1. CALL TO ORDER

*Mayor Don Collins called the meeting to order at 6:00 p.m.* with the following members present:

Mayor Don Collins  
Vice Mayor Maggie Tuttle  
Alderman Larry B. Harris  
Alderman Ryan Stone  
Alderman Carlos Showers - absent  
Alderman Tim Raines

The following staff members were present:  
Josh Harrold, Town Manager  
Dean Luebke, Assistant Town Manager/Finance Director  
Angela Reece, Assistant to Manager/Town Clerk  
Ron Sneed, Town Attorney  
Shawn Freeman, Police Chief  
Scottie Harris, Fire Chief  
Jessica Trotman, Planning Director  
Joshua Henderson, Recreation Director

Mayor Don Collins welcomed everyone and led the Pledge of Allegiance. Deacon Bobby Stafford of Mills Chapel Baptist Church gave the invocation.  
Mayor Collins thanked everyone in attendance and expressed appreciation to all those who were attending for the first time and also the viewing audience. The re-broadcast of each regular meeting is shown throughout the month on Charter Cable’s Buncombe County Channel 192 at 8:00 p.m. on Sundays. Meetings initially air the same week in which they occur and are shown weekly until the next regularly scheduled meeting. Citizens may also go to the Town website [www.townofblackmountain.org](http://www.townofblackmountain.org) at any time and view the most recent regular meeting of the Board.
In his announcements, Mayor Collins reminded everyone to silence their cell phones and asked them to be respectful of their neighbors by keeping conversations to a minimum or having none at all. Mayor Collins reminded the public to visit the Town’s website and subscribe to alerts to receive notifications of official Town business. www.townofblackmountain.org

2. PROCLAMATION AND AWARD RECOGNITION

Mayor Collins read the MLK Proclamation and stated the Town of Black Mountain will honor Dr. Martin Luther King, Jr. at the 30th Annual Swannanoa Valley Prayer Breakfast, Saturday, February 8, 2020 9:00 a.m. at Camp Dorothy Walls, Black Mountain hosted by the local Martin Luther King, Jr. Memorial Corporation.

Lieutenant Rob Austin and Sergeant Chris Kuhn recognized Black Mountain Police Officer Jon Mcdonald, and Black Mountain Police Officer Keith Cain presenting them with Life Saving Awards.

3. CITIZEN COMMENTS

Individuals wishing to address the Board are asked to sign in at the entrance to the board room, indicating the topic(s) or agenda item(s) you wish to discuss, so that the chair may group speakers according to topic. The chair will recognize individuals requesting to address the Board. Comments by any one speaker shall be limited to three (3) minutes. If the topic you wish to discuss pertains to a public hearing scheduled for this meeting, please reserve your comment for the applicable public hearing.

Marilyn Sobanski of Black Mountain addressed the Board of Aldermen and public regarding even year elections expressing her concerns.

Shawn Slone of Black Mountain addressed the Board of Aldermen asking members to speak into the microphones.

4. COMMUNICATIONS FROM BOARDS, COMMISSIONS & AGENCIES

Attorney Ron Sneed presented the Black Mountain Library Board Annual Report to the Board. Mr. Sneed reported many positive changes are underway and credited new leadership at the branch. Mr. Sneed stated the building, which is 51 years old and owned by the Town, has been painted and repaired over the last year and said new lighting has been installed within and landscaping has been updated externally.

Chuck McGraw, Partnership Specialist with the United States Census Bureau addressed the Board of Aldermen and public to encourage everyone to respond when the count begins. Mr. McGraw encouraged the public to respond online and said this is the first year this has ever been offered. He stressed the importance of the count and how it equates to Federal and State funding sources which help offset taxes to fund programs and projects.
Scot tic Harris, Fire Chief presented the Fire Department Annual Report to the Board of Aldermen. The report is made part of and included in these minutes.

Sheridan Hill, Chair presented the Urban Forestry Commission Annual Report to the Board of Aldermen. The report is made part of and included in these minutes.

5. CONSENT AGENDA

All items on the consent agenda are considered routine, to be enacted by one motion without discussion. If a member of the governing body requests discussion of an item, the item will be removed from the consent agenda and considered separately.

Town Manager, Josh Harrold presented the consent agenda to the Board of Aldermen.

