



Town Council Minutes
39 W. Main Street

March 10, 2016 – 7:00 p.m.

The regular meeting of the Mayor and Council of the Town of New Market was held on March 10, 2016 in the Town Hall, 39 West Main Street, New Market, MD with Mayor Winslow Burhans presiding. Members of the Council present were Shane Rossman, Mike Davies, and Jake Romanell. Rita Mueller and Dennis Kimble were absent.

CALL TO ORDER: The meeting was called to order at 7:03p.m.

APPROVAL OF MINUTES:

February 11, 2016

Decision: Councilman Romanell made a motion to adopt the minutes as written.

Second: Councilman Rossman

Discussion: None

Vote: For – 3 (Rossman, Davies, Romanell) Against – 0, Abstain – 0

Absent – 2 (Kimble, Mueller)

The motion passed

Mayor & Liaison Reports:

Mayor Burhans: Mayor Burhans thanked Bob Mochi and Bowman Consulting for donating the lateral file cabinet to the Town to file large maps and plans.

Councilman Rossman:

Streetscape Update:

Councilman Rossman reported that the streetscape project is now 50.2% complete. The wrought iron railings will be going up in the next couple weeks and is being manufactured by Long Fence as part of the contract. There was a discussion about the silver lag bolts that bolt the wrought iron to the concrete and whether to powder coat those so that it will blend in with the wrought iron. Long Fence is going to look for caps that are black to cover the bolts. The light poles will be installed in April. Concrete is being pored; however, the asphalt plants are not re-opened yet. When they do re-open, the brickwork will resume. There have been several issues with residents' front steps pulling away from their homes. At 14 West Main the resolution was, that the homeowner wants to do something different, so Concrete General is going to brick all the way up to the foundation and then let the homeowner take over with the stoop that they want. There also has been a recent issue at 12 W. Main St. and the resident could not be in attendance at the meeting and asked to have his letter read to everyone. Councilman Rossman read the following from Mr. Price.

"March 8

Shane,

I have been patient about my porch and my planters and the fact that they are falling down and deteriorating due to the removal of the sidewalks months ago. I first contacted you on December 16th about my front stoop and the planters. At that time – the sidewalk had been removed and the result was – my wrought iron post cracked due to that fact. Furthermore – we both saw fresh cracks with bright red brick residue in both planters. Which clearly indicated the removal of the sidewalk caused them to fail as well. You had said you would let SHA and Concrete General know and that in your opinion it was clear that yes indeed – this situation was caused by the project.

I did not hear back from you so I reached back out on January 5th. At that time you claimed that they were going to leave both the stoop and the planters alone and that there were pictures showing the cracks. You said that if there was any additional damage that they would repair and that you would have someone look at the post and the railing. I disagreed with that course of non-action and requested the photographs. To this date – I have not seen the photographs. Furthermore – now the stoop is literally falling apart and falling down and the planters are losing bricks from underneath and from the lowest course of bricks – all due to the fact that they were left exposed for nearly 3 months.

On January 7th you and Stick met and decided you didn't know how to repair the railing base but agreed that the removal of the sidewalk caused the damage. You also had stick finally brace our ramp in the courtyard. I will save that area for another letter. I fear that the brick pathway in the courtyard has also been compromised because of the lack of attention to my property and existing structures.

I reached back out to you last Wednesday, March 2nd as I still have not heard about any progress, resolution or seen any photographs. This is not acceptable since work has now restarted. Furthermore – they are now laying a concrete base where the sidewalk was and neglecting my issues once again. If that concrete is laid and my structures are not torn down and replaced – the concrete pad will end at those structures and water will run underneath them and into my foundation and basement and will likely compromise a 210 year old house.

I need immediate action.

Appreciatively,

*David Price
12 West Main
301-514-7247"*

Councilman Rossman stated that there is concerned about the sidewalks being left open right before winter and leaving them exposed through out the winter weather. Councilman Rossman has sent another email with pictures requesting that they repair the porch/planters and the railings to make things right. It's also been brought up in several meetings after 1 E. Main St. and 14 W. Main St. have had their porches pulling away, that they needed to come up with some sort of resolution. There have been no plans how to address the problem yet. Councilman Romanell added that the MOU should be reviewed to see when unforeseen problems arise, who's responsible for these mitigations. Councilman Rossman reported that this is on the agenda for the next partner meeting on

March 17, 2016 and additional pictures have been taken and sent over to all the parties to review before the meeting.

