TOWN OF HOLLAND
TOWN BOARD MINUTES
March 11, 2020

REGULAR TOWN BOARD MEETING- Holland Town Supervisor Michael Kasprzyk called the Regular Town Board Meeting to order at 8:00 p.m., at the Holland Town Hall, 47 Pearl St., Holland, NY 14080. Roll Call followed.
Town Board Members Present:
  Councilman Geoffrey Hack
  Councilman William Kolacki
  Councilwoman Karen Kline
  Supervisor Michael Kasprzyk
Other Officials Present:
  Town Clerk Jill M. Zientek
  Highway Superintendent Jason Simmons
  Town Attorney Ronald Bennett
  Zoning Enforcement Officer Michael Sluce
  Bookkeeper Margaret Koss
  Building Inspector Justin Quant
  Town Engineer Dave Pratt
  Planning Board Chairman Marty Regan
  Zoning Board of Appeals Willie O’Dell

APPROVAL OF TOWN BOARD MEETING MINUTES
RESOLUTION # 21-2020
Motion made by Councilwoman Kline and seconded by Councilman Kolacki to approve the February 12, 2020 Regular Meeting minutes
4 AYE/ 0 NAY/ 0 ABSTAIN
MOTION CARRIED.

SUPERVISOR’S REPORT
A. NYS DOT correspondence in regards to the speed limit on Partridge Rd by the Holland Middle School states there would be time limits to the lower speed zone. Supervisor Kasprzyk will be working with the NYS DOT to have lower speed limit be at all times of the day.
B. The Annual Update Document has been completed and filed with the Office of the State Comptroller’s Office. The document is available for viewing at the Town Clerk’s Office during regular business hours.
C. Rural Transit Van Service is still seeking volunteer drivers.
D. Meals on Wheels currently have 16 clients. The area covered has continued to increase and creates either longer routes or lack of volunteers if the routes were to be divided.
E. Zoning Board of Appeals vacancy
RESOLUTION # 22-2020
Motion made by Supervisor Kasprzyk and seconded by Councilman Kolacki to appoint Garrett Chilson to the Zoning Board of Appeals.
4 AYE/ 0 NAY/ 0 ABSTAIN
COMMITTEE REPORTS
Buildings- Councilman Kolacki - new outdoor lighting for the town hall has been ordered.
Planning Board- Councilwoman Kline- Meet with Greg Putney and R & S Development
Town Park and Community Center- Councilman Hack- more shelter doors

RESOLUTION # 23-2020
Motion made by Councilman Hack and seconded by Councilman Kolacki to approve the purchase of (4) overhead doors for the east side of the park shelter from the lowest bidder Rupp Overhead Doors for $10,072.00.
4 AYE/ 0 NAY/ 0 ABSTAIN
MOTION CARRIED.

Environmental Committee- Councilman Kolacki
Beautification Committee- Supervisor Kasprzyk will contact NYSEG to inquire on the possibility of installing power on the utility poles on Main Street for lighted holiday decorations

COMMUNICATIONS
A. Planning Board Minutes


GRANT WRITER – Jill Zientek


A. Highway Superintendent Jason Simmons requested to purchase a 2020 Volvo Front End High Lift from the NYS Bid list through Sourcewell for $101,868.00 which includes the trade in of the old high lift.

RESOLUTION # 24-2020
Motion made by Councilman Kolacki and seconded by Councilman Hack to approve the purchase of a 2020 Volvo Front End High Lift from the NYS Bid list through Sourcewell for $101,868.00 which includes the trade in of the old high lift.
4 AYE/ 0 NAY/ 0 ABSTAIN
MOTION CARRIED.

