



# 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*

November 5, 2012  
Council Minutes

### **Council Members and Mayor**

Mayor Jeffrey Slavin  
Council Vice President Marnie Shaul  
Council Member Barbara Condos  
Council Member Franny Peale  
Council Member Cathy Pickar  
Council Member Barbara Zeughauser

### **Town Staff and Consultants**

Larry Plummer, Town Inspector  
Dr. Tolbert Feather, Town Arborist  
Rich Charnovich, Town Manager  
Sheri Rule, Police Officer

### **Town Residents and Contractors Signed In**

Sue Rosenthal, Surrey  
Dennis Horn, Surrey  
Greg Bitz, Uppingham  
Birdie Pieczenik, Essex  
Margery Topf, Uppingham  
Morris Topf, Uppingham  
Kevin Davis, Paramount Construction  
Guido Bracciale, Deal  
Jeremy Steindecker, Uppingham  
Beth Steindecker, Uppingham

### **Public Comment Period**

Sue Rosenthal, Surrey, commented on a letter to the editor in the Jewish Times that was attributed to Mayor Slavin. She wondered if a political endorsement should have a person's elected title. Sue also commented on the beautification in the front of the pool house. Dennis Horn, Surrey, thanked the Council and Mayor for all their hard work in relation to PEPCO issues. He stated he was very pleased that they didn't lose power in the Hurricane Sandy storm. The Council asked Larry Plummer to provide an update on the Falstone Avenue Drainage Project. It was agreed that a status update article would be written for the Town Journal.

### **Public Safety Forum**

Greg Bitz, Uppingham, requested that the Council and Mayor consider increasing the amount of police presence in the next budget. Birdie Pieczenik, commented that Town residents need to take precautions themselves and not simply rely on police protection.

### **Meeting Minutes**

Motion Council Member Zeughauser, Second Vice President Shaul to approve the October 1 Council Meeting Minutes, October 1 Closed Meeting Minutes, and October 10 Special Council Meeting Minutes. Motion passed 5-0, 5-0, and 4-0-1. Council Member Condos abstained from the October 10 Special Meeting Minutes since she wasn't in attendance.

### **Financial Report**

Town Manager Rich Charnovich provided the monthly financial report to the Mayor and Council.

### **FY12 Audit Approval**

Mayor Slavin asked Bob Diss of Lindsey and Associates to make a presentation to the Council on the FY12 Audit. Council Vice President Shaul stated that the Audit Committee met and deputized her to inform the Council that they recommend the Audit be approved. Motion Council Member Pickar, second Vice President Shaul. Motion passed 5-0.

### **5513 Uppingham Street**

Mayor Slavin asked Mr. Plummer to provide his report. Questions were posed in relation to the generator location, parking plan and if there would be a driveway shift. Dr. Feather provided his report to the Council. Council Vice President Shaul asked questions in relation to the storm water management plan. Kevin Davis, Paramount Construction, discussed the generator location and storm water. Council Member Zeughauser asked about construction timing and the noise mitigation for the generator. Council Member

Peale stated she had concerns about this project and kids walking to school. She asked that the contractor pay special attention to them. Motion Council Member Zeughauser, second Council Member Pickar, to approve the demolition, building, curb cut, generator application, parking plan including no more than 3 vehicles on Uppingham and 2 on Trent Street during construction, tree removal, reforestation plan and super silt fence requirement. Motion passed 5-0.

### **5529 Uppingham Street and 5510 Trent Street Updates**

Town Inspector Plummer provided his report on these two projects, noting that they both have been a bit stagnant.

### **Removal of 2 Town Trees**

Dr. Feather provided his report on two trees located at 4802 Falstone Avenue, Flowering Cherry, and 5400 Greystone Street, Maple. Dr. Feather indicated that both trees were dead and should be removed. Motion Council Member Zeughauser, second Council Member Pickar. Motion passed 5-0.

### **PEPCO Tree Removal Request**

Dr. Feather provided a report to the Council. PEPCO has proposed cutting down a number of Town trees, which the arborist has reduced to the removal of 16 trees. The tree list will be made a part of these minutes. PEPCO will be removing the trees. The Town of Somerset will be responsible for removing the stumps. PEPCO will be responsible for tree replanting after getting approval from the Town Arborist. Motion Council Member Zeughauser, second Vice President Shaul. Motion passed 5-0.

### **5800 Deal Place Tree Removals**

Dr. Feather provided his report to the Council. Dr. Feather stated that there would be trees planted on the Dorset side of the property, 1 canopy and 2 ornamental trees, in conjunction with the removal of 4 trees on the property. Motion Council Member Zeughauser, second Council Member Pickar to approve the removal of these 4 trees, and the reforestation plan that will include 1 canopy and 2 ornamental trees. The 4 trees to be removed are as follows: 39" Black Cherry, 14" Tree of Heaven twin trunks, 5" Black Walnut, and 11" Hemlock. Motion passed 5-0.

### **Capitol Greenroofs Proposal for soil plantings**

It was decided that Capitol Greenroofs would replace the soil and plants on one side of the pool deck, the side on the right as you are facing the pool. The Town Manager was requested to get the exact soil specification and to make sure that McKay's White Pontentialla plants were used. The Town Manager was also asked to ensure that the plants are appropriately watered. Motion Council Vice President Shaul, second Council Member Pickar. Motion passed 5-0.

### **Soil and Erosion work to be completed near Town Pool House**

The Council asked Town Manager Charnovich to make sure that the plants that are planted in this area are watered appropriately. Motion Council Vice President Shaul, second Council Member Pickar to approve the proposal with Evergro at a cost not to exceed \$11,540.25 and a consultant cost not to exceed 10% of the contract to be paid to Laura Will and Adele O'Dowd for the placement of the plantings. Motion passed 5-0.

### **Lawn Power Purchase**

Motion Council Member Peale, second Council Member Zeughauser, to purchase a 48" 16 horsepower lawn mower to be purchased from Bethesda Lawn and Power Equipment at a cost not to exceed \$2,695.00. Motion passed 5-0.

### **Re-Nomination of Ellie Fink to Board of Elections**

Motion Council Member Zeughauser, second Council Vice President Shaul, to approve the Mayor's nomination of Ellie Fink to the Board of Supervisors of Elections for a term expiring December 31, 2015.

### **Mayor's Report**

Mayor Slavin had his report available for anyone to review at the meeting.

The Town Council entered into closed session at 10:30 pm, with the closed session adjourning at 10:50 pm.