



# TOWN OF SOMERSET

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Jeffrey Z. Slavin  
*Mayor*

Rich Charnovich  
*Town Manager/Clerk-Treasurer*

October 1, 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  
Rich Charnovich, Town Manager

## **Town Residents Signed In**

Sue Rosenthal, Surrey  
Corrie Morsey, Surrey  
Alex Guinand, Warwick

## **Press**

Laura L. Thornton, Chevy Chase Patch

## **Executive session**

**Motion Council Member Zeughauser, second Council Member Shaul to enter Executive Session. Motion passed 5-0.**

**Council Meeting resumed at 8:00 pm.**

## **Public comment period**

Alex Guinand, Warwick, submitted a special meeting request to the Council. It was decided that the meeting would be held on October 10, 2012 at 2 pm in the Town Hall Meeting Room.

**“If I were Mayor” Contest**

Mayor Slavin introduced Mikey Panner, 4815 Essex. Mikey sat in Mayor Slavin’s seat and read her essay to all those present at the meeting.

**Officer Sheri Rule Introduction**

Newly hired part time police officer Sheri Rule introduced herself to the Mayor, Council those in attendance at the meeting.

**September 4, 2012 Council Minutes**

Motion Council Member Zeughauser, second Vice President Shaul. Motion passed 5-0.

**Town Manager October Financial Report**

Town Manager Charnovich provided his monthly financial report to the Mayor and Council which is made a part of these minutes.

**5403 Trent Street Generator Application**

Mayor Slavin asked Larry Plummer to provide his report. Motion Council Member Zeughauser, second Council Member Pickar to accept the application to install the 17 KW generator contingent upon receipt of a sound mitigation plan that satisfies the Town Staff and the Staff’s indication that the plan could reasonably be expected to result in the generator’s meeting the County’s standard for decibel levels for sound. If noise from the generator exceeds the County standard, the applicant will be required to mitigate the noise level to meet the County’s stand. The Town will retain the \$2000.00 security deposit until the decibel level sound requirement is met. The submission of the plan does not relieve the applicant from actually meeting the required noise levels. Motion passed 5-0.

**5803 Warwick Place HVAC Installation**

Mayor Slavin asked Larry Plummer to provide his report. The HVAC Unit was already installed. Motion Vice President Shaul, second Council Member Zeughauser. Motion passed 5-0.

**5408 Surrey Street shed waiver request**

Mayor Slavin asked Larry Plummer to provide his report. Vice President Shaul asked a question regarding the visibility of the shed from the street and from neighboring properties. Council Member Peale asked specifically why the shed doesn’t meet the Town’s Code but meets the County Code. The Town does not administer a restoration permit whereas Montgomery County issues a restoration permit. Motion Council Member Zeughauser, second Vice President Shaul. Motion passed 5-0 to grant the waiver and allow the shed to be in the same location as before the Derecho storm.

**Construction updates for 5529 Uppingham Street, 5510 Trent Street and 5513 Uppingham Street**

Town Inspector Larry Plummer provided his report to the Mayor and Council on these 3 properties. The report will be made a part of these minutes.

**Introduction of Storm Water Management Ordinance as recommended by the Town Environmental Committee**

Vice President Shaul stated that it would be a good idea to table this for the time being based on a meeting that was held with Montgomery County and Environmental Committee representatives. Council Member Peale stated that she didn't think the Town needed an additional regulation at this time regarding this. Council Member Peale also stated that she thought it would be a good idea to know the percentage of projects in Town that are covered by the County rules for storm water management and those that are not. It was determined that the Environmental Committee would be contacted and asked to review what has been learned.

**Tree Removal of Tree number 464, Red Maple, near 5404 Greystone Street**

Manager Charnovich provided a brief report to the Council in the absence of Dr. Feather. This tree needs to be removed because the WSSC service line runs directly under the tree, and the WSSC line needs to be replaced. Motion Council Member Zeughauser, second Council Member Pickar. Motion passed 5-0.

**Commemorative Gift request for Sheryl Gilbert, 25 year Town resident who recently passed away**

Council Member Zeughauser explained this donation. A paw paw tree, birdhouse and plaque are going to be donated by friends of Sherbyl Gilbert.. These gifts were approved by the parks and Natural Resources Committee. Town staff will be planting the tree and installing the birdhouse and plaque. Any financial cost associated with the donation will be borne by the donors. Motion passed 5-0.

**Resolution proclaiming November Municipal Government Works Month**

Motion Council Member Zeughauser, second Vice President Shaul. Motion passed 5-0.

**Leaf Removal Contract**

Motion Vice President Shaul, second Council Member Peale to approve a 2 year contract with Hughes Landscaping at a cost not to exceed \$20,900.00 in year 1 and \$20,500.00 in year 2 and with the following contingencies: collections must take place at least once every other week, collections can only take place between the hours of 8 am and 7 pm and that a 25 foot silt fence must be installed between the pool parking lot and the creek/pool to prevent leaves from blowing into the creek and pool area. A performance review would be completed at the end of year 1 to determine if the conditions have been met. Motion passed 4-1, with Council Member Condos voting against.

**Resolution confirming closure of Wisconsin Avenue and River Road entrances for the Somerset Elementary School Race on October 14, 2012 from 8:30 am to 12 pm**

Motion Council Member Peale, second Vice President Shaul. Motion passed 5-0.

**State Ethics Commission Exemption**

Motion Council Member Peale, second Vice President Shaul to apply for full exemption from the State Ethics Commission. Motion passed 5-0. Mayor Slavin stated that in the future the Town should look at other municipalities of comparable size to determine what they are doing.

**Crate & Barrel Furniture**

Council Member Zeughauser asked if there was some way that McInturff Architects could get us a discount on this furniture as they did on the initial order. Motion Council Member Condos, second Council Member Peale to approve the purchase at a cost not to exceed the 9-11-12 proposal from Crate & Barrel furniture in the amount of \$7,493.00. The Town staff would check with McInturff to see if the original discount was possible again. Motion passed 5-0.

**Tennis Committee Appointments**

Motion Council Member Zeughauser, second Vice President Shaul to make the following appointments to the Tennis Committee as proposed by Mayor Slavin and to appoint Matt Fink as Chairman for the first year.

Matt Fink, Dorset, term ends December 31, 2015

Bob Siegel, Falstone, term ends December 31, 2013

Sue Besharov, Cumberland, term ends December 31, 2013

Howard Waltzman, Trent, term ends December 31, 2014

Frank Joseph, Warwick, term ends December 31, 2014

Motion Council Member Pickar, second Council Member Condos to name Matt Fink the Chairman for the first year. Motion passed 5-0.

**Mayor's Report**

Mayor Slavin brought up the staff's idea to apply to be a Toys for Tots drop off site for the upcoming holiday season. Motion Council Member Zeughauser, second Vice President Shaul. Motion passed 5-0.

**Executive Session**

The Council re-entered Executive Session at 9:50 pm to continue discussing a legal matter. The Executive Session ended at 10:37 pm.

**Adjourn**

10:37 pm