NEW BUSINESS
A. Lighted Sign- Greg Rose 17 South Main Street was granted permission to have a lighted sign
B. Hunters Creek Mobile Home Park- Al Benedicto, potential purchaser of the mobile home park was referred to the Planning Board
C. Special Use Permit- Cara Czechowski - Home Business- 13939 Whitney Road - Chiropractic and Acupuncture - referred to the Planning Board

D. Resolutions opposing Governor Cuomo’s Budget Amendments

RESOLUTION # 25-2020

WHEREAS, On February 21, 2020, Governor Cuomo submitted a 30 day budget amendment entitled “Accelerated renewable energy growth and community benefit act” for the purpose of meeting the Governor’s goals for renewable energy, and

WHEREAS, this amendment would establish a new system for permitting and siting renewable projects, setting aside the current “Article 10 Siting Board process, and

WHEREAS, permitting will now be under the jurisdiction of a new entity- Office of Renewable Energy Siting (ORES), and

WHEREAS, ORES will now have the power to

- Make available to developers “build-ready” sites
- Develop “uniform permitting standards”
- “coordinate, approve, evaluate, issue, amend, transfer and enforce siting “permits”
- Limit the ability of local government to raise objections to proposed projects.
- Direct local appeals to ORES decisions to litigation through the Article 78 process
- Prohibit local government from requiring any additional approval or permits

WHEREAS, by filing this action as a 30 day budget amendment, is ignoring and bypassing the legislative process of formulating policy through public input, public hearings and public debate in favor of a rushed and secretive process, and

WHEREAS, this amendment represents a blatant attempt to usurp local government’s historical and constitutionally power of home rule in the areas of planning, zoning and land use,

BE IT RESOLVED, that the Town of Holland does hereby go on record strongly opposing the Governor’s attempt to dilute and usurp the roles and powers of local governments in New York State, and

FURTHER BE IT RESOLVED, that the Town of Holland, urges New York State Legislators to oppose this amendment and have it removed from the final budget document and,
FURTHER BE IT RESOLVED, that a copy of this resolution be transmitted to Governor, Lieutenant Governor, Speaker of the Assembly and Majority Leader of the Senate and Western New York Delegation.

Motion made by Supervisor Kasprzyk and seconded by Councilman Kolacki.
4 AYE/ 0 NAY/ 0 ABSTAIN
MOTION CARRIED.

RESOLUTION # 26-2020

RESOLUTION IN FAVOR OF HOME RULE AUTHORITY

WHEREAS, Important policy decisions such as, the legalization of recreational cannabis, bail reform, criminal justice reform, large utility scale wind and solar sites deserve careful and deliberate debate, and

WHEREAS, sources outside the Legislature often have expertise and knowledge of unintended consequences

BE IT THEREFORE RESOLVED, considerations of legislation such as those noted above be debated and acted upon separate from the annual budget process, and

FURTHER BE IT RESOLVED that the Governor and Legislature invite the active participation of all stakeholders and major policies are considered in a deliberate manner, without artificial deadlines such as imposed by budget deadlines.

Motion made by Supervisor Kasprzyk and seconded by Councilman Kolacki.
4 AYE/ 0 NAY/ 0 ABSTAIN
MOTION CARRIED.

E. HISTORICAL SOCEITY PROPERTY LEASE

RESOLUTION # 27-2020
Councilman Kolacki moves to tentatively agree to lease property at 7 South Main Street to house the Holland Historical Society. Councilman seconded the motion with the condition that the snow removal is not the Town’s responsibility. A detailed lease agreement will be provided once the final details are decided. Councilwoman Kline abstains.
3 AYE/ 0 NAY/ 1 ABSTAIN
MOTION CARRIED.

OLD BUSINESS-
A. R & S Development provided a progress update on the Olean Road Project
   B. Greg Putney- Farm Store- 9806 Wagner Rd- has been approved by the Planning Board.
      A variance from the Zoning Board of Appeals has also been granted.

RESOLUTION #27-2020
Special Use Permit
Councilwoman Kline moves to grant Greg Putney of 9806 Wagner Rd a special use permit to operate a farm store at his property. Seconded by Councilman Hack.
4 YEA / 0 NAY / 0 ABSTAIN
MOTION CARRIED.

