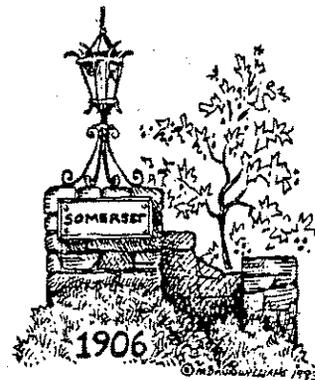


TOWN OF SOMERSET

4510 Cumberland Avenue
Chevy Chase, MD 20815
(301) 657-3211
Fax (301) 657-2773
clerk@townofsomerset.com



Jeffrey Z. Slavin
Mayor

Rich Charnovich
Town Manager/Clerk-Treasurer

May 7, 2012 Council Minutes

Council Members and Mayor

Mayor Jeffrey Slavin
Vice President Marnie Shaul
Council Member Barbara Condos
Council Member Cathy Pickar
Council Member Barbara Zeughauser
Council Member Franny Peale (following her swearing in)

Town Staff and Consultants

Rich Charnovich, Town Manager
Larry Plummer, Town Inspector
Dr. Tolbert Feather, Town Arborist

Contractors

Brian Racer, Jenkins Restorations

Town Residents

George Wyeth, Falstone
Anne Hawkins, Falstone
Wendy Louttit, Trent
Caroline Louttit, Trent
Milton Heller, Falstone
Josh Bobeck, Warwick
Joshua Lamel and Merideth Persily Lamel, Trent
Andri Haraldsson, Uppingham
Ray Daniels, Falstone
Dana Macher, Cumberland
Nessa Spitzer, Trent

Press

Laura Thornton, Chevy Chase Patch

1. April 2 Regular Council Meeting Minutes

Motion Council Member Zeughauser, Second Vice President Shaul. Motion passed 3-0- Council Member Pickar abstained.

2. April 17 Special Council Meeting Minutes

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

3. Town Manager's May Financial Report

Mr. Charnovich reviewed the May Financial Report with the Mayor and Council.

4. Adoption of FY13 Budget and set real estate tax rate

Vice President Shaul explained the budget process and how we got to this point today. She moved the budget introduced in April and added a series of amendments that were developed at the Council work session. Motion Vice President Shaul. Second Council Member Pickar to approve the FY13 Budget and set the real estate tax rate for FY13 to be the same as FY12.

5. Resident Comments/Agenda Items

None

6. Town Residents/Non Agenda Items

George Wyeth, Falstone and Environmental Committee Chair, discussed the status of the creation of the Storm Water Management Plan by the Committee. He mentioned they would be looking at the Town of Chevy Chase model as an example.

7. Appointment of vacant seat formerly held by Bill Farley

Mayor Slavin explained the process for replacement of a Council Member as per the Town Charter. An email blast was sent out as drafted by Vice President Shaul to gauge community interest in the seat. Franny Peale, Uppingham, expressed interest in the Council seat. Franny explained her background to the Council and that she is currently active in the community. Motion Vice President Shaul, second Council Member Zeughauser to appoint Franny Peale to the Council position formerly held by Bill Farley. Her term will expire in April of 2013. Motion passed 4-0. Mayor Slavin swore Franny Peale in at this point of the meeting. Franny took her seat on the Council at that point but would be abstaining on all votes for this particular meeting.

8. 5706 Surrey Street Permit, Tony and Anne Mazlish

Mayor Slavin asked Inspector Plummer to provide report on the application. Questions were asked about the dumpster for the site and the parking during construction. Brian Racer, Project Manager for the applicant, answered the questions. The dumpster for the project would be located at the extreme end of the driveway prior to the gate. Motion Council Member Zeughauser, second Vice President Shaul, motion passed 4-0-1. Council Member Peale abstained.

