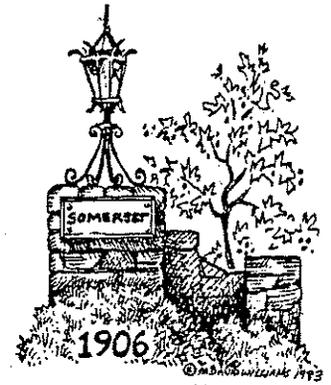


# TOWN OF SOMERSET

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Jeffrey Z. Slavin  
*Mayor*

Rich Charnovich  
*Town Manager/Clerk-Treasurer*

## Council Minutes February 6, 2012

### Mayor and Council Members Present

Mayor Jeffrey Slavin  
Vice President Marnie Shaul  
Council Member Cathy Pickar  
Council Member Barbara Zeughauser  
Council Member Bill Farley

### Town Staff

Richard Charnovich, Town Manager

### Consulting Staff and Contractors

Larry Plummer, Town Inspector  
Dr. Tolbert Feather, Arborist  
Peter Noonan, McInturff Architects  
Mark Kramer, Consulting Architect for 4901 Essex Avenue Project

### Residents Signed In

John Stewart, Dorset  
Phyllis Wiesenfelder, Cumberland  
Lucy Freeman, Dorset  
Barbara Condos, Falstone  
Josh Freeman, Warwick  
Ellie Fink, Dorset  
Patty Friedman, Grantham  
George Wyeth, Falstone

Press

**1. January 3, 2012 Regular Council Meeting Minutes**

Motion Vice President Shaul, Second Council Member Zeughauser, Motion passed 4-0.

**2. Board of Supervisors of Elections Nominations 2 Council Positions and 1 Mayor**

Phyllis Wiesenfelder, Chairperson of the Board of Supervisors of Elections, announced details concerning the 2012 Somerset Election process. Phyllis then called for nominations for 2 Council seats and 1 Mayoral seat. Josh Freeman, Warwick, nominated Jeffrey Slavin for Mayor. Lucy Freeman, Warwick, nominated Barbara Condos for a Council seat. Vice President Marnie Shaul nominated Cathy Pickar for a Council seat. No other nominations were made at the meeting. Phyllis stated that she would be doing an article in the Town Journal with all the election details.

**3. Town Manager's February Financial Report**

Town Manager Charnovich provided his February Financial Report to the Council and Mayor.

**4. Citizens Comments/Agenda Items**

None

**5. Citizens Comments/Non Agenda Items**

Council Member Farley stated that he is sitting on a Committee for the site selection of the new BCC Cluster Middle School. Mr. Farley also stated that County Executive Leggett would be speaking at the Silver Springs Transportation Management District Meeting, Brian Frosh would be speaking at the Little Falls Watershed Meeting, and Bill Bronrott would be speaking at Friendship Heights. Ellie Fink, Dorset asked a question about the senior center plans at the Washington Episcopal School.

**6. 5800 Deal Place, for a replacement HVAC Unit**

Mayor Slavin asked Inspector Plummer to provide his report. Mr. Plummer provided his report to the Council. Motion Council Member Farley, Second Vice President Shaul to approve the replacement HVAC Unit contingent upon it passing the Town's required DBA noise level requirements. Motion passed 4-0.

**7. 4901 Essex Avenue, for installation of a new HVAC unit, installation of a new family/sun room, and deck repairs**

Mayor Slavin asked Mr. Plummer to provide his report. Vice President Shaul asked a question about stormwater runoff and if the applicant had heard of any issues on Dorset Avenue. Architect Mark Kramer was at the meeting representing the applicant. Motion Council Member Farley, Second Council Member Pickar, to approve the installation of a new family/sun room and deck repairs, taking into account the tree protection plan. Motion passed 4-0. Mayor Slavin asked Mr. Plummer to provide his report on the HVAC Unit. Mr. Plummer recommended approval. Motion Council Member Farley,

Second Vice President Shaul to approve the installation of the HVAC Unit contingent upon its meeting the DBA noise level requirements. Motion passed 4-0.

**8. 5532 Warwick Place Generator Extension**

Mayor Slavin asked Mr. Plummer to provide a report. Town Manager Charnovich advised that the work was to be done this coming week on the sound mitigation and recommended an extension. The Council decided to grant an extension to March 5, 2012. Motion Council Member Zeughauser, Second Council Member Farley. Motion passed 4-0.

**9. 4909 Essex Avenue Narins Permit Extension**

Mayor Slavin asked Mr. Plummer to provide his report. Council Member Pickar asked Mr. Plummer if Montgomery County was also continuing to extend this permit. The applicant explained to the Council the reasons why she needed the extension. Motion Council Member Pickar, Second Vice President Shaul to extend the permit to April 2, 2012. Motion passed 4-0.

**10. Application submitted by 4805 Cumberland Avenue for recommendation by Local Advisory Panel to the Historic Preservation Commission**

Mayor Slavin asked Inspector Plummer to provide his report. Mr. Plummer stated that he recommends the Local Advisory Panel recommend this particular application. Motion Council Member Farley, Second Council Member Pickar, to recommend this application to the Historic Preservation Commission. Motion passed 4-0.