TOWN ATTORNEY – Ronald Bennett

TOWN CLERK – Jill M. Zientek

PAYMENT OF VOUCHERS - The following vouchers were presented for payment:

<table>
<thead>
<tr>
<th>District Claims</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General District</td>
<td>$23,826.04</td>
</tr>
<tr>
<td>Highway District</td>
<td>$15,119.36</td>
</tr>
<tr>
<td>Water District</td>
<td>$3,777.97</td>
</tr>
<tr>
<td>Light District</td>
<td>$908.92</td>
</tr>
<tr>
<td>Garbage District</td>
<td>$24,259.84</td>
</tr>
<tr>
<td>Trust and Agency</td>
<td>$8,773.41</td>
</tr>
</tbody>
</table>

RESOLUTION # 28-2020
Motion made by Councilwoman Kline and seconded by Councilman Hack, resolve the Town of Holland pay the preceding vouchers.
4 YEA / 0 NO / 0 ABSTAIN
MOTION CARRIED

COMMENTS FROM THE PUBLIC-
Sheila Vella, on behalf of the Holland Historical Society thanked the Board for the tentative property lease agreement and the support of the organization.

ADJOURNMENT – Supervisor Kasprzyk adjourned the Regular Town Board Meeting at 8:53 p.m.
RESPECTFULLY SUBMITTED,
Jill M. Zientek

Holland Town Clerk
Minutes of the Town of Holland
Zoning Board of Appeals

March 10, 2020

7:07 p.m.: Chairman William J. O’Dell Jr. opened the meeting, with a quorum present.

ZBA Members Present: Daniel Lotito
Mark Messerschmidt
Barbara Reinagel
William O’Dell, Chairman
Merilu O’Dell, Substitute Secretary

Applicant: Greg Putney, Rise ‘N Swine Farm
9806 Wagner Road, Holland
(716) 713-2641

Variance Information:
Variance Number 19182, dated February 12, 2020
Request to build a building in front of the house, to sell farm supplies and products
Zoned RA
Permit request violates Zoning Ordinance Section 120-59-A: “In any residence district, no accessory building shall be erected or altered as to be in any front yard.”

Notices: All five neighboring property owners have been contacted. Four were contacted in person, and one by Certified Mail. Copies of signed notices and Certified Mail receipt were submitted as proof, and are attached.

Discussion: Applicant desired to build a 24-foot by 28-foot building alongside the driveway to his property. Half the building would be dedicated to a walk-in freezer. The other half would be a storefront with display freezers and a sales counter. The building would be of post and beam construction, pole barn-style.
Applicant stated that his business is now online, with orders being subsequently delivered, but the business has “grown to the point that we need to do something different.” He would sell beef, pork, chicken and honey, and now supplies 130 families and a couple restaurants with his farm products.

His house is 800 feet from the road, and the proposed building would be 145 feet back from the road, with a 50-foot by 75-foot gravel parking lot, with an intention “to keep people away from the house, barn and animals,” he said. The applicant stated he is in a 10-year lease with adjoining property owner Jane Gannon, with an option to purchase the additional property at the end of the lease period. Between the property he owns and leases, his property totals 120 acres.

He has attended the previous meeting of the Planning Board. A couple ZBA members voiced their desire to see more businesses in Holland.

Decision: The five pertinent questions regarding variances were all answered in the negative, and a vote was taken.

7:29 P.M.: MOTION to grant the variance request of applicant Greg Putney of Rise 'N Swine Farm, by Mark Messerschmidt. SECOND by Dan Lotito.

VOTE: Yea (4) - Daniel Lotito
                      Mark Messerschmidt
                      Barbara Reinagel
                      William O'Dell, Chairman
                      Nay - None

MOTION CARRIED 4-0, and VARIANCE GRANTED.

Meeting adjourned at 7:31 p.m.

Respectfully submitted on March 17, 2020,
by Merilu O'Dell
Substitute ZBA Secretary
## March 2020 - Building Inspector Report