A. Adoption of Minutes

Motion: To adopt the minutes of November 4, 2019 (Agenda & Regular Session), November 26, 2019 (Special Call/Closed Session), December 5, 2019 (Agenda & Closed Session), December 9, 2019 (Regular Session), and December 12, 2019 (Special Call).

B. Call for Public Hearing – Rezoning Portions of Flat Creek Road and Montreat Road from Suburban Residential (SR-2) to Town Residential (TR-4) of the following:

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Page 3 of 7
Motion: To call for a public hearing to rezone portions of Flat Creek and Montreat Road from SR-2 (suburban residential) to TR-4 (town residential) to be held on Monday, February 10, 2020, at 6:00 p.m., or as soon thereafter as possible, in the Board Room of Town Hall at 160 Midland Avenue.

C. Call for Public Hearing – Rezoning of 1068 Old US 70 Hwy from OI-6 (office and institutional) to HB-8 (highway business)

Motion: To call for a public hearing to rezone 1068 Old US 70 Hwy (PIN #0609-53-4523.00000) from OI-6 (office and institutional) to HB-8 (highway business) to be held on Monday, February 10, 2020, at 6:00 p.m., or as soon thereafter as possible, in the Board Room of Town Hall at 160 Midland Avenue.

D. Call for Public Hearing – Rezoning 1114 Montreat Road from SR-2 (suburban residential) to UR-8 (urban residential) PIN #0710-41-7795.00000

Motion: To call for a public hearing to rezone 1114 Montreat Road from SR-2 (suburban residential) to UR-8 (urban residential) to be held on Monday, February 10, 2020, at 6:00 p.m., or as soon thereafter as possible, in the Board Room of Town Hall at 160 Midland Avenue.

Vice Mayor Maggie Tuttle moved to approve consent items A-D as presented.

The motion was approved by a vote of 4-0.

6. CITIZEN COMMENTS
The chair will recognize individuals requesting to address the Board regarding the specific New Business or Unfinished Business items below. Comments by any one speaker shall be limited to three (3) minutes. If the topic you wish to discuss pertains to a public hearing scheduled for this meeting, please reserve your comment for the applicable public hearing.

There were no citizen comments.

7. UNFINISHED BUSINESS - NONE

8. NEW BUSINESS

A. Historic Preservation Commission – (1) unexpired term ending June 30, 2020
   AND (1) unexpired term ending June 30, 2022

Vice Mayor Maggie Tuttle moved to appoint James Fuller to fill an unexpired term ending June 30, 2020. The motion was approved by a vote of 4-0.
Alderman Ryan Stone moved to appoint Ron Collins to fill an unexpired term ending June 30, 2022. The motion was approved by a vote of 4-0.

B. Urban Forestry Commission – (1) unexpired term ending June 30, 2020

Alderman Larry B. Harris moved to appoint Rod Allan to fill an unexpired term ending June 30, 2022. The motion was approved by a vote of 4-0.

C. Ordinance to adopt Title VI Plan

Manager Harrold stated currently the Town has no ordinances or plan to establish when Title VI requirements prohibiting discrimination are applicable, policy concerning discrimination under Title VI, or procedures for identifying and reporting violations. Jennifer Tipton further advised the Plan ensures the Town does not discriminate against anyone. Attorney Sneed revised the ordinance including direction given to the Planning Director to create complaint forms.

Alderman Tim Raines moved to approve Ordinance No. 0-20-02 to adopt a Title VI plan for the Town of Black Mountain, defining unlawful discrimination under Title VI, when Title VI applies, and procedures for reporting violations and enforcing the requirements of Title VI as presented. The motion was approved by a vote of 4-0.

D. NC Highway 9 Sidewalk Construction Contract Approval

Manager Harrold recalled discussions during the agenda meeting and stated he has spoken with Mr. Regan who has requested this item be continued for discussion at a future meeting.

Alderman Larry B. Harris moved to defer the contract for NC Highway 9 sidewalk construction consideration until the next regularly scheduled meeting occurring on February 10, 2020 or as soon thereafter as possible. The motion was approved by a vote of 4-0.

E. Vance Ave Traffic

Manager Harrold recalled discussions during the agenda meeting and stated he has spoken with the Public Works Director and recommends having a traffic engineer review placements of additional signage for safety and to reduce the Town’s liability before additional stop signs are placed in the intersection. Board members concurred.

