

SOMERSET

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Jeffrey Z. Slavin
Mayor

Rich Charnovich
Town Manager/Clerk-Treasurer

Council Minutes
November 7, 2011

Mayor and Council Members Present

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

Town Staff

Larry Plummer, Town Inspector
Richard Charnovich, Town Manager-Clerk/Treasurer

Consulting Staff and Contractors

Bob Diss, Lindsey and Associates
Ed Mulheron, Mulheron Tree Experts

Residents Signed In

Sue Rosenthal, Surrey
George Wyeth, Falstone
Mary Allen, Cumberland
Wendy Louttit, Trent
Lucy Freeman, Dorset
Shane and Viviana Green, Uppingham
John Stewart, Dorset
Mitch Narins, Essex

Press

Laura L. Thornton

1. Council Minutes

Motion Council Zeughauser, second Vice President Shaul to approve the October 3, 2011 Council Meeting Minutes. Motion passed 4-0-1, with Council Member Proctor abstaining.

Motion Vice President Shaul, second Council Member Zeughauser to approve the October 24, 2011 Special Meeting Minutes. Motion passed 3-0-2 with Council Members Proctor and Pickar abstaining.

2. Town Manager's Financial Report

Town Manager Charnovich provided his financial report to the Council, which included year to date and monthly operating revenue and expenses as well as capital fund expenses. He also provided a historical spreadsheet of State Income Tax revenues.

3. Approval of the FYI 11 Audit as recommended by the Town Audit Committee

Mayor Slavin asked Chuck Edson, Audit Committee Chairman, to inform the Council of any Audit FY 11 findings by the Committee. Mr. Edson informed the Council that the Committee has reviewed the report and recommend approval of the FY11 Audit. Sue Rosenthal, Surrey, asked who audits the expenditures at the pool. Bob Diss, Lindsey and Associates answered that their firm does. Council Member Proctor asked about how the transition to quickbooks was working. Motion Vice President Shaul, Second Council Member Zeughauser to approve the FY11 Audit. Motion passed 5-0.

4. Introduction of a Refunding Ordinance to the Town of Somerset Public Facilities Bond of 2010

Vice President Shaul explained how the refunding process would work. This process would result in much lower consultant fees for the Town while still achieving a much lower interest rate. Vice President Shaul stated that the Town could save more than \$200,000.00 over the life of the loan. The Council set a Special Meeting for November 14, 2011 at 2:45 pm to further discuss the refunding of the Town of Somerset Public Facilities Bond of 2010.

5. Town Resident Comments/Agenda Items

Sue Rosenthal, Surrey, asked a question about items number 12 and 13 on the Agenda. Her interests are regarding the total costs for the Pool House Renovation Project.

Wendy Louttit, Trent, asked if the total costs document for the Project is located on the Town's website. Manager Charnovich stated that the document will be placed on the website after the next update is received from the Project Manager.

Lucy Freeman, Dorset, stated that her concerns were about treatment of sidewalks and the appropriate amount of materials used to treat them during the winter snow season.

6. Town Resident Comments/Non Agenda Items

George Wyeth, Chair, Environmental Committee made comments in relation to the Methyl Bromide issue with the Chevy Chase Country Club and the treating of its golf course. Mr. Wyeth stated the Environmental Committee is interested in making a recommendation to send a letter to Chevy Chase Club to have regular meetings to discuss items of mutual environmental interest. Mayor Slavin stated he looks forward to hearing from the Environmental Committee.

Mary Allen, Cumberland, discussed the alley that leads to Drummond near Somerset Elementary School. She made a request that cameras be installed and that people be ticketed. She also suggested that the signage in the alley needs improved. She was informed that the School Principal was working on dealing with the issue of chaining the alley. The School PTA is going to send a letter indicating the hours they would like the alley closed. The Town will work with Drummond enforcement. Sue Rosenthal, Surrey, stressed that she thought this was an issue of great concern.