### New Permits Issued

<table>
<thead>
<tr>
<th>Permit #</th>
<th>Zone</th>
<th>Date Issue</th>
<th>Address</th>
<th>Name</th>
<th>Type</th>
<th>Estimated Cost</th>
<th>Permit Fee</th>
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</thead>
<tbody>
<tr>
<td>20008</td>
<td>GB</td>
<td>3/4/20</td>
<td>202 N Main</td>
<td>Post, Ron</td>
<td>Renof Asphalt</td>
<td>3,000</td>
<td>30</td>
</tr>
<tr>
<td>20009</td>
<td>R2</td>
<td>3/5/20</td>
<td>9172 Oakan</td>
<td>Argo Heating &amp; Cooling</td>
<td>10KW Generator</td>
<td>6,500</td>
<td>50</td>
</tr>
<tr>
<td>20010</td>
<td>RA</td>
<td>3/30/20</td>
<td>13225 Parker</td>
<td>Czechowski, John</td>
<td>24x24 Polebarn</td>
<td>25,000</td>
<td>75</td>
</tr>
<tr>
<td>20011</td>
<td>R1</td>
<td>3/10/20</td>
<td>255 Canada</td>
<td>Whelan, Tom</td>
<td>16x24 Addition</td>
<td>50,000</td>
<td>130</td>
</tr>
<tr>
<td>20012</td>
<td>RA</td>
<td>3/31/20</td>
<td>8871 Vermont Hill</td>
<td>Sitzmans Appliance</td>
<td>7.5KW Generator</td>
<td>5,600</td>
<td>50</td>
</tr>
</tbody>
</table>

*Renewal*

### Certificate of Occupancy and/or Compliance Issued

<table>
<thead>
<tr>
<th>Permit #</th>
<th>Zone</th>
<th>Date Issue</th>
<th>Address</th>
<th>Name</th>
<th>Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>19084</td>
<td>RA</td>
<td>3/1/20</td>
<td>6715 Phillips Rd</td>
<td>Michalak, Bill</td>
<td>24x30x6 Polebarn</td>
</tr>
<tr>
<td>19085</td>
<td>R1</td>
<td>3/4/20</td>
<td>24 Park St</td>
<td>Zientek, Jill</td>
<td>Single Family Dwelling</td>
</tr>
<tr>
<td>19090</td>
<td>RA</td>
<td>3/11/20</td>
<td>9931 Savage</td>
<td>Triton Homes</td>
<td>Single Family Dwelling</td>
</tr>
<tr>
<td>5009</td>
<td>R2</td>
<td>3/14/20</td>
<td>11291 Partridge Rd</td>
<td>Schaefer, Dave</td>
<td>24x48x19 plus porch add to exis</td>
</tr>
<tr>
<td>15027</td>
<td>R1</td>
<td>3/14/20</td>
<td>2 Cherrywood Ridge</td>
<td>Nowak, Gerard</td>
<td>Deck</td>
</tr>
<tr>
<td>15104</td>
<td>RA</td>
<td>3/21/20</td>
<td>11487 Partridge Rd</td>
<td>Krejewski, Jerry</td>
<td>Renof Steel</td>
</tr>
<tr>
<td>15011</td>
<td>RA</td>
<td>3/27/20</td>
<td>13225 Parker</td>
<td>Czechowski, John</td>
<td>Single Family Dwelling</td>
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<tr>
<td>20002</td>
<td>R2</td>
<td>3/28/20</td>
<td>11886 N Canada</td>
<td>Bennett, Norb</td>
<td>Demo Existing Dwelling</td>
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<tr>
<td>20001</td>
<td>GB</td>
<td>3/28/20</td>
<td>25 N Main</td>
<td>O'Brien, Chris</td>
<td>Install New Sign in Existing Location</td>
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<tr>
<td>19076</td>
<td>RA</td>
<td>3/31/20</td>
<td>8157 Vermont Hill</td>
<td>Transcend Wireless</td>
<td>Replace 3 Antennas</td>
</tr>
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Year to Month End Total: $115,050 $685 $0
### Inspections