Alderman Larry B. Harris moved to direct the Town Manager to seek review by a traffic engineer for placement of additional stop signs at the Vance Avenue intersections. The motion was approved by a vote of 4-0.
9. PUBLIC HEARING

The chair will recognize individuals requesting to address the Board regarding the specific topic of the public hearing. Public hearing comments by any one speaker shall be limited to ten (10) minutes. The Mayor reserves the right to alter time limits and other rules of procedure at the beginning of each Public Hearing.

A. Public Hearing – Traffic Impact Analysis Ordinance #O-20-01

Manager Harrold stated the Planning Board has recommended a Traffic Impact Analysis text amendment which would require any development creating 798 or more trips per day on a Town road provide a traffic impact analysis to the Town. Manager Harrold clarified these requirements are made at the expense of the developer and any improvements required would be owned by the Town.

Alderman Ryan Stone moved to open the public hearing for Ordinance #O-20-01 for amendments for traffic impact analysis. The motion was approved by a vote of 4-0.

Alderman Larry B. Harris inquired regarding development size that triggers the requirement and Jennifer Tipton clarified 798 trips equates to approximately 75 residential lots or more and would cost the developer approximately $10,000. Alderman Harris asked for clarification between the definition of lots versus units and Attorney Sneed stated the preferred language will be units as this will cover differing types of structures including condominiums and single family residences. Attorney Sneed clarified that commercial developments are subject to additional trip requirements as set forth by the NCDOT.

Vice Mayor Maggie Tuttle moved to close the public hearing. The motion was approved by a vote of 4-0.

There were no citizen comments.

Vice Mayor Maggie Tuttle moved to adopt the Statement of Consistency as presented. The motion was approved by a vote of 4-0.

Alderman Larry B. Harris moved to adopt Ordinance #O-20-01 as amended substituting residential units for residential lots. The motion was approved by a vote of 4-0.

10. COMMUNICATION FROM STAFF

A. Town Attorney – None at this time.

B. Town Manager – Manager Harrold gave a brief update regarding the River Walk Greenway project stating construction could begin in July 2021 and advised further discussion will be necessary going into budget season. Manager Harrold stated he is optimistic staff can apply for and receive additional grant funding toward the project.
Alderwoman Larry B. Harris requested clarification regarding construction starting point stating he understood the downtown connection would begin first.

Manager Harrold also reminded the public of the kickoff meeting for the Comprehensive Plan will be held on Monday, January 27, 2020 at 6:00 p.m. at Town Hall (location was later changed to accommodate more people and moved to 116 North Fork Road – Black Mountain Church of God). Mailers and post cards will be sent out in addition to postings on the Town’s website. The public may view more information by visiting https://www.townofblackmountain.org/2533/Comprehensive-Plan-Update

11. COMMUNICATION FROM MAYOR AND BOARD OF ALDERMEN

Mayor Collins clarified all local and state representatives were contacted regarding moving elections to even years. Mayor Collins stated any information to the contrary is untrue.

12. ADJOURNMENT

Alderman Larry B. Harris moved to enter into closed session to discuss personnel matters, as permitted in NCGS § 143.318.11(a)(6) at 6:58 p.m. The motion was approved by a vote of 4-0.

Alderman Larry B. Harris moved to return to open session at 7:05 p.m. The motion was approved by a vote of 4-0.

Alderman Larry B. Harris moved to approve creation of the position of Major/Assistant Police Chief as presented at salary grade 18 and to amend the salary and classification chart to reflect the addition. The motion was approved by a vote of 4-0.

The Police Major/Assistant Police Chief job description and salary and amended classification chart is made part of and attached to these minutes.

There being no further discussion, on a motion by Vice Mayor Maggie Tuttle, with a vote of 4-0 Mayor Don Collins adjourned the meeting at 7:06 p.m.

