



TOWN OF SOMERSET

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Jeffrey Z. Slavin
Mayor

Rich Charnovich
Town Manager/Clerk-Treasurer

August 6, 2012
Council Minutes

Council Members and Mayor

Mayor Jeffrey Slavin
Vice President Marnie Shaul
Council Member Barbara Condos
Council Member Barbara Zeughauser

Town Staff and Consultants

Rich Charnovich, Town Manager
Larry Plummer, Town Inspector
Dr. Tolbert Feather, Town Arborist
Wes Hummer, Paramount Construction
Kevin Davis, Paramount Construction

Town Residents

Milton Heller, Falstone
Sara Anderson, Falstone
Alison Fortier, Falstone
George Wyeth, Falstone
Bob and Jeanette Kreiser, Falstone
Judith and Stanley Baldinger, Warwick
Sue Rosenthal, Surrey
Ray and Varda Daniels, Falstone
Joshua Bobeck, Warwick
Wendy Louttit, Trent
Fiona Fox, Uppingham
Andri Haraldsson, Uppingham

Jack Frink, Cumberland

Non-Resident Visitors

Cathy, Abby and Emma Weaver, Colorado

Press

Laura Thornton, Chevy Chase Patch

Mayor Slavin began the meeting by having a moment of silence for the victims of the recent acts of violence in Colorado and Wisconsin. Mayor Slavin also recognized that Council Member Condos's daughter, Cathy, was in the audience with 2 of her grandchildren, Abby and Emma.

PUBLIC COMMENT PERIOD

Alison Fortier, Falstone, had questions in relation to the drainage project that was going to be happening on Falstone Avenue and Surrey Street in the Town. She inquired why the County Engineer was not at the meeting and suggested that the process for a project such as this be made more transparent next time. Alison also expressed concerns about the condition of the road after the project. Larry Plummer, Town Inspector, explained some of the details of the project to the concerned residents, Council and Mayor. Sue Rosenthal, Surrey, commented that the pool was as well used and friendly as she had ever seen it. Sara Anderson, Falstone, mentioned she had heard the bench on the pool site was going to be named after Alan Proctor. She mentioned that she would be interested in seeing the entire pool house be named after Alan Proctor.

JULY 2, 2012 COUNCIL MINUTES

Motion Vice President Shaul, Second Council Member Condos. Motion passed 2-0-1. Council Member Zeughouser abstained.

JULY FINANCIAL REPORT

Town Manager Charnovich provided the financial report that will be made a part of the minutes.

EMERGENCY HVAC UNIT APPLICATION FOR 5407 SURREY STREET

Mayor Slavin asked Mr. Plummer to provide his report. Mr. Plummer recommended the permit be approved. Motion Vice President Shaul. Second Council Member Condos. Motion passed 3-0.

EMERGENCY HVAC UNIT APPLICATION FOR 4816 DORSET AVENUE

Mayor Slavin asked Mr. Plummer to provide his report. Mr. Plummer recommended the permit be approved. Motion Council Member Zeughouser. Second Council Member Condos. Motion passed 3-0.

STATUS UPDATE ON CONSTRUCTION PROJECTS AT 5529 UPPINGHAM STREET AND 5510 STREET

Town Inspector Larry Plummer provided an update on these two projects. The Council requested that these updates be placed on the September Council meeting as well.

WAIVER REQUEST SUBMITTED FOR 5529 UPPINGHAM STREET

Mayor Slavin asked Inspector Plummer to provide his report on the waiver request. The applicant discussed what happened that the waiver needed to be requested. The applicant and Paramount Construction confirmed that the lot was surveyed incorrectly, and the foundation would need to be re-poured if the waiver wasn't granted. It was discussed as to when the timing of this was determined.

Josh Bobeck, Warwick, expressed concerns if the waiver was granted. Allison Fortier, Falstone, also expressed concerns if the waiver was granted. She also asked that in the future it could be considered to have a requirement to have permeable driveways only in the Town's Ordinance. Varda Daniels, Falstone, expressed concerns about storm water if the waiver was granted. Mayor Slavin asked Town Inspector Plummer how often waivers are dealt with retroactively like this. Mr. Plummer stated not very often. Janet and Bob Kreiser, Falstone, stated that it was nice to deal with the owners. They had concern about trees on their property near the site. Stanley Baldinger, Warwick, asked if more could be explained concerning the Falstone Drainage Project. Wendy Louttit, Trent, asked a question concerning the foundation and total size of the house. Vice President Shaul asked the applicant to confirm what would happen if the waiver wasn't granted. It was confirmed that the entire foundation would need to be torn out. The contractor confirmed it would be a 4-5 week delay if this had to be done. Motion Council Member Zeughauser, second Vice President Shaul, to deny the waiver as requested. Motion passed 3-0.

