



Town Council Minutes 39 W. Main Street

August 8, 2013
Executive Session – 6:00 p.m.
General Session – 7:00 p.m.

An Executive Session under the Open Meetings Act Law 10-508(a)(7) was held on August 8, 2013 at 6:00 pm to consult with counsel to obtain legal advice on a legal matter, with Mayor Burhans presiding. Members of the council present were: Shane Rossman, Jake Romanell, Dennis Kimble, & Michael Davies. Councilwoman Mueller was absent.

Decision: Councilmember Romanell made a motion to enter into an Executive Session under the Open Meetings Act Law 10-508(a)(7) to consult with legal counsel.

Second: Councilmember Kimble

Discussion: None

Vote: **For** – 4 (Rossman, Davies, Kimble, Romanell) **Against** – 0. **Abstain** – 0
The motion passed.

The regular meeting of the Mayor and Council of the Town of New Market was held August 8, 2013 in the Town Hall, 39 West Main Street, New Market, MD, with Mayor Winslow Burhans presiding. Members of the Council present were Jake Romanell, Michael Davies, Dennis Kimble, and Shane Rossman. Councilwoman Mueller was absent.

CALL TO ORDER: The meeting was called to order at 7:05 p.m.

APPROVAL OF MINUTES

Decision: Councilmember Romanell made a motion to approve the minutes of July 11, 2013 as written.

Second: Councilmember Davies

Discussion: None

Vote: **For** – 3 (Rossman, Romanell, Davies) **Against** – 0. **Abstain** – 1 (Kimble)
The motion passed.

Mayor & Liaison Reports:

Mayor Burhans: The Mayor said there would be a continuation of the August meeting to be held on August 22, 2013. The Mayor requested that the Second Sunday Chair (Steve Pippin) attend to present an update on the first two Second Sunday events. Mayor Burhans has informed the Sheriff's department that there has been some concern with youth activity in the parks. The park lights at the Community Park are not working again. Mayor Burhans will notify Councilwoman Mueller.

Councilman Rossman: The State Highway Administration will present information on the Streetscape project. The meeting, open to the public, will be held on Tuesday, August 13 from 6:00 pm to 8:00 pm. A newsletter was mailed out to all residents and the upcoming meeting has been posted on the town website as well.

Councilman Romanell: Rick Weldon from the Frederick County Chamber of Commerce offered a discounted booth rental for an upcoming Expo (\$400 versus the normal \$900). Councilman Romanell believes that we don't have enough mass currently to participate this year.

Councilman Kimble: The Planning & Zoning meeting has been rescheduled to Wednesday, August 14 @ 7:00 pm.

New Business

1. **Fire Pond Algae** – An estimate for a fountain for the pond was presented. There are issues concerning electrical power and further pricing clarification is needed before a decision can be made. This item will be discussed again at the August 22 meeting.
2. **Community Work Project** – Originally \$2500.00 was approved to clear out old mulch, remove weeds, put down weed barrier and then re-mulch. Once the old mulch was removed the contractor encountered years of composted mulch that was very wet and required additional work, more wood chips, and larger equipment to complete the job. Further evaluation is required of the original estimate and subsequent invoice.

Decision: Councilmember Kimble made a motion to wait on payment and discuss further at the August 22 meeting.

Second: Councilmember Rossman

Discussion: None

Vote: **For** – 4 (Rossman, Romanell, Davies, Kimble) **Against** – 0. **Abstain** – 0
The motion passed.

New Business

3. 2013 Linganore Homecoming Parade

Decision: Councilmember Rossman made a motion to approve 2013 Linganore Homecoming Parade for Saturday, October 5 as submitted.

Second: Councilmember Davies

Discussion: None

Vote: **For** – 4 (Rossman, Romanell, Davies, Kimble) **Against** – 0. **Abstain** – 0
The motion passed.

4. Constitution Week Proclamation

Decision: Councilmember Romanell made a motion to adopt the Constitution Week (September 17-23) proclamation as written.

Second: Councilmember Kimble

Discussion: None

Vote: **For** – 4 (Rossman, Romanell, Davies, Kimble) **Against** – 0. **Abstain** – 0
The motion passed.

5. **Royal Oaks Road Transfer** – The remaining items have been corrected, including the new record plat with the correction of street name "Nicholas Hall".

The deed of dedication along with Resolution 2013-01 has been forwarded to town attorney, William Wantz, for his review.

Decision: Councilmember Romanell made a motion for a conditional approval of the Deed of Dedication and Resolution 2013-01 subject to the town attorney's approval.

Second: Councilmember Kimble

Discussion: None

Vote: **For** – 4 (Rossman, Romanell, Davies, Kimble) **Against** – 0. **Abstain** – 0
The motion passed.

6. **Marley Square Taps** – Bob Mochi, on behalf of Marley Square owner Brad Tavel, requested that the town grant a one-year extension for the taps for Marley Square. They are moving forward with financing and hope to secure that in the next 90 days.

Decision: Councilmember Romanell made a motion to grant a one-year extension to the tap agreement, to Marley Gate, LLC, contingent upon everything being in compliance with the 4th amendment to the Water Service Area Agreement.

Second: Councilmember Davies

Discussion: None

Vote: **For** – 4 (Rossman, Romanell, Davies, Kimble) **Against** – 0. **Abstain** – 0
The motion passed.

7. **Public Works Project** – Work will start on the resurfacing of 1st and 2nd Alleys on Wednesday, August 14. Councilmember Romanell requested an email be sent out to the town email list to notify them of the project.

The project to repair several areas of the brick sidewalks on Main Street began today. The first location is the one in front of Mealey's. The remaining locations will take place over the next week. This was a FY13 project and there is a \$400.00 change order for funds that will be have to moved to FY13.

Councilman Romanell inspected the property along the east side of Emory Alley for a drainage issue. There were two drainage pipes that had disintegrated. The proposal is to put in a steel pipe to connect to the pipe under the alley. The repairs that have been proposed total \$2,983.08. This would be repaired after 1st & 2nd Alleys are completed.

Councilman Romanell is working with Paul Cooper to bundle some trimming work such as the bushes along North Alley, Royal Oak Drive and dead limbs along 6th Alley.

The owner of the property at 37 W. Main Street has contacted Councilman Kimble that there is a drainage problem with town hall gutters and that the bushes/weeds behind town hall are infringing on her property. Councilman Kimble and Councilman Romanell will check on this issue and report back at the August 22 meeting.

CONTINUATION: Motion made by Councilmember Romanell to continue the meeting on August 22, 2013.

Second: Councilmember Kimble

Discussion: None.

Vote: For – 4 (Romanell, Rossman, Davies, Kimble) **Against** – 0. **Abstain** – 0.

The motion passed.

Respectfully submitted,

Debra Butler
Clerk to Council