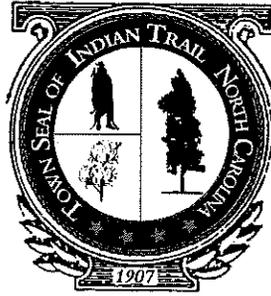


**MAYOR**  
Michael L. Alvarez

**MAYOR PRO TEM**  
David L. Cohn

**INTERIM TOWN MANAGER**  
Scott J. Kaufhold



**TOWN COUNCIL**

Gordon B. Daniels

Gary M. Savoie

Amy R. Stanton

Mark A. Wireman

**Indian Trail Town Council  
Regular Meeting  
Thursday, February 11, 2016  
Civic Building—6:30 PM**

**AGENDA**

1. **CALL MEETING TO ORDER & PLEDGE OF ALLEGIANCE**
2. **AGENDA ADDITIONS & DELETIONS**
3. **MOTION TO APPROVE AGENDA** **Action**
4. **PRESENTATIONS/INTRODUCTIONS**
  - a) Introduction of Cindy Jones, Finance Consultant
5. **PUBLIC COMMENTS**
6. **LAW ENFORCEMENT UPDATE**
7. **CONSENT AGENDA** **Action**
  - a) Approval of Tax Month End Report-January 2016
  - b) Approval of tax refunds of overpayments in excess of \$500.00
  - c) Charge the Revenue/Tax Collector to advertise delinquent 2015 Taxes
  - d) Approval of Budget Amendments
8. **PUBLIC HEARINGS** **NONE**

*– Please adhere to the following guidelines:*

  - *Proceed to the podium, and state your name and address clearly;*
  - *Be concise; avoid repetition; limit comments to three (3) minutes or less;*
  - *Designate a spokesperson for large groups*
9. **OLD BUSINESS ITEMS** **Action**
  - a) Town Hall Update
10. **NEW BUSINESS ITEMS** **Action**
  - a) Council consideration for policy procedure for Closed Session and Resolution #R090609-2 (Councilman Wireman)
  - b) Council consideration of 1<sup>st</sup> Avenue Storm Drain Analysis Fee Proposal

**11. DISCUSSION ITEMS**

- a) Public Information Requests Update
- b) Announce additional Board/Committee vacancies

**12. UPDATES**

- a) Manager's Update: Scott Kaufhold, Interim Town Manager

**13. COUNCIL COMMENTS**

**14. CLOSED SESSION**

**Action**

**15. ADJOURN**

**Action**

4a

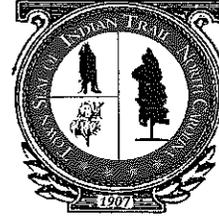
## Town of Indian Trail

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### Memo

**TO:** Mayor and Town Council  
**FROM:** Kelley Southward, Town Clerk  
**DATE:** February 11, 2016  
**SUBJECT:** Introduction of Cindy Jones, Finance Consultant

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Mr. Kaufhold has approved an agreement with Mrs. Cindy Jones for financial consulting services until the Finance Director vacancy can be filled. Cindy has an extensive background in NC Local Government Finance. Most recently she was the Finance Director for Davidson, NC until she retired last year. Cindy had the chance to work with Tracee Karlsson for a couple of weeks prior to Tracee's last day with the Town on February 3<sup>rd</sup>. Cindy will be in the office up to 20 hours per week.

Cindy has provided the last two Local Government Commission (LGC) 203 Reports for Council's information. The LGC 203 report is required to be filed by each NC municipality twice a year with the LGC to report deposits and investments as of June 30<sup>th</sup> and December 31<sup>st</sup>.

After Mr. Kaufhold introduces Cindy she would be happy to answer questions that Council may have regarding finance.

4a



**TO:** Mayor and Town Council  
**FROM:** Cindy Jones  
**CC:** Scott J. Kaufhold  
**DATE:** February 8, 2016  
**SUBJECT:** LGC203 Reports for February 11<sup>th</sup> Meeting

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Please find attached Reports of Deposits and Investments, Form LGC 203 as of December 31, 2015 and June 30, 2015. The report is filed semi-annually with the NC Local Government Commission, as required by G.S. 159-33.

Please feel free to call, email, come in or ask any questions you may have regarding these matters.