CONFIRMATION APPROVAL OF THE EMERGENCY REMOVAL OF A TREE LOCATED IN CAPELLO PARK AT THE REAR OF THE PROPERTY AT 4509 DORSET AVENUE

Motion Council Member Condos, second Council Member Zeughauser . Motion passed 3-0 to confirm the emergency removal as recommended by the Town Arborist. Green mile report and letter

GREEN MILE REPORT AND LETTER TO STATE HIGHWAY ADMINISTRATION

Vice President Shaul went over some of the details of the walk with SHA and the contents of the current letter. Motion Vice President Shaul to send the letter, adding something with the intent to handle storm water, something on the Bethesda urban partnership and to include native trees in the plan. Motion passed 3-0. A copy of the final letter will be made a part of these minutes.

LETTER TO PUBLIC SERVICE COMMISSION FOR AUGUST 7, 2012 PUBLIC HEARING

Discussion took place regarding the letter to be read and provided at the August 7, 2012 Public Service Commission Hearing. It was mentioned that something about undergrounding should be included in the letter. Motion Vice President Shaul, second Council Member Zeughauser. Motion passed 3-0. A copy of the final letter will be made a part of these minutes.

LETTER TO THE MONTGOMERY COUNTY PLANNING BOARD CONCERNING SITING ACCESSORY APARTMENTS

Mayor Slavin read the letter into the record. The Planning Board received a letter from a former Planning Board member requesting the Planning Board Staff to look into this issue. A few minor changes were made to the letter. Motion to authorize Mayor Slavin to send the letter to the Planning Board expressing the deep concerns. Motion Council Member Zeughauser, second Barbara Condos, motion passed 3-0.

ADOPTION OF ORDINANCE TO AMEND THE TOWN CODE TO REQUIRE APPLICANTS FOR A DEMOLITION PERMIT TO INCLUDE A COPY OF THE PEST CONTROL AFFIDAVIT IN ITS APPLICATION PACKAGE

The Ordinance will require an applicant for a demolition permit to submit a copy of the required County Pest Control Affidavit. Motion Vice President Shaul, second Council Member Zeughauser. Motion passed 3-0.

INTRODUCTION OF STORM WATER MANAGEMENT ORDINANCE AS RECOMMENDED BY THE ENVIRONMENTAL COMMITTEE

The Ordinance was introduced and it was determined that a hearing would be in September. The date decided was September 10, 2012 at 7:30 PM at the Town Hall.

INTRODUCTION OF AN ORDINANCE ESTABLISHING A TENNIS COMMITTEE

The Ordinance was introduced and it was determined that a hearing would be held at the September Council Meeting.

ESTABLISHING A DATE FOR THE FLU SHOT CLINIC

Motion Vice President Shaul, Second Council Member Zeughauser to have the flu shot clinic on October 12, 2012 during the same hours as has been done in prior years. Motion passed 3-0.

ESTABLISHING A DATE FOR THE FALL BULK TRASH PICK UP

Motion Council Member Zeughauser, Second Council Member Condos to have the bulk trash pick up on October 15, 2012. It was also determined that the Town Staff would work to set a date with A Wider Circle as well. Motion passed 3-0.

POOL HOUSE UPDATE

Project Manager Lou Balodemas was at the meeting to discuss the punch list update for the pool project. The following topics were discussed: the September 13 deadline for the inspection on the upper parking lot retention pond, hose bib near the large backwash

tank, the lobby floor drain, flow of the shower heads, plants that were replaced by F and F, the deck board on the patio, and the gate area leading from the patio to the pool deck that a metal fabricator would need to fix.

CONFIRMATION OF KRISTEN KHANNA, UPPINGHAM TO THE TOWN PARKS AND NATURAL RESOURCES COMMITTEE

Motion Council Member Zeughauser, Second Council Member Condos. Her term will expire April 4, 2013. Motion passed 3-0.

CONFIRMATION OF THE RE-APPOINTMENT OF PATTY FRIEDMAN TO THE TOWN PARKS AND NATURAL RESOURCES COMMITTEE

Motion Council Member Zeughauser, Second Council Member Condos. Her term will expire on April 4, 2015. Motion passed 3-0.

MAYOR'S REPORT

Mayor Slavin stated that his report was in the back of the room if anyone wanted to review it.

EXECUTIVE SESSION

Motion Council Member Condos, Second Vice President Shaul, to go into Executive Session to discuss a legal matter. Motion passed 3-0. Motion to close executive session by Council Member Zeughauser. Second Council Member Condos. Motion passed 3-0.

ADJOURN AT 10:08 PM