7. Consideration of an application submitted by Bonnie and Martin Lewin, 4817 Cumberland Avenue, to install a gas Kohler 14 Res Generator

Town Manager Charnovich asked that this matter be tabled to the December Council Meeting. The matter was tabled until December.

8. Consideration of an application submitted by Shane and Viviana Green, 5514 Uppingham Street, to install a 20KW generator.

Mayor Slavin asked Mr. Plummer to provide a report on this generator. Mr. Plummer recommended approval of the generator contingent upon the submission of a mitigation plan. Mayor Slavin asked the applicant to speak on the application. The applicant stated that the installation of the generator would help in preventing future hardships to their property. Motion Council Member Farley, second Vice President Shaul, to accept the application to install the 20KW 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 meet the decibel levels for sound. 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.

9. Consideration of an application submitted by Brian Graham, 4728 Dorset Avenue, to revise the location of the generator to be located on the property. The original generator permit was approved in June of 2011.

Mayor Slavin asked Mr. Plummer to provide the report on the generator. Mr. Plummer recommended approval of the new location of the generator. The Council applauded Mr.

Graham's decision to move the location. Motion Council Member Zeughauser, second Council Member Pickar. Motion passed 5-0.

10. Consideration of a permit extension to the permit for the 4909 Essex Avenue Project as per Inspector Plummer's report.

Mayor Slavin asked Mr. Plummer to provide his report on this matter. Mr. Plummer recommended that the Council extend the permit to December 5, 2011 since the work was almost complete. Motion Council Member Zeughauser, second Council Member Pickar. Motion passed 5-0.

11. Report from Ed Mulheron of Mulheron Tree Experts on upcoming winter season maintenance procedures

Ed Mulheron provided a brief report to the Council regarding upcoming winter maintenance procedures. Mr. Mulheron stated that the company had updated some of its equipment. He also stated that salt hasn't been used to treat the Town's sidewalks for quite sometime. It was confirmed as per the Town Code that Town residents are responsible to clear the sidewalks in front of their property if the accumulation is less than 2 inches.

12. Pool House Update

Matt Maynard, Therrien Waddell, provided a brief update to the Council on the remaining punch list items for the Pool House Project. Mr. Maynard indicated that 13 items should be completed by the end of the week of November 7, 2011 including installation of the bird screens and delivery of the trash cans.

13. Consideration of the approval of PCO for the Somerset Pool Renovation Project in the amount of \$1,523.83.

Motion Vice President Shaul, second Council Member Zeughauser to approve PCO 79. Motion passed 5-0 to approve.

14. Consideration of the approval of Invoice submitted by Balodemas Architects dated November 2, 2011 in the amount of \$20,585.87

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

15. Consideration of the approval of an Invoice submitted by McInturff Architects dated October 17, 2011 in the amount of \$61,242.19

The Council requested that McInturff provide additional documentation on this particular Invoice, mainly questions about Julia Heine's furniture plans and the additional services by Peter Noonan. Motion Council Member Farley, second Council Member Zeughauser to pay McInturff a partial amount of \$29,367.19 for this Invoice until further information is received on the other requested items. Motion passed 5-0.

16. Consideration of the adoption of a Resolution opposing Montgomery County Council Member George Leventhal's Bill 29-11

which would eliminate the Friendship Heights Transportation Management Committee.

Mayor Slavin asked Council Member Farley to provide a report on Bill 29-11. Mayor Slavin made a recommendation that the Council oppose this Bill as it is a very important Committee. Motion Council Member Zeughauser, second Vice President Shaul to oppose the Bill. Motion passed 5-0.

17. Consideration of the Mayor's nomination of John Stewart (Dorset) to the Board of Supervisors of Elections

Motion Council Member Pickar, second Council Member Proctor. Motion passes 5-0.

18. Mayor's Report

Mayor Slavin indicated that his report was in the back of the room and that he had nothing to add.

19. Adjourn at 9:11 pm.