4a

State of North Carolina  
**LOCAL GOVERNMENT COMMISSION**  
 3200 Atlantic Avenue, Raleigh, North Carolina 27604  
**REPORT OF DEPOSITS AND INVESTMENTS**

CASH DEPOSITS & INVESTMENTS  
 AS OF

As of: **DECEMBER 31** 2015

(As required by G.S. 159-33)

Name of Unit \*\* **INDIAN TRAIL**  
 \*\* Note - Discretely Presented Component Units must submit separate LGC-203 reports  
 Legal Name of Unit: **Town of Indian Trail**

LGC Use Only		
Unit Code	Unit Type	Rec'd Date
191	A	

**CERTIFICATION**

This is to certify that the data contained in this report is accurate to the best of my knowledge and belief.

Name of Official (Type or print your name)	Unit Mailing Address - Street	Telephone Number, including area code
Tracee Karlsson	PO Box 2430	Number: 704-821-5401
Title (i.e. Finance Officer, Treasurer, etc)	Unit - City, State & Zip Code	Extension
Interim Finance Director	Indian Trail, NC 28079	Email Address
		tkarlsson@admin.indiantrail.org
		Signature of Official (only if mailing or faxing)

	Amount	
I. Cash on hand		
Petty cash funds and change funds	\$ 850	
Undeposited receipts		
		<b>Total Cash on Hand</b>
		\$ 850

	C.D.s		Interest Bearing Checking Accounts
FINISTAR (total dedicated amount from statement) attach statement or leave blank if NA			Finistar Dedicated Amounts
CDARS - attach statement or leave blank if NA			
ICS - attach statement or leave blank if NA			
<b>Totals for Finistar, CDARS and ICS</b>	\$	\$	<b>Total Dedicated Deposits</b>
			\$

	Demand Deposits			Time Deposits		Interest Bearing Checking Accounts
		Regular Savings	C.D.s			
(1) Branch Banking & Trust	\$ 38,537			\$ 9,670,940		
(2) First Citizens Bank & Trust	\$ 1,134,493			\$ 133,055		
(3) Park Sterling Bank				\$ 1,404,119		
(4) Yadkin Bank				\$ 214,666		
(5)						
FINISTAR (total pooling amount from statement) attach statement or leave blank if NA			Finistar Pooling amounts			
<b>Totals for All Pooling Banks</b>	\$ 1,173,030	\$	\$ 1,751,840	\$ 9,670,940		<b>Total Pooling Deposits</b>
						\$ 12,595,810

	Amount
North Carolina Capital Management Trust Cash Portfolio	\$ 14,031,669
North Carolina Capital Management Trust Term Portfolio	\$ 6,069,157

V. Summary: Please recheck totals.

(1) Total Cash on hand (TOTAL FROM SECTION I)	\$ 850
(2) Total Dedicated Method (TOTAL FROM SECTION II)	\$
(3) Total Pooling Method (TOTAL FROM SECTION III)	\$ 12,595,810
(4) Total cash (lines 1, 2 & 3 combined)	\$ 12,596,660
(5) NCCMT (TOTAL FROM SECTION IV)	\$ 20,100,826
(6) Total cash and investments (lines 4 plus 5)	\$ 32,697,486
(7) Please enter (subtract) Unexpended bond and/or note proceeds	\$ 7,659,963
(8) Net cash and investments (line 6 minus 7)	\$ 25,037,523

4a

State of North Carolina  
**LOCAL GOVERNMENT COMMISSION**  
 3200 Atlantic Avenue, Raleigh, North Carolina 27604  
**REPORT OF DEPOSITS AND INVESTMENTS**

CASH DEPOSITS & INVESTMENTS  
 AS OF

As of: JUNE 30 2015

(As required by G.S. 159-33)

Name of Unit \*\* INDIAN TRAIL  
 \*\* Note - Discretely Presented Component Units must submit separate LGC-203 reports  
 Legal Name of Unit: Town of Indian Trail

LGC Use Only		
Unit Code	Unit Type	Rec'd Date
191	A	

**CERTIFICATION**

This is to certify that the data contained in this report is accurate to the best of my knowledge and belief.