ATTEST:

Angela Reed, Assistant to Manager/Town Clerk

Don Collins, Mayor
Highlights from Fire Department Annual Report January 2020

- **Work Force**
  - New Fire Chief hired May of 2019
  - 21 Full time
  - 11 Part Time
  - 20 Volunteer members
  - Authorized daily shift staffing 6 FT and 1 PT
  - Protecting 54sq miles of district

- **Insurance Rating of Class 3 within the 5 mile district obtained Feb 2019**

- **Call Responses**
  - City Limits 1566
  - Rural (East Buncombe) 757
  - Total 2323
  - 1294 being Medical Responses (55%)

- **Fire Exposures and loss**
  - Exposures $38,637,697
  - Loss $391,100

- **Fire Death and Injuries**
  - 2 Civilian Fire related injuries

- **Fire Prevention**
  - Business inspections 726
  - Residential Inspections 54
  - Public Education Events 115
  - Total 895
- **Equipment Cost per Firefighter**
  - Approx $5000

- **Personnel Hours**
  - On calls 19,814
  - Training 10,003
  - Extra Duty 468
  - Total 30,285

- **Higher Education**
  - One member obtained a Master’s
  - One member completed their Bachelor’s and enrolled in a Master’s program

- **2019 Fire Department Events**
  - Mt Mitchell Marathon
  - Safety Saturday (1000 people reached)
  - Field Day at the Schools (640 students reached)
  - Vehicle Temperature Awareness (500 People reached)
  - Montreat Parade
  - July 4th Celebration
  - Fire Prevention in the Schools (640 students reached)
  - Halloween on Church Street (2000 people reached)
  - Fire Department 100 Year Celebration (1000+ people reached)
  - Town Hall Day
  - Deck the Trees (helped raise $33,638 for SVCM Heating Assistance)
  - Fire Department Kids Christmas Party
  - CPR Training (100 taught in Black Mountain)
  - Station Tours (several times a month)
  - Citizen’s Academy
  - Smoke Detector Installations
2019 Urban Forestry Commission Annual Report

(This report will accompany a short video presentation at Jan. 2020 BoA meeting by UFC Chair Sheridan Hill)

Organizational Collaboration

- Collaborated with Greenworks, Swannanoa Valley Museum and the Treasured Tree Alliance to help publicize the importance of trees and tree care
- Invited the Montreat Tree Board to share information at our meeting and discussed municipal tree projects and possibilities
- Participation with the Black Mountain Presbyterian Church Earth Care Team creating a Community Forest Management Plan.
- Invited Hemlock Restoration to present to the UFC. They wish to partner with UFC re: the Town’s estimated 825 Hemlocks.
- Invited NCDOT to give presentation: heard ideas on a potential partnership to create urban forests off Exit 65 and the new Blue Ridge Road Small Area Plan

Public Awareness / Citizen Involvement

- Presentation to 4th graders at Black Mountain Elementary on the value of trees
- Created a Volunteer Contact List of 21 people after our 2nd Tree Giveaway
- Contacted all of them about UFC meetings
- Invited them to apply for membership to the UFC to fill vacancy
- Provided photos and news releases about tree care and tree importance information to Black Mountain News

Public Tree Giveaways

- Conducted two public tree giveaway events
- Gave away more than 110 native trees to more than 50 Black Mountain citizens

Studies / Professionals / National Participation

- Celebrated Arbor Day by planting trees at Lake Tomahawk
- Arborists attended some meetings to provide information and assistance
- Created i-Tree Canopy cover assessment baseline for the Town regarding plant diversity and canopy trends
- We are now in our 14th year of qualifying as a Tree City USA Town. Received the Tree City USA Growth Award.

UFC / Town of Black Mountain Connections

- Finalized Allocation of Urban Forestry Commission’s 2019-2020 budget
  $200 to attend a tree-related conference or workshop
  $400 to be used for tree giveaways
  $400 to be used for public education and outreach

Also in 2019, Board of Aldermen approved new Duties and Responsibilities for the Commission.
MAJOR / ASSISTANT POLICE CHIEF

General Statement of Duties

Performs difficult administrative and law enforcement duties in the protection of life and property in the town.

Distinguishing Features of the Class

An employee in this class supervises the daily operations of the department through subordinate supervisors. The employee supervises patrol, community resources and investigations divisions. Work includes scheduling, internal investigations, assisting the Police Chief with budgeting, purchasing, property maintenance, coordination of vehicle repairs, and related administrative tasks. The employee also coordinates the hiring and promotional processes for the department. Work involves frequent public contact which requires tact, firmness and decisiveness. The employee is subject to hazards in law enforcement work including working in both inside and outside environments, in extreme hot and cold weather, and exposure to various hazards such as dangerous persons, loud noises, and hazardous spills with fumes, oils, gases or flammable liquids. Work is subject to the final OSHA standards on blood borne pathogens. Work is performed in accordance with departmental policy and state and federal law, supplemented with directions from the Police Chief. Work is performed under the general supervision of the Police Chief and is evaluated through observation, discussion and review of reports.

