumbing permits	1
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Gearing up for more marriage and fishing licenses in the coming weeks

Tasks:

- Personnel- assisted new highway hire with the county’s on-line app, enrolled in health insurance. Working with Michelle to create “How-to” forms so we have a procedure for future hires
- Concluded tax season- met with County Finance to settle up and pass on the collections to them.
- Cross –reconciliation of town bank accounts with Michelle
- Sent a listserv message to keep residents updated.
- Working on creating personnel binders for staff members with new personnel policy information, health care, and more.
- Retrieving, sorting, vouchering mail
- Answering inquiries on various topics
- Meeting minutes

Meetings:

- Website meeting- met with Liz, Nancy, Michelle to discuss general updates needed
- Town Hall meeting- met with Darby, Angie, Patty, Liz, Michelle to discuss town hall issues like building maintenance, workloads...

Committees:

- Health Consortium- attended the April 2 meeting. They have released annual data on the prescription program, medical data at next meeting.

Training:

- Participating in TCCOG Supervisory Training Program

CODE ENFORCEMENT OFFICER- Alex Rachun:

2015 Building Report						
Date	Tax Parcel	Owner Name	Project	Cost	permit No.	Fee
1/2/15	34.-3-12	K. English	fire damage	\$1,000	3347	\$ 55
1/6/15	22.-5-20.5	K. McMillan	photovoltaic solar	\$15,000	3348	\$ 95
1/15/13	21.-1-7	L. Solder	photovoltaic solar	\$9,500	3349	\$ 85
1/15/22	25.-6-23	Classen Health	apt. renovation	\$2,000	3350	\$ 61
2/6/15	34.-3-12	L. Matson	new single family	\$290,000	3501	\$ 325
2/15/14	21.-1-1.21	C. Wallace	photovoltaic solar	\$11,800	3502	\$ 91
2/15/24	33.-5-5	L. Anderson	photovoltaic solar	\$14,000	3504	\$ 152
2/15/24	33.-4-3.6	Renovus	warehouse renovation	\$80	3505	\$ 295
2/15/25	33.-4-3.6	Renovus	office renovation	\$40,000	3506	\$ 240

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3/2/15	18.-1-5.1	I. Alpern	new single family	\$400,000	3507	\$ 525
3/15/17	24.-1-6.1	B. Howarth	photovoltaic solar	\$19,900	3508	\$ 115
3/15/17	12.-4-18.3	A. Pritts	photovoltaic solar	\$18,200	3509	\$ 102
3/15/28	35.-1-1.4	S. Popowitch	accessory building	\$22,000	3511	\$ 121
3/15/28	33.-2-10.3	B. Smith M Kemp	photovoltaic solar	\$13,800	3512	\$ 97
4/1/15	24.-2-1.5	Kerness/Dolan	house renovation	\$50,000	3513	\$ 205
4/4/15	22.-4-4.3	A. Gorton	heating system	\$8,000	3514	\$ 70
4/7/15	18.-1-16	R. Lewin	new single family	\$2,000,000	3515	\$ 625
4/7/15	18.-2-1	NY PennPathway	Kitchen remodeling	\$10,000	3516	\$ 80

TOWN ENGINEER – Bill Davis

Ms. Thomas introduced the new consulting engineer for the town, Bill Davis. Mr. Davis gave a brief introduction his firm, MRB.

Mr. Davis presented his take on the town's water system and THM issues, noting that:

- An aerator installed at either the Ulysses tank or the Town of Ithaca's tank at the hospital will probably not mitigate THM levels at Cold Springs Road due to the water age when it reaches that point. (Age + organic matter + chlorine= THM formation).
- Connecting to the Village of Trumansburg is a better long-term option as the source will be groundwater (lower in organic materials, so less formation of THMs) rather than surface water from the lake
- There are possibilities for grant funds to help with the cost of connecting

The following concerns were raised with respect to connecting with village:

- What the village will charge for water
- How the village's debt will be shared amongst town buyers
- The production capability of the village well
- Well maintenance on the new system

After some discussion, the board felt that Mr. Davis should prepare a proposal laying out the options for moving forward with this idea.

SUPERVISOR- Liz Thomas:

Water Quality

- Check in with MRB about review of TTHM modeling. Update TTHM files with most recent test results.

Shared Services

- Attend second meeting on pooled investing.

Agriculture

- Part of team working on presentation for the Ag Committee recruitment meeting
- Help with PowerPoint, presentation language and copies for meeting.

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EMS

Address ambulance concerns along the lake by

- Preparing for Public Information Meeting on 3/21 including multiple meetings with presenters. With input from others and help from Michelle, created of the PowerPoint to be used for 3/21 meeting.
- Talking with Tim Bangs about how they respond to calls along the lake.
- Meeting with concerned citizens over EMS coverage. Respond to email concerns over EMS from residents.
- Conducting meeting on 3/21 and write up summary
- Editing one-page summary and write up article for newsletter

Newsletter

- Write article on trails grants, summary of 2014 work done and 2015 work plan, EMS billing article, feedback request, from the Supervisor article, broadband information and reworked Nancy's one page EMS meeting summary to fit page.
- Adjust layout to fit available space, print and proof various versions.

Sidewalks

- Revise draft MOU with village for sidewalk.