Name of Official (Type or print your name)	Unit Mailing Address - Street	Telephone Number, including area code
Tracee Karlsson	PO Box 2430	Number: 704-821-5401
Title (i.e. Finance Officer, Treasurer, etc)	Unit - City, State & Zip Code	Extension
Asst. Director of Finance	Indian Trail, NC 28079	
Email Address		Signature of Official (only if mailing or faxing)
tkarlsson@admin.indiantrail.org		

**I. Cash on hand**

	Amount	Total Cash on Hand
Petty cash funds and change funds	\$ 850	\$ 850
Undeposited receipts		

**II. Dedicated Method Financial Institutions**

\*\* If you have additional deposits in Dedicated Banks (non-pooling), you must use the LGC-203 Standard Form

	C.D.s	Interest Bearing Checking Accounts	Total Dedicated Deposits
FINISTAR (total dedicated amount from statement) attach statement or leave blank if NA			Finistar Dedicated Amounts
CDARS - attach statement or leave blank if NA			
ICS - attach statement or leave blank if NA			
Totals for Finistar, CDARS and ICS	\$ -	\$ -	\$ -

**III. Pooling Method Financial Institutions**

\*\* LIST ONLY BANKS INCLUDED ON POOLING BANK MEMO

Select Bank Name from Drop Down Menu Do not select the same bank name more than once Enter total amount for each Account type going across	Demand Deposits	Time Deposits	Interest Bearing Checking Accounts	Total Pooling Deposits
		Regular Savings	C.D.s	
(1) Branch Banking & Trust	\$ 38,535		\$ 3,051,511	\$ 5,723,804
(2) First Citizens Bank & Trust	\$ 886,076		\$ 132,977	
(3) Park Sterling Bank			\$ 1,400,523	
(4) Yadkin Bank			\$ 214,182	
(5)				
FINISTAR (total pooling amount from statement) attach statement or leave blank if NA			Finistar Pooling amounts	
Totals for All Pooling Banks	\$ 924,611	\$ 1,747,682	\$ 3,051,511	

**IV. Investments NCCMT**

	Amount
North Carolina Capital Management Trust Cash Portfolio	\$ 11,473,538
North Carolina Capital Management Trust Term Portfolio	\$ 7,822,659

**V. Summary: Please recheck totals.**

(1) Total Cash on hand (TOTAL FROM SECTION I)	\$ 850
(2) Total Dedicated Method (TOTAL FROM SECTION II)	\$ -
(3) Total Pooling Method (TOTAL FROM SECTION III)	\$ 5,723,804
(4) Total cash (lines 1, 2 & 3 combined)	\$ 5,724,654
(5) NCCMT (TOTAL FROM SECTION IV)	\$ 19,296,197
(6) Total cash and investments (lines 4 plus 5)	\$ 25,020,851
(7) Please enter (subtract) Unexpended bond and/or note proceeds	\$ 2,909,418
(8) Net cash and investments (line 6 minus 7)	\$ 22,111,433

7a

## Town of Indian Trail

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# Memo

**TO:** Mayor and Town Council  
**FROM:** Alicia Massey  
**CC:** Scott Kaufhold  
**DATE:** February 11, 2016  
**SUBJECT:** Month End January 2016



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According to GS 105-350(7) it is the duty of the revenue collector to submit to the governing body at each of its regular meetings a report of the amount he/she has collected on each year's taxes with which he is charged, the amount remaining uncollected, and the steps he/she is taking to encourage or enforce payment of uncollected taxes.

Attached is the month end report for January 2016 collections. The revenue department is using all collection remedies as provided by general statute to collect delinquent taxes including but not limited to garnishments, attachments and NC Debt Setoff. Second notices were mailed on Friday, February 5, 2016.

7a  
 February 4, 2016  
 09:55 AM

TOWN OF INDIAN TRAIL  
 Property Tax Transaction Inquiry Totals Page

Description	Count	Principal			Penalty	Total	
		Arrears/Other	2015	2016			Future
Billing	32141	0.00	7,281,951.51	0.00	0.00	7,281,951.51	
Payments	29305	62,134.30-	7,043,205.21-	0.00	0.00	2,191.15-	7,107,530.66-
Reversals	10	0.00	5,513.44	0.00	0.00	14.54	5,527.98
Adjustments	1555	0.00	2,968.90-	0.00	0.00	95.21-	3,064.11-
Apply Over	0	0.00	0.00	0.00	0.00	0.00	0.00
Rev Appl Ovr	0	0.00	0.00	0.00	0.00	0.00	0.00
Penalty	<u>1267</u>					<u>6,044.52</u>	<u>6,044.52</u>
Totals	<u>64278</u>	<u>62,134.30-</u>	<u>241,290.84</u>	<u>0.00</u>	<u>0.00</u>	<u>3,772.70</u>	<u>182,929.24</u>