**11. Proposal submitted by the PNRG to amend current tree replacement plan**

Council Member Zeughauser and Mayor Slavin asked PNRG Chair Patty Friedman to explain the plan to everyone. Patty stated that the plan allows for some flexibility to the current monoculture policy without major changes. The new plan would discontinue the use of non-native trees. The plan would provide that the PNRG would recommend the types of trees to be planted in consultation with the Town arborist and then the recommendation would go to the Council for approval. The Council decided that the matter would be deferred, with a Journal article to be submitted by February 15, 2012. Consideration of the plan approval would be placed on the March 5, 2012 Council Meeting Agenda. A copy of the full amendment to the tree protection plan could be placed on the Town's website and e-blast.

**12. Removal of the following town trees as recommended by the Arborist, Tree 398 and Tree 400**

Mayor Slavin asked Dr. Feather to give his report. The two trees are located at 4804 and 4810 Falstone Avenue. Vice President Shaul asked Dr. Feather about a tree that may be too close to the sidewalk but she needs to get an exact location. Motion Council Member Zeughauser, Second Council Member Pickar. Motion passed 4-0.

**13. Maintenance of Island Entrance near Little Falls Parkway**

Council Member Zeughauser thanked Judy Bowles for all of her leadership on this project. The PNRG had determined that the landscaping in this particular area isn't very

attractive. It was determined that the Town would speak with Montgomery County Park and Planning to see if the trash can could be moved a few feet to make the Town entrance more sightly and to enter into an Agreement for the landscaping of this particular area.

**14. Environmental Committee and Stormwater Management Plan**

Council Member Zeughauser asked Environmental Committee Chairman, George Wyeth, to inform the Council of what it would like to do concerning the creation of a Comprehensive Stormwater Management Plan. Mayor Slavin asked Chairman Wyeth if the Committee was asking for any funding at this time. Mr. Wyeth said not at this time but later steps would require funding. Council Member Pickar stated that she liked the Town of Chevy Chase's Stormwater Plan. Vice President Shaul mentioned that the Town would be meeting with Montgomery County at some point in the near future about improving the storm drains on Falstone Avenue. Mr. Wyeth said he would like to be at that particular meeting. Motion Vice President Shaul to begin the process of establishing a Comprehensive Stormwater Management Plan for the Town of Somerset, Second Council Member Zeughauser. Motion passed 4-0.

**15. Proposal McInturff Architects Pool House Front entrance design**

Peter Noonan, McInturff Architects, advised that the timbers from the old bathhouse structure would be used and the hope was to minimize tree root damage. It was determined that the Town would find out what the age of the sanitary sewer line was in that particular area. Motion Vice President Shaul, Second Council Member Farley, to approve Option B with the straight cantilever. Motion passed 3-1, with Council Member Zeughauser voting against. Lou Balodemas provided a brief report on the status of punch list items. Vice President Shaul asked that the Town receive a credit for Pond #2 so that it could put its own plants in.

**16. 2009 RFP for update on traffic calming and to address subsequent issues**

Council Member Pickar and Vice President Shaul have been working on the draft RFP with Manager Charnovich. Motion Vice President Shaul, Second Council Member Pickar, to send out the RFP for the 2009 traffic calming update. Motion passed 3-1 with Council Member Farley voting against. Mr. Farley stated he thought without looking at the utility of the stop signs, it would not provide an accurate report. Manager Charnovich stated that the tentative bid opening for this would be in April.

**17. Introduction of a Code Amendment in relation to traffic regulations on Warwick Lane near Cumberland Avenue and the Somerset Elementary School**

Vice President Shaul introduced this amendment and advised that she would do an article in the Town's March Journal.

**18. Authorization of the Mayor to negotiate a Memorandum of Understanding with the Village of Drummond in relation to traffic regulations on Warwick Lane near Cumberland Avenue and Somerset Elementary School**

Motion Council Member Pickar, Second Council Member Zeughauser. Mayor Slavin explained that we are in the beginning stages but the communities are in agreement in principle. Motion passed 4-0.

**19. Introduction of a Code Amendment to establish a Swim Team Committee**

Council Member Pickar introduced this Code amendment. She stated that she would do an article for the Town's March Journal that would include a full copy of the amendment.

**20. Introduction of a Code Amendment in relation to the establishment of Emergency Procedures for the installation of HVAC units**

Vice President Shaul introduced a Code amendment for this. She stated that she would do an article for the Town's March Journal on this topic.

**21. Introduction of a Code Amendment in relation to changing construction hours for some federal holidays to interior work only that does not disturb neighbors**

The Council deferred this until a later date after more information is obtained. No action at this time.

**22. Introduction of a Code Amendment in relation to submissions and distribution of the Town Journal, administration and procedures, and deadlines for submissions**

Council Member Zeughauser introduced this proposed Code amendment and stated she would do an article for the Town's March Journal.

**23. Memorandum of Understanding for Towing with the Montgomery County Police Department**

Motion to approve by Council Member Farley, Second Council Member Pickar. Motion passed 4-0.

**24. Mayor's Report**

Mayor Slavin and Manager Charnovich stated that the Town likely would be getting a special meeting request from applicants located at 4515 Cumberland Avenue this month.

**25. Adjourn-9:50 pm**