Other

- Take 6 vacation/comp time days off.
- Go over contract for engineering firm and edit.
- Work on new job description for Water District Operator.
- Look over landscaping proposal for Town Hall with landscape architect.
- Website: meet with staff and Town Board member to plan update of website.
- Town Hall: begin discussions with Town Board on needed repairs for Town Hall.
- Complete contract with Cooperative Extension for youth programming.
- Field trip to resident's property to discuss zoning concern.
- Meet with new engineer for the town; discuss needs and potential plans.
- FOIL request – gather documents requested.
- Read through the multitude of emails regarding future energy for the state and the use of alternative energy.
- Respond to constant flow of questions from residents, volunteers and staff.
- Weekly review of topics with attorney for the town.
- Daily check-in with Town Hall staff.
- Periodic discussions with Zoning Officer over a variety of topics.
- Prepare agendas, resolutions, background documents, review topics with TB members, conduct meetings, and review minutes.
- Review claims and budget, make suggested budget modifications to be approved by TB, review payroll, sign checks,
- Periodic check in with Town Clerk and Deputy Supervisor re work load and coordination.

DEPUTY SUPERVISOR- Michelle Wright:

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- Support in newsletter logistics and planning
 - Revamped look of newsletter
- Emergency prep plan:
 - Working on an internal quick sheet
- Safety in workplace webinar
 - Possible action item: emergency exit training and documentation for OSHA regulations (i.e. we need an outdoor meeting spot in case of an emergency)
- Newsletter
 - Developed new template (for a snazzier look)
 - Assistance with editing
 - Updating mailing list
- Support to Liz in prep for EMS meeting
 - Power point development
 - Mailing
- Agriculture advisory board initial meeting
 - Power point development
 - Mailing
- TAP Sidewalk project
 - Development of draft MOU between village and town
 - Scheduling engineer selection committee meeting
- Miscellaneous items (not time consuming but worth note)
 - Website content editing
 - Creation of Permits/licensing/application section of webpage (per Alex's request)
 - FOIL document submission and communications
 - Town Hall meeting
 - Phone system problem solving (unsuccessful)
 - Assistance with landscape bid
 - Brief research into grant for T-burg FD

BOOKKEEPER- Michelle Wright:

- PERMA payroll audit: collection and development for required documentation
- Research of accounting software that is a more appropriate fit with our accounting needs
 - Systematic review of possible software in collaboration with the Clerk's office
- AUD work with Mary
 - Plan for completion
- CHIPs money received for this year: \$98,848.68
 - For future reference: this gets automatically transferred into our savings account without notification
- Research on how to post/general accounting process:
 - Expenses from reserves
 - Penalties and fees from taxes
- Continued development and systemization of voucher process
 - Meeting with Clerk's office
- Youth program work

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- Communications with Mike regarding budget information
- Payroll communication
- Tompkins County paperwork requirements
- Regular duties
 - Bank account reconciliation
 - Payroll
 - Several changes in in federal withholdings and direct deposit
 - FICA calculations and other accounting
 - New highway employee
 - Payroll
 - Retirement system enrollment
 - NYSLRS (retirement system) monthly reporting
 - Payments: regular appropriations & vouchers
 - Vouchered expenses
 - Health Insurance
 - SPCA
 - Town Hall Cleaner
 - Disability Insurance (quarterly)

POST SUBMISSION ADDITIONS:

- Creation of clothing reimbursement form
- Calculations for comp time adding to Paychex system

TOWN BOARD MEMBERS AND COMMITTEES-

Nancy Zahler:

Shared solutions that came of EMS Lake Shore meeting and how to move forward with the letter/template to collect driveway/access information from residents.

Youth Commission:

- The Spring Youth Program Brochure created for the Youth Commission by the County Youth Services Department has been posted by the Clerk on the Town's website.
- Summer Summer Sign Up event scheduled for Wed. May 6 at 6:30 at Elementary School
- Program Manager Anthony Ouckama is resigning in June to pursue full time employment with the school. The Commission discussed summer program and focusing on work/community crew of teens.
- Work is beginning on a Summer/Fall brochure

Village of Trumansburg

- Assisted with EMS Public meeting planning and summary
- Followed up with 911 Center to get template to be used to gather access issues for 911 database for use by all emergency responders.
- Attended Village Board meeting where budget was adopted and decision was made to bid on a new vehicle for Fire Chief to allow the current 4 wheel drive Chief vehicle to be used as a fly car and/or to pull the Kubota gator for steep slopes and trail fires & rescues.

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- The Village will be holding a meeting with other towns re: options to address space needs at the current Fire Hall.
- Tentatively arranged for Village presentation at May 26 TB meeting on Village's plan for second source of water routing and timing of construction in Town of Ulysses.

Jacksonville

- Community Association Park Clean Up Day is Saturday, April 18 at 9:00AM. Suggested that the Youth Commission bring young people to help out for this and during the summer.
- Made follow up requests for information, assistance and funding from state and federal agencies dealing with Brownfield Redevelopment.
- Responded to a national agency working with Rochester with more detailed information on history of spill and soil testing so that they could guide us toward help and funding.
- Met with Rich Goldman and Ithaca Neighborhood Housing to understand issues related to possible siting of affordable housing and possible funding sources. NO PLANS or COMMITMENTS have been made.

Other items:

- Assisted with editing newsletter
- Contacted ClarityConnect re: status of broadband expansion
- Attended website updating session
- Attended the Ag Committee recruitment session
- Met with Rich, Alex and Rod to better understand building, fire and maintenance inspections
- Attended TCOG for Liz
- Attended Health Care Consortium – reviewed year end reports & plans to bring a new bronze option for discussion next quarter. Don Barber plans to attend April 28th for updates.

John Hertzler:

- Attended the school board meeting regarding the budget.
- Would like to investigate USGS well testing in the town as there is concern about pesticide contamination.

ATTORNEY FOR THE TOWN- *(no report)*

Respectfully submitted by Carissa Parlato on 4/20/15.