7b

## Town of Indian Trail

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# Memo

**TO:** Mayor and Town Council  
**FROM:** Alicia Massey  
**CC:** Scott Kaufhold  
**DATE:** February 11, 2016  
**SUBJECT:** Large Refunds of Overpaid Taxes

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Please see the below list of tax refund(s) for overpayment of taxes greater than \$500.00

1. Minnwest Bank Leasing Operations - \$597.80 refunded to property owner, released per County, business is not located in Indian Trail.

If you need any clarification on any of these items, please feel free to contact Alicia Massey at (704) 821-5401.

7c

## Town of Indian Trail

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# Memo

**TO:** Mayor and Town Council  
**FROM:** Alicia Massey  
**CC:** Scott Kaufhold  
**DATE:** February 11, 2016  
**SUBJECT:** Advertisement of Delinquent 2015 Taxes



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According to GS 105-369(a) it is the duty of the tax collector in February of each year to report to the governing body the total amount of unpaid taxes for the current fiscal year that are liens on real property. A county tax collector's report is due the first Monday in February, and a municipal tax collector's report is due the second Monday in February. Upon receipt of the report, the governing body must order the tax collector to advertise the tax liens.

2015-2016 Delinquent Real Property Tax: \$155,610.85

7d



**TO:** Mayor and Town Council  
**FROM:** Cindy Jones  
**CC:** Scott Kaufhold  
**DATE:** February 11, 2016  
**SUBJECT:** Budget Amendments for February 11<sup>th</sup> Meeting

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Please find attached budget amendments processed through February 5, 2016.

Please feel free to call, email, come in or ask any questions you may have regarding these matters.

























9a

# TOWN OF INDIAN TRAIL AGENDA ITEM REQUEST FORM

**This form must be completed and attached to all supporting documentation for items to be included on the Town of Indian Trail Town Council Agenda.**

Submitted By: Scott Kaufhold Department: Engineering

Contact Phone # (704) 821-1314 Date Submitted: 2/9/16

Date of Town Council Meeting to consider this item: 2/11/16  
(Meetings are generally 2<sup>nd</sup> & 4<sup>th</sup> Tuesday of each month. All meetings now begin @ 6:30 p.m.)

Please indicate how much time you expect this matter to take: 5 min

Description (Give short summary of topic. This is how item appears on the Agenda.)

Town Hall Update

Who will attend Council meeting able to respond to questions? Give name & title:

Scott J. Kaufhold, P.E., Town Engineer

Where does this item need to appear? Check all that apply:

- |   |  |                                       |
|---|--|---------------------------------------|
| <input type="checkbox"/> Consent Agenda           | <input type="checkbox"/> Schedule Public Hearing** | <input type="checkbox"/> Discussion   |
| <input type="checkbox"/> Presentation/Recognition | <input type="checkbox"/> Closed Session            | <input type="checkbox"/> Work Session |
| <input type="checkbox"/> New Business             | <input checked="" type="checkbox"/> Old Business   |                                       |

\*Board, commission, or group requesting joint meeting: \_\_\_\_\_

Supply General Statute or local ordinance that governs this item.

Has this item been reviewed by Town Attorney?  Yes  No (Attach recommendation)

What action is requested of the Council? None - May Change

What action is requested of the Manager? None

Are Town funds required?  Yes  No Funding Source May Change

### PLEASE PROVIDE:

- You no longer have to print out your staff reports.
- You will need to put your staff reports and any supporting documentation on the "O" drive in PDF format, so we can attach to the agendas. The Clerk's Office will take care of this.
- All reports still need to be on the "O" drive by end of business the Tuesday before the meeting.

**\*\* If requesting a Public Hearing, attach a copy or sample Ad to run in newspaper \*\***

10a

# TOWN OF INDIAN TRAIL AGENDA ITEM REQUEST FORM

This form must be completed and attached to all supporting documentation for items to be included on the Town of Indian Trail Town Council Agenda.