Duties and Responsibilities

Essential Duties and Tasks
- Provides operational direction and supervision of the department; supervises and provides problem-solving and coaching to subordinate supervisors engaged in investigations, patrol, community policing, crime prevention, records, evidence, and related tasks.
- Schedules and coordinates all training for the department including in-service training, field training of new officers, weapons re-certifications, DCI and other re-certifications, career development and succession planning training, etc.; maintains all training records and coordinates with Criminal Justice Training and Standards for compliance.

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- Performs crime and statistical analysis; performs special research on cost analysis such as costs for staffing for annexations, etc.
- Assists the Chief with gathering information for budget preparation.
- Oversees internal affairs issues; supervises and or conducts investigations regarding citizen and other complaints as needed.
- Coordinates the hiring and promotional processes for the department; advertises vacancies and reviews applications; coordinates and participates in interviews; schedules firearms qualifications; sets up assessment boards for promotional processes; conducts background investigations and participates in the selection of new employees.
- Participates in disciplinary, salary, grievance, and other personnel actions of the department.
- Researches and recommends strategies, programs, policies, and procedures; coordinates and participates in developing the community policing program.
- Supervises and participates in the patrol function; coaches supervisors on shift problem-solving; observes field performance and provides feedback; conducts performance evaluations; recommend disciplinary actions; reviews records and reports; investigates citizen concerns about department policy and performance.
- Schedules employees to shift and identifies substitutes as needed; schedules employees for court duty, special events, and off-duty work as efficiently as possible to reduce overtime costs; monitors use of overtime.
- Supervises and participates in criminal and other investigations for the department.

Additional Job Duties
Performs related work as required.

Recruitment and Selection Guidelines

Knowledge, Skills, and Abilities
- Considerable knowledge of state and federal laws, local ordinances and policies of the police department.
- Considerable knowledge of law enforcement principles, practices, methods and equipment.
- Considerable knowledge of modern and effective supervisory principles and practices including leadership, motivation, communication, coaching, discipline, and performance evaluation.
- Considerable knowledge of the organization's personnel policies, budget and purchasing procedures, and effective supervisory practices.
- Knowledge of the application of information technology to law enforcement work.
- Knowledge of applicable laws and regulations regarding hiring and promotional processes.
- Skill in the use of firearms and other police equipment and in the application of self-defense tactics.
- Skill in collaborative conflict resolution.
- Ability to act with sound judgement in routine and emergency situations.
- Ability to present effective court testimony and make public presentations.
- Ability to prepare clear and concise administrative and activity reports.

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- Ability to build and maintain cooperative and effective public relations with the citizens, department staff, and Town officials.

Physical Requirements
- Must be able to physically perform the basic life functions of standing, walking, hearing, kneeling, reaching, feeling, grasping, pushing and pulling, bending, climbing, crawling, fingering, and performing repetitive motions.
- Must be able to perform medium work exerting up to 50 pounds of force occasionally; 20 pounds of force frequently; and 10 pounds constantly.
- Must possess the visual acuity to operate a police vehicle and distinguish details and differences when observing people, places, or things in law enforcement work; and to prepare and review a variety of records and reports.

Desirable Education and Experience
Graduation from accredited college or university with Bachelor's degree in criminal justice or equivalent field supplemented by extensive law enforcement training and considerable supervisory experience in law enforcement.

Special Requirements
Before assignment to sworn duties, employees must possess a valid North Carolina driver's license and have completed the minimum requirements established by the North Carolina Justice Training and Standards Commission for certified sworn law enforcement certification. Must possess an Advanced Law Enforcement Certification.

**Pay Grade:** 18 – Hiring range: $53,653 to $67,094 Full salary: $53,653 to $80,490

Est. 7/2019

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Benefits to restructuring of Police Staff:

Our proposed plan to restructure the Police Department will place more emphasis on community response in order to meet the increasing demands on police staff by providing more officers in the field, reduce police response times, and provide experienced command staff in the field. Restructuring would promote growth and retention within the police department. With the newly allocated officer position, BMPD would like to promote a Major/Assistant Chief; creating an opening for a Lieutenant. This Lieutenant along with the current remaining Lieutenant would oversee day to day field operations by moving to rotating shifts and supervising two squads each (i.e. A Lieutenant over A & B Squad and a Lieutenant over C & D Squad). All promotions would come from within and have already been budgeted into this year’s budget.