<table>
<thead>
<tr>
<th>Permit #</th>
<th>Zone</th>
<th>Date</th>
<th>Address</th>
<th>Name</th>
<th>Type</th>
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<tbody>
<tr>
<td>19008</td>
<td>GB</td>
<td>3/6/20</td>
<td>960 N Main</td>
<td>Kramer, Brett</td>
<td>Status</td>
</tr>
<tr>
<td>19113</td>
<td>R1</td>
<td>3/7/20</td>
<td>64 Vermont St</td>
<td>Weber, Jared</td>
<td>Status</td>
</tr>
<tr>
<td>19041</td>
<td>RA</td>
<td>3/11/20</td>
<td>9665 Savage</td>
<td>Miller, Jesse</td>
<td>Status</td>
</tr>
<tr>
<td>19105</td>
<td>RA</td>
<td>3/14/20</td>
<td>7612 Hunters Creek</td>
<td>Gerbec, Andy</td>
<td>Status</td>
</tr>
<tr>
<td>19088</td>
<td>HB</td>
<td>3/14/20</td>
<td>7538 Olean</td>
<td>S &amp; S Development</td>
<td>Status</td>
</tr>
<tr>
<td>19038</td>
<td>RA</td>
<td>3/21/20</td>
<td>9493 Warner Gulf</td>
<td>Raw Properties LLC</td>
<td>Status</td>
</tr>
<tr>
<td>19111</td>
<td>HB</td>
<td>3/25/20</td>
<td>7238 Olean</td>
<td>R &amp; S Development</td>
<td>Status</td>
</tr>
<tr>
<td>19025</td>
<td>RA</td>
<td>3/25/20</td>
<td>9560 Savage</td>
<td>Wheeler, Doug</td>
<td>Status</td>
</tr>
<tr>
<td>16359</td>
<td>R2</td>
<td>3/25/20</td>
<td>11377 Blanchard Rd</td>
<td>Daell, David</td>
<td>Status</td>
</tr>
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</table>

### Variance-Approved

<table>
<thead>
<tr>
<th>Var. #</th>
<th>Zone</th>
<th>Date</th>
<th>Address</th>
<th>Name</th>
<th>Type</th>
</tr>
</thead>
</table>

### Voided Permits

|             |       |        |               |               |       |
COMPLIANCE FOR PERMIT #19011.

We are no deficiencies noted at this time. Issued a certificate for occupancy and completed the inspection of the wood burning stove and chimney installation. Will inspect it shortly.

Received a call from the owner requesting an inspection of his newly installed wood burning stove and chimney installation. Will inspect it shortly.

Fire Inspection Report

FAILURE TO PROPERTY MAINTAIN
FOR A JUNK YARD LICENSE
STORAGE OF JUNK VEHICLES ON
PROPERTY. MATERIALS AND PREMISES.

101 S. MAIN ST
3/20/20

FAILURE TO MAINTAIN THE BUILDING
GAS IN THE APARTMENT.

117 S. MAIN ST
3/17/20

FAILURE TO PROPERTY MAINTAIN
THE STRONG SMELL OF SEWER
COMPLAINT RECEIVED REGARDING
6 KNOX DR
3/13/20

FAILURE TO PROPERTY MAINTAIN
VEHICLES ON THE PROPERTY.

101 S. MAIN ST
3/11/20

FAILURE TO PROPERTY MAINTAIN
VEHICLES ON THE PROPERTY. WITHOUT A JUNK YARD LICENSE

117 S. MAIN ST
3/11/20

(3/20 TO 3/31/20)

ZONING ENFORCEMENT OFFICER'S REPORT
TOWN OF HOLLAND

LOCATION

VIOLATION

DATE

4/8/20

1225 PARKER Rd
3/17/20

1225 PARKER Rd
3/17/20

ACTION TAKEN

FOLLOW UP INSPECTION SHOWS A HOLE IN THE WALL. OWNER WAS TOLD TO APPEAR IN COURT. BUT
NOTIFIED AS TO WHEN IT WILL BE PLEDGE AGAIN.

FOLLOW UP - OWNER WAS TOLD TO APPEAR IN COURT. BUT
GET THE PROBLEM RESOLVED.

ADVISED THE TENANT TO CALL THE PROPERTY MANAGER AND
ADVISED THE TENANT TO CALL THE PROPERTY MANAGER.
BY THE NEIGHBOR. ANSWERED HIS QUESTIONS AND EXPLAINED WHAT CAN AND CANNOT BE DONE.

RECEIVED A CALL FROM A CAPITAL HEIGHTS RESIDENT REGARDING WHAT BRANCHES FROM TREES ON HIS PROPERTY CAN BE CUT.

IS BEING LOOKED INTO AND THE NECESSARY ACTION WILL BE TAKEN IF NECESSARY.

THE PROGRESS OF BEING REPAIRED AND WILL BE COMPLETED TODAY. ALSO, THE SEWER PROBLEM
THE PROPERTY MANAGER CALLED AND STATED THAT THE PROBLEM WITH THE HOT WATER TANK IS IN

THEIR TODAY.