Submitted By: Mark Wireman Department: Council

Contact Phone # (704) 989-9213 Date Submitted 2/8/16

Date of Town Council Meeting to consider this item: 2/11/16

Please indicate how much time you expect this matter to take: 15 min  
Description (give short summary of topic, this is how item appears on the Agenda.)

Policy Procedure for Closed Session and Resolution #R090609-2.

Who will attend Council meeting able to respond to questions? Give name & title:

N/A

Where does this item need to appear? Check all that apply:

<input type="checkbox"/> Consent Agenda	<input type="checkbox"/> Schedule Public Hearing**	<input checked="" type="checkbox"/> Discussion
<input type="checkbox"/> Presentation/Recognition	<input type="checkbox"/> Closed Session	<input type="checkbox"/> Work session
<input checked="" type="checkbox"/> New Business	<input type="checkbox"/> Old Business	<input type="checkbox"/> Update

\*Board, commission, or group requesting joint meeting.

Supply General Statute or local ordinance that governs this item (attach copy) G.S. 143-318.11, G.S. 132-1, G.S. 143-318.10

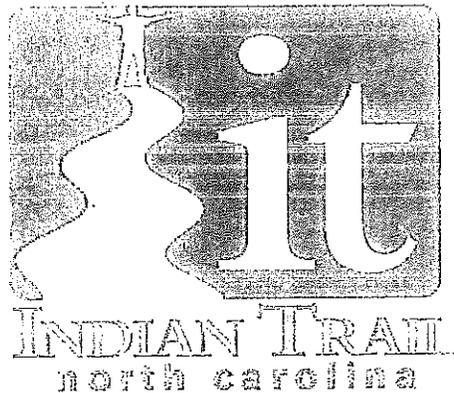
Has this item been reviewed by Town Attorney? Yes  No  (Attach recommendation.)

What action is requested of the Council? Revise the Policy to align with the intent of the General Statutes that The Council must make Closed Session minutes available for public inspections as soon as the reason for the closed session is no longer valid, removing the language and requirement that Closed Session minutes and recordings must be approved by Council unless there is still a valid reason to do so. Also remove Resolution #R090609-2 as this was written based on the conduct of a previous Mayor and not relevant to the current Mayor.

What action is requested of the Manager? Modify the Policy

Are Town funds required? No \$         

\*\* If requesting a Public Hearing, attach a copy or sample Ad to run in newspaper \*\*



## **POLICY PROCEDURE FOR CLOSED SESSION**

In addition to Rule 26 of the Ordinance Revising the Rules of Procedure adopted by the Indian Trail Town Council on March 10, 2009, the following shall apply to Closed Session meetings of the Town Council:

- All audio recordings and minutes of Closed Session belong to the Council as a whole. The Town Council hereby authorizes any currently serving member of the Town Council, including the Mayor, to review the closed session minutes for meetings taking place during their term of office. The closed session minutes cannot otherwise be viewed or listened to without the approval of a majority of the Indian Trail Town Council by vote taken in open session. The Town Manager, Town Attorney, and Town Clerk may review these items as it pertains to fulfilling their duties to the elected body. All Closed Session discussions and materials are confidential information, until the information is released to the public.
- Audio recordings or written minutes (draft or approved) will not be removed from Town-owned buildings. Audio recordings or written minutes must be reviewed in the presence of the Town Manager, Town Attorney or Town Clerk during regular business hours, or at such other time as agreed to by the Town Manager if the review cannot be conducted during regular business hours.
- After a Closed Session is recessed, the draft minutes for that meeting will be presented to the elected body for review at the next called Closed Session. This review of the minutes will always be the first agenda item

10a

in Closed Session. Each Council Member and Mayor shall initial the draft minutes indicating they have been read and returned to the Town Manager, Town Attorney or Town Clerk at that same meeting. The Closed Session agenda will not proceed until all Closed Session minutes are accounted for by the Clerk of that meeting.

