



Jeffrey Z. Slavin  
Mayor

## TOWN OF SOMERSET

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Rich Charnovich  
Town Manager/Clerk-Treasurer

### October 5, 2015 Council Minutes

Open session commenced at 7:30 pm.

#### Those present

Jeffrey Slavin, Mayor  
Marnie Shaul, Council Vice President  
Barbara Condos, Council Member  
Barbara Zeughauser, Council Member  
Cathy Pickar, Council Member  
Franny Peale, Council Member  
Larry Plummer, Town Inspector  
Tolbert Feather, Arborist  
Norman Knopf, Town Attorney

#### **Public Comments**

#### Consent Agenda

1. September 8, 2015 Council Meeting Minutes
2. Resolution naming November Municipal Government Works Month
3. Confirming the location to place the Walter Behr Path sign along Cumberland Avenue near the Town Hall.
4. Confirmation of the Mayor's nomination of Jack Frink to serve on the Audit Committee
5. Approval of a HVAC replacement permit application at 4722 Cumberland Avenue
6. Approval of a HVAC replacement permit application at 4815 Falstone Avenue

*"Where People and Trees Have Deep Roots and Grow Strong"*

7. Approval of a HVAC replacement permit application at 4824 Falstone Avenue. Motion Shaul, second Zeughauser to approve the consent agenda. Motion passed 5-0.
8. Town Manager Charnovich presented the October Financial Report to the Council and Mayor.
9. Approval on a recommendation of the Council acting as the Local Advisory Panel to the Historic Preservation Commission on a plan amendment for the project occurring at 4707 Cumberland Avenue. The revisions are as follows: Removal of the second story deck and the doors exiting the master bedroom onto the deck, change of roof materials on the addition from standing seam metal to an architectural shingle, removal of the door between family room and screened porch, removal of a sidelight at doorway in the rear of the house, bottom portion of the screened porch wall facing the rear yard will be switched from PVC panels and PVC balusters, and reduction of the size of the kitchen wall by 2 feet. Motion Shaul, second Zeughauser to approve, motion passed 5-0.
10. Approval of the following fall Town tree plantings: 1 American Beech in Capello Park near Dorset and Wisconsin Avenues, 1 Red Maple at 5802 Deal Place, 1 Dogwood at 5417 Surrey Street, 1 Yellowwood at 5807 Surrey Street, 1 Flowering Cherry at 4707 Trent Court, 1 American catalpa at 5517 Uppingham Street, 1 Blackgum at 5609 Warwick Place, 1 Scarlet Oak at 5804 Surrey Street. Trees to be planted by PEPCO: 2 Serviceberry at 4816 Grantham, 2 Serviceberry at 4818 Cumberland, 2 Serviceberry at 4909 Falstone, 2 Serviceberry at 5503 Uppingham. Motion Zeughauser, second Pickar. Motion passed 5-0.
11. Approval of an Emergency Ordinance. Section 9-107, amending the hours on the signs near the Somerset Elementary School near Warwick Lane based on the change in school times set by the Montgomery County school system. Motion Zeughauser, second Shaul. Motion passed 5-0.
12. Tennis Court Construction Update – Council Member Pickar provided a project update to the Mayor, Council and to those interested in the audience. Various town residents spoke on the importance of the tennis court renovation project. It was determined the Town would provide a deposit to Bishop's Tennis in the amount of \$25,000 as a placeholder to begin construction work in May of 2016 while final contract details are worked out. Motion Pickar, second Peale, to approve the \$25,000 deposit. Motion passed 5-0.
13. Proposal by Sabra Wang and Associates to analyze data at 4 remaining intersections where counts took place on September 16, 2015. There will now be a total of 7 intersections analyzed. Motion Pickar, second Shaul. Motion passed 5-0.
14. Parking lot lighting project near tennis courts – Motion Zeughauser, second Shaul to approve the proposal submitted by Outdoor Illumination, Inc. in the amount of \$16,282.80 and to include a contingency of no more than \$1,000 should a timer need installed. The purpose of the lighting project is to make the Town Hall parking lot safer during nighttime hours.

15. Acceptance of a gift for landscaping services near the bench located near the intersection of Wisconsin Avenue and Dorset Avenue. Shorb landscaping will complete the project at a cost of \$1,951.05. The cost of the project will be split by the Rowan family and Jeffrey Slavin. Motion Zeughauser, second Shaul. Motion passed 5-0.
16. Approval of a bid submitted by Eli's Heating and Air Conditioning in the amount of \$16,260.00 to replace aging HVAC Units in both the Garage and in the Town Hall. Approximately 50% will be refunded through a Maryland Energy Administration grant. Motion Zeughauser, second Shaul. Motion passed 5-0.
17. Approval of a proposal submitted by Richard Bajana Landscaping in the amount of \$4,850 for the fall treatment of Town parkland which includes labor and materials. Motion Zeughauser, second Shaul. Motion passed 5-0.
18. Approval of a proposal submitted by ECS Mid-Atlantic Engineering for geo-technical engineering services for the Town pool concrete shell at a cost not to exceed \$6,150.00.
19. General Code Update – Two dates and times were scheduled for the first two meetings on the major code revision project: November 16 at 12 pm and December 2 at 12 pm in the Town Hall. The Town Manager will deliver all the materials received from General Code in hard copy.
20. Closed session – Motion Zeughauser, second Shaul, to enter into closed session at 10 pm to discuss a legal matter relating to street maintenance and to advise whether the Town has any legal liability for its actions and how to resolve the matter and avoid litigation if there is potential liability. Motion Zeughauser, second Condos to exit closed session at 10:25 pm
21. Mayor's Report – Mayor Slavin had his report available in the room if anyone wanted to view it.
22. Adjourn at 10:25 pm