CONTACTED THE PROPERTY MANAGER OF KNOX DRIVE AND ADVISED HIM TO MAKE SURE THAT THE

PROBLEM WITH THE HOT WATER TANK IS REMEDIED. HE STATED THAT HE WILL SEND SOMEONE OVER

IS REMEDIED.

OFFICIALS CHECKED WITH THEIR METER BUT DID NOT DETECT ANY PROBLEMS. THERE IS A PROBLEM WITH THE HOT WATER TANK

DRIVE REGARDING THE STRONG SMELL OF SEWER GAS. ARRIVED AT THE SCENE. DID NOT SMELL ANY SEWER GAS AND THE FIRE

WITH A GARDEN HOSE.

IMMEDIATELY AND ADVISED HIM OF THE OPEN BURNING LAW. THE FIRE WAS THEN EXTINGUISHED

RECEIVED A CALL FROM THE FIRE DEPARTMENT REGARDING OPEN BURNING. WENT DOWN TO THAT

INSPECTED ALL FIRE EXTINGUISHERS ON THE PREMISES AND FOUND THEM TO BE FULLY CHARGED

AND READY FOR USE. ALSO, A DEFIBRILLATOR (CHEEKED GREEN) IS READY FOR USE.

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RECEIVED A CALL FROM A GIRLS CLUB (VERMONT ST)

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NECESSARY PAPERSWORK TO THE TOWN CLERK A.S.A.P.

CALLED THE CURRENT OWNER OF THE MOBILE HOME PARK AND ADVISED HIM TO HAVE THE POTENTIAL NEW OWNER TO GET THE

Necessary paperwork from the potential new owner of the mobile home park for the Planning Board.

Received a call from the town attorney advising that the town clerk has not received the necessary paperwork.

The A.R. and is checking to determine if it will still be held due to the coronavirus.

Called the Chairman of the Planning Board and asked if their meeting will still be held. He stated that it is.

Received a call from the current owner of the Hunters Creek Mobile Park wanting to know if the Planning Board

will hold their meeting on 4/1/20. Advised him to contact the town clerk as she would know.

Received a call from the current owner of the Hunters Creek Mobile Park wanting to know if a certificate for occupancy and compliance was issued for 9835 Savage Road. Called him back later and he stated that he had talked with the building inspector who said

NOTES (CONTINUED)

3/30/20

4/1/20 to 3/31/20

4/8/20

TOWN OF HOLLAND

PAGE 3
Highway Superintendent Report for March 2020

Road Work:
- Received pipe for Wilkens Road project
- Finished drop inlets for Wilkins Road
- Scheduled recycling on Wilkins Road
- Called Donegal about milling up Legion Drive
- Swept roads

Equipment:
- Fixed blower for sidewalks – replaced bearing on shoot
- Put new exhaust pipe on turbo – 2007 International
- Greased and power washed all the plow trucks
- Ordered tires for 2016 Kenworth – winter tires
- Serviced Roller, Skid Steer, Skag Mower
- Ordered brooms for sweepers
- Fixed back up alarm switch on 2016 Kenworth
- Performed maintenance on Sweeper Truck
- Put new stainless steel grates in Sweeper truck
- Installed new spot light on International 2007
- Repaired pump on front mount broom
- New Volvo loader delivered on March 27th

Snow Removal:
- Submitted March snow removal reports to Erie County
- Patrolling roads: 8 trips
- Plowing and Sanding with pick up: 3 trips
- Plowing and Sanding with plow trucks: 1 trip
- 86 trips for the winter season (Nov-March)

Water:
- Monthly report submitted to Department of Health
- Monthly samples submitted to Department of Health
- Brought water building up to Safety Code – cleaned, organized, installed safety railings
- Read meters
- Rescheduled with T.C. Water on filtration for Legion Dr. pump house

Facilities:
- Had furnace repaired at Town Hall
- Met with PESH to walk through Highway Buildings – working on violations
- Got a copy of Hazard Communication Written Program
- Working on Lock Out Tag Out paperwork
- Pulled water dispenser out of town hall that had leaked on the carpet
- Dried out carpet and glued back down
- Framed in garage doors at shelter

April Tasks:
- Finish fixing lawn damage from sidewalk plow
- Clean up town
- Take playground down at Elementary School