- If the elected body requests amendments to the minutes, they can either request the minutes be resubmitted at the next Closed Session for approval with the modifications or they may motion to approve as modified with direction to staff to make changes. The Clerk shall include the modifications in the approved minutes and submit for signature before the next Council meeting.
- Upon Council approval of the minutes, all recordings and notes shall be destroyed by the Clerk after holding those records for one-year. The elected body may give direction to the Town Clerk to keep the records for a time greater than one-year.
- At all times, the Town Clerk will ensure that the Closed Session minutes will be stored in a space that does not have access by other Town staff, or the public.
- All Closed Session minutes must be signed by the Mayor or Mayor Pro-Tem in the presence of the Town Manager, Town Attorney or Town Clerk prior to the subsequent Town Council meeting.

October 12, 2010

APPROVED: \_\_\_\_\_

John J. Quinn, Mayor

Attest: \_\_\_\_\_

Peggy Piontek, Town Clerk

10a

**A RESOLUTION REGARDING COMMUNICATIONS WITH TOWN STAFF  
RESOLUTION #R090609-2**

WHEREAS, the Town of Indian Trail operates under a Council-Manager form of government; and

WHEREAS, the Town Manager is the chief administrator for the Town; and

WHEREAS, the Town Council has not delegated any authority to the Mayor to give direction to employees, contractors, or persons or entities subject to the regulatory authority of the Town (see Town Ordinance #006523-9); and

WHEREAS, the current Mayor has engaged in various interactions with Town employees wherein the staff believes that the Mayor has given them direction with respect to a matter; and

WHEREAS, the current Mayor has also engaged in tape recording various conversations with Town employees,

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF INDIAN TRAIL, NORTH CAROLINA AS FOLLOWS:

1. The current Mayor shall communicate with the Town staff only through the Town Manager, and the Town Manager may, at his/her discretion, direct that such communication only be in writing.
2. The current Mayor shall not enter into the non-public areas of any Town offices without the specific authorization of the Town Manager.

SO RESOLVED THIS THE 9<sup>TH</sup> DAY OF JUNE, 2009

THE TOWN COUNCIL OF INDIAN TRAIL

APPROVED: Shirley S. Howe  
Shirley S. Howe, Mayor Pro Tem

Attest: Trena S. Sims  
Trena Sims, Interim Town Clerk

106

## **Town of Indian Trail**

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### **Memo**

**TO:** Mayor and Town Council  
**FROM:** Scott J. Kaufhold, P.E., Interim Town Manager  
**DATE:** February 11, 2016  
**SUBJECT:** 1<sup>st</sup> Avenue Storm Drainage Analysis Fee Proposal

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#### **General Information:**

Attached is a proposal which includes survey and engineering services. Deliverables will include a physical survey of the affected area, drainage calculations, cost estimates & exhibits for 2 alternative improvements. Staff has been in fee negotiations with the Consultant and a final fee proposal will be provided to the Council as soon as it is available.

Please note that this work provides alternatives to consider for implementation and does not include the costs to produce final construction plans. If an improvement option is recommended & approved, staff will return with another fee proposal to complete final construction documents which include plans, specifications, final cost estimate, and permits.

#### **Required Actions:**

Council Consideration/Approval

#### **Attachment:**

1<sup>st</sup> Avenue Storm Drainage Analysis Fee Proposal

11a

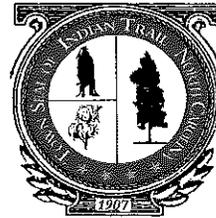
## Town of Indian Trail

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### Memo

**TO:** Mayor and Town Council  
**FROM:** Scott J. Kaufhold, P.E., Interim Town Manager  
**DATE:** February 11, 2016  
**SUBJECT:** Public Information Request Update

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#### General Information:

This is a follow up to the December 8, 2015 Council Discussion items. There are 2 known Requests for Public Information that were not answered by the previous Manager.

#### Required Actions:

None

116

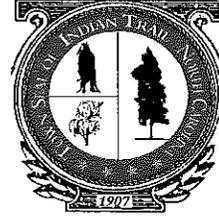
## Town of Indian Trail

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### Memo

**TO:** Mayor and Town Council  
**FROM:** Kelley Southward, Town Clerk  
**DATE:** February 11, 2016  
**SUBJECT:** Announce Board/Committee Vacancies

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In addition to the vacancies announced on January 12<sup>th</sup> there are the following Board/Committee vacancies:

- Planning Board/Tree Board: alternate member vacancy
- Transportation Advisory Committee: regular member vacancy