Councilman Romanell:

Councilman Romanell reported that the Green Team has submitted paperwork showing that the energy audit was done for Town Hall and that will give 10 points towards certification. Next steps are to do an action plan, which will include putting out a resident community survey. At the next Green Team meeting, there will be an introduction of a town resolution to describe the composition voting process for the Green Team. New Market is going to be hosting an MML legislative dinner on Wednesday, December 7, 2016 and Mayor Burhans will MC the event, which will be held at Vintage. The staff parking lot behind Town Hall will be re-done by Frederick Landscaping. It will have 16 tons of CR-6 gravel compacted down to produce the parking area of 24 ft. x 36 ft. to accommodate three vehicles. They will also seed and straw any disturbed areas, and call Ms. Utilities before they begin work. The total cost will be \$1,950. A week notice will be given before work will begin. This total will come out of the budget line item street maintenance. Councilman Romanell reported updates on bills going through the general assembly at the state level. There is a bill that is going to mandate municipalities delineated process resolving tie election results in their charter. The town will need to do a Charter amendment if passed. The other bill is an amendment to the open meetings act, which will require the presiding officer or elected official liaison go through training every two years.

Special Guest: Ms. Carin Miller – MHAA (Maryland Heroin Awareness Advocates)

Ms. Karen Miller is the president and co-founder of the MHAA and also the founder of Save Our Children One Entity, One Voice. Ms. Miller talked about the heroin epidemic in the county and gave some information if anyone is in need of help for family members etc. Her information is located on Facebook at [mdheroinawarenessadvocates](https://www.facebook.com/mdheroinawarenessadvocates) and her email address is mdheroinawarness@gmail.com. She can also be contacted by phone at 301-471-1830.

Old Business:

1. NMVFD – Concrete Pad

Councilman Rossman reported that he and Councilman Romanell met with the Fire Department on February 29, 2016. Concrete General reported they could do the apron and concrete pad in the front of the fire department for about \$13,000. There were talks about if the Town office moves over to the Smith property on South Alley, that there would be a need for additional parking. Two options were discussed. Option A, would be coming up with an MOU with the Fire Department to use their parking lot as the town parking, and in return, the Town would cover the apron upon Mayor and Council approval. Option B, would be that the town would no longer be involved with the apron / concrete pad and Concrete General would do what they were planning on doing with streetscape



and it would be worked out between SHA, Concrete General and the Fire Department. Councilman Romanell and Councilman Rossman have been invited to the fire department board meeting on March 16, 2016 to present Option A and Option B. Councilman Rossman asked the council if the Town would be interested in funding the concrete pad for \$13,000 in addition to the fire departments annual \$17,000 donation, and have an MOU from the fire department to use their parking lot for the new town office. Or, would the council rather go with Option B and be uninvolved. The council would like to have Councilman Rossman and Councilman Romanell let the Fire department at their meeting that there are things the town would like to have addresses such as how much space the fire department anticipates to pave out back of the fire hall, when it would be complete, and the MOU would have to be concurrent with the funding. Councilman Rossman said he would report back at next months council meeting.

Public Comment:

Rick Fleshman – 2 W. Main St.
Tony Chmelik – Frederick County Council

New Business:

1. Hydrological Study of Outflow Area
Bryan Dusza with Wilson T. Ballard presented the Hydrological Study for North Alley.

Decision: Councilman Romanell made the motion that \$48,300 to go into CIP FY2016 to be funded out of the General Fund.

Second: Councilman Davies

Discussion: None

**Vote: For – 3 (Rossman, Davies, Romanell) Against – 0, Abstain – 0
Absent – 2 (Kimble, Mueller)**

Shawn Burnett presented the Scope of work for North Alley Roadway Shoulder Improvements. An ad will be placed in the FNP on Monday, March 14, 2016 to receive bids and the bids will be opened at the April 14, 2016 Town Council meeting.

2. Brinkley Manor – Forest Resource Deed of Easement

Decision: Councilman Rossman made the motion to execute the deed of easement / maintenance covenants agreement for the Brinkley Manor forestation conservation area.

Second: Councilman Davies

Discussion: None



Public Comment:

- Rick Fleshman – 2 W. Main St.

Vote: For – 3 (*Rossmann, Davies, Romanell*) **Against – 0, Abstain – 0**
Absent – 2 (*Kimble, Mueller*)

Public Comment: None

ADJOURNMENT:

Decision: Councilman Romanell made a motion to adjourn the meeting.

Second: Councilman Davies

Vote: For – 3 (*Rossmann, Davies, Romanell*) **Against – 0, Abstain – 0,**
Absent – 2 (*Kimble, Mueller*)

The motion passed

Respectfully submitted,

Karen Durbin
Clerk to Council