9. 5529 Uppingham Street, Andri Haraldson and Fiona Fox

Mayor Slavin asked Mr. Plummer to provide his report. Vice President Shaul inquired about the storm water management plan for the project. Mr. Plummer stated that the approval would need to include super silt fence and that the driveway curb cut would need to meet the Town's standard. Mayor Slavin asked Dr. Feather asked to provide his

report. The applicant was directed to be careful of the Japanese maple when the driveway was installed. Andri Haraldsaan, applicant, stated that the driveway would be in the same location but a bit wider. The applicant was also concerned about the Japanese Maple. Questions were asked about the parking plan during construction as well as the storm water management plan. Parking would include 3 on Uppingham and 2 on Falstone during construction. A question was asked about the 3 underground storm water tanks. It was determined that the downspouts would need to connect to the rain tanks. Ray Daniels, Falstone, asked a question about cracks on the walls behind the property. Council Member Peale asked a follow up question to that. Josh Bobeck, Warwick, asked a question about the sump pump on the plan. It was stated that a requirement be that the sump pumps go into the retaining tanks. Motion Council Member Zeughauser, second Vice President Shaul, to approve the permits contingent upon the curb cut not exceeding the Town's new standard, super silt fence be used, 3 parking spaces on Uppingham and 2 on Falstone, and that the sump pumps must drain into the underground tanks. Motion passed 4-0-1 with Council Member Peale abstaining.

10. 5510 Trent Street, Josh Lamel and Meredith Persily

Mayor Slavin asked Mr. Plummer to provide his report. Council Member Zeughauser asked if the proposed driveway meets the Code. Mayor Slavin asked Dr. Feather to provide his report. He stated that there would be a total of 8 trees removed as per the plan. A question was asked about the parking plan and dumpster plan. It was determined that 3 cars would be parked on Trent and 1 on Uppingham. The applicants, Joshua Lamel and Meredith Persily, stated that the house had been vacant for 23 years. They stated that they were happy to be moving into the neighborhood. Wendy Louttit, Trent, stated that she was concerned about the parking during construction. It was suggested that the Code possibly be amended to state the number of parking spaces that can be taken up rather than the number of cars for construction projects. Josh Bobeck, Warwick, made a comment about the trailers that would be on the site. Motion Council Member Zeughauser, second Vice President Shaul to approve all permits with the following conditions: super silt fence must be used, driveway curb cut must meet the Town's new standard, the applicant must apply for a separate retaining wall permit, sump pump must drain into the underground rain tanks, tree removal plan includes the reforestation plan and that the parking plan includes 3 on Trent and 1 on Uppingham. Motion passed 4-0-1 with Council Member Peale abstaining.

11. Amendments to Town's Construction Noise Ordinance

Vice President Shaul explained the details of the Ordinance Amendment. A copy of the Ordinance Amendment is made a part of these minutes for reference. Weekday construction would be permitted from 7 AM to 7 PM. Sunday work would not change. Saturday construction work would now be permitted from 9 AM to 7 PM. Federal Holidays would be the same guidelines as Sunday work. Sunday work is only interior work that doesn't affect neighbors. Exterior construction work is prohibited on Sundays. A question was asked about banning landscaping work on Saturdays. It was determined that this was not feasible but the Mayor would write an article for the Town Journal suggesting voluntary observance of quiet time on Saturdays. Motion Vice President Shaul, second Council Member Pickar to approve the Ordinance Amendment. Motion passed 4-0-1 with Council Member Peale abstaining.

12. Removal of 2 Town trees and 3 Town trees on an emergency basis

Motion Council Member Pickar, Second Council Member Zeughauser to remove Tree number 271 at 5809 Surrey Street and Tree number 42 at 5812 Warwick Place because they are both dead. Motion passed 4-0-1 with Council Member Peale abstaining.