1. Restructuring of the Police Department places more personnel in the field:
   a. By creating the position of Major/Assistant Chief, all administrative duties would be placed on this position as well as overseeing police operations for the agency. The Major/Assistant Chief will work closely with and answer directly to the Chief of Police.
   b. Currently the police department works a twelve hour rotating shift schedule with four patrol squads (shifts) of three personnel. A Sergeant and two officers.
   c. Unforeseen circumstances such as being called to court, unplanned sick time and planned vacation times have routinely reduced that number to only two officers per shift. Only two officers per shift create potential safety issues for our staff and can increase response times for calls for service. Our community policing team, P.A.C.E., consists of two members and provides some assistance to patrol during high call volume times. By adding Lieutenants to the rotations we would have more officers on the road during the “high call volume times”, usually between the hours 2 pm to 2 am by adding the Lieutenants.
   d. Restructuring will increase the numbers of officers in the field by placing a seasoned, ranking Lieutenant, working during high call volume hours; i.e. 12p-12a, to oversee the day and night shifts. This allows our agency to potentially have five officers in the field and responding to calls for service during the busiest times. Ex;
      i. Dayshift, 6a-6p = 3 officers working
      ii. Lieutenant, 12p-12a = 1 officer
      iii. PACE officer, 2p-2a = 1 officer
      iv. Nightshift, 6p-6a = 3 officers working
2. Restructuring places command level experience in the field -
   a. Black Mountain Police Department is a relatively young agency.
   b. Restructuring will put an experienced Lieutenant working in the field with all shifts, this will allow coaching, mentoring and have command staff readily available at most all times.

3. Restructuring allows for growth within the agency -
   a. Restructuring the department will create opportunities for officer growth within BMPD that has not been previously available.
   b. Officers can plan for a lengthy career with promotional opportunities.
   c. This could reduce pay compaction issues within the police department.
   d. This organizational structure would allow for any potential future growth of the Police Department, both short term and long term.

4. Retention -
   a. Restructure allows for promotional opportunities and avenues for varied experiences such as; CID / Narcotics/ mid and executive level growth opportunities within the police department.
   b. Promotional opportunities have not have not been available in years past.
   c. Having promotional opportunities and ample personnel on shift should help reduce the turn-over by reducing workloads. While this restructuring will not alleviate all staffing issues, it is a first step.
   d. Reduce the cost associated with replacing officers lost to larger agencies because of heavy workloads or lack of promotional opportunities.

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BLACK MOUNTAIN POLICE DEPARTMENT
(Proposed)

Chief of Police

Lieutenant
A/B 1400-0200

Major
(Asst. Chief of Police)

Lieutenant
C/D 1400-0200

ADAM
Sergeant Patrol
Police Officer
P.A.C.E. Officer 1300-0100

BAKER
Sergeant Patrol
Police Officer
Police Officer

COMMS
Telecommunications Supervisor F/T
Telecommunicator F/T

CID
Sergeant CID
Narcotics Detective
Telecommunicator F/T

CHARLIE
Sergeant Patrol
K-9 Police Officer
Police Officer

DAVID
Sergeant Patrol
Police Officer
P.A.C.E. Officer 1300-0100

Part-Time
Detective P/T
15 hour per week
Police Officer
SRO/Downtown P/T
15 hours per

Patrol Shifts rotate from dayshift to nightshift every month beginning with each 28 day pay cycle
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<tr>
<td>Senior Administrative Assistant</td>
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<td>36,110</td>
<td>45,126</td>
<td>54,142</td>
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<tr>
<td>Deputy Town Clerk</td>
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<tr>
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<tr>
<td>Customer Service Representative</td>
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## SALARY AND CLASSIFICATION CHART
### FY 2019-2020

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<th>Position</th>
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<tr>
<td>Fire Lieutenant</td>
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<tr>
<td>Fire Inspector/Safety Officer</td>
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<td>Battalion Chief</td>
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<tr>
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