Dr. Feather asked that 3 other trees be removed on an emergency basis located at 5509 Greystone, 5703 Warwick and 4807 Falstone. Motion Vice President Shaul, second Council Member Zeughauser to approve the removal of these 3 trees on an emergency basis as recommended by Dr. Feather. Motion passed 4-0-1 with Council Member Peale abstaining.

13. Removal of Private trees, Jeffrey and Dana Macher at 4725 Cumberland Avenue
Motion Council Member Pickar, second Vice President Shaul. To remove 5 total trees including the reforestation plan as submitted by Dr. Feather. Motion passed 4-0-1 with Council Member Peale abstaining.

14. Approval of Street Sweeping Contract with East Coast
Motion Council Member Zeughauser, second Council Member Pickar to approve a contract with East Coast Sweeping at a cost of \$950.00 per sweep for two sweeps in Calendar year 2012. Town staff would do its best to notify the public to not park on the streets. Motion passed 4-0-1 with Council Member Peale abstaining.

15. Pool House Punch List Update
Therrien Waddell and Lou Balodemas provided an email punch list update to the Council. It was determined that no final closeout payments would be made until all work was completed on the punch list.

16. Pool Rules adoption 2012
It was determined that the Pool Rules would be reviewed and updated at a later date. Council Member Condos requested that it be a policy that a Pool Manager (CPO) is on site for all home swim meets.

17. Approval of Weekly Cleaning at the Town Pool House
Motion to approve Aquafree Facilities Services Inc. for weekly cleaning at the Town Pool house as well as for a detailed cleaning at the beginning and end of the season. Motion passed 4-0-1 with Council Member Peale abstaining. The decision to choose Aquafree was based on their past performance in cleaning the pool site for Therrien Waddell and familiarity with the site itself.

18. Special Pool Event Request submitted by Alan Proctor, Cumberland
Motion Council Member Pickar, second Council Member Zeughauser to approve the special event request to take place on 5/26/12 between the hours of 11 AM and 6 PM. Vice President Shaul stated that the staff needs to check with the pool management company to determine if extra staffing is needed. Council Member Zeughauser stated that she was willing to personally cover the cost of the extra staffing. Motion passed 4-0-1 with Council Member Peale abstaining.

19. Approval of Swim Team Proposed Events for 2012
Motion Council Member Zeughauser, second Council Member Pickar to approve the list of swim team events and times as made part of these minutes. Included in this was that

there would be a Pool Manager on site during the home swim meets. An addendum to the contract might be needed for those 4 days. Motion passed 4-0-1 with Council Member Peale abstaining. It was stated that the status of the swim team lock in would be discussed at a later date, possibly the June 4 meeting.

20. Approval of Mayor's nomination of Mark Oxley, Dorset, to the Batting Cage Committee

Motion Council Member Pickar, second Vice President Shaul. Motion passed 4-0-1 with Council Member Peale abstaining. Mr. Oxley's term will end 12/31/13.

21. Approval of Mayor's nomination of Ann Mitchell, Dorset to the Town PNR Committee

Motion Vice President Shaul, second Council Member Pickar. Motion passed 4-0-1 with Council Member Peale abstaining. Ms. Mitchell's term will end 4/4/15.

22. Approval of Mayor's nomination of Kathleen Kenyon, Grantham, to the Town PNR Committee

Motion Council Member Zeughauser, second Vice President Shaul. Motion passed 4-0-1 with Council Member Peale abstaining. Ms. Kenyon's term will end 4/4/15

23. Approval of Tentative Council Liaison Assignments

Motion Vice President Shaul, second Council Member Zeughauser to approve the following liaison assignments:

Pool Committee: Barbara Condos, alternate Franny Peale
Swim Team: Franny Peale, alternate Barbara Condos
Tennis: Cathy Pickar, alternate Barbara Condos.

Motion passed 4-0-1 with Council Member Peale abstaining.

24. Mayors Report

Mayor Slavin stated his report was in the back of the room for reference, and he had nothing to add.

25. Adjourn

11:00 pm