



Town Council Minutes 39 W. Main Street

November 9, 2011 – 7:00 p.m.

The regular meeting of the Mayor and Council of the Town of New Market was held November 9, 2011, in the Town Hall, 39 West Main Street, New Market, Maryland, with Mayor Winslow Burhans presiding. Members of the Council present were, Dennis Kimble, Shane Rossman, Jake Romanell, and David Price. Councilmember Rita Mueller was absent.

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

APPROVAL OF MINUTES

Decision: Councilmember Kimble made a motion to approve the minutes of September 14, 2011 as written.

Second: Councilmember Romanell

Discussion: None

Vote: **For** – 3 (Price, Kimble, Romanell) **Against** – 0. **Abstain** – Rossman

Decision: Councilmember Price made a motion to approve the minutes of October 12, 2011 as written.

Second: Councilmember Kimble

Discussion: None

Vote: **For** – 3 (Price, Kimble, Rossman) **Against** – 0. **Abstain** – Romanell

Decision: Councilmember Rossman made a motion to approve the minutes of October 19, 2011 as written.

Second: Councilmember Romanell

Discussion: None

Vote: **For** – 3 (Price, Rossman, Romanell) **Against** – 0. **Abstain** – Kimble

Mayor & Liaison Reports:

Mayor Burhans: Mealey's has a contract and is scheduled for settlement in December. The buyer is looking for a new operator for the restaurant.

Councilman Rossman: Fall clean-up day will be Saturday, November 19. Everyone is to meet at 8:00 a.m. at the Town Hall. There will be an announcement in the newsletter and on the website.

Councilman Romanell

State Level: At the MML Fall conference 1) TMDL bill – the EPA after pressure from the MML is going to go back and recalculate their figures. This bill would have a financial impact on the residents. 2) It looks like the septic bill will go through. 3) MML wants to hold a forum before they come out with a position on Plan Maryland.

County Level: The final tax equity plan has not been presented to the Board of County Commissioners yet. The county and the municipalities need to agree on the formula, i.e. 1) agree to use the old formula that is based on per capita, 2) tax equity which would give the Town cash instead of tax differential, and 3) that it will be memorialized so that it will be difficult for future boards to change the formula.

Local Level: There will be a meeting at 10:00 a.m. on Friday, November 18th between the State Highway Administration engineers, Shawn Burnett (Town Engineer) and the County engineers to inspect the situation at Third Alley where the inverted V was made a few months ago. The water is damming up along the new cement sidewalk. The group will also inspect the drainage issue at South Alley & South Federal Street to see if the problem would be solved if we can tie into the SHA storm water management system.

Councilman Kimble: 1(For the code enforcement problem with the cars illegally parked in yard, the \$500.00 fine was paid for the violation. 2) Steve Seawright changed some elevation details for The Orchard.

Old Business

1. New Market Fence Permit Application

There was a discussion on the *New Market Fence Permit Application* that was recently developed. The board would like to eliminate the separate fence application and instead modify the existing general building permit to include another line under fences for a check-off box for “Demolition” along with space for description of the demolition. A revised permit form will be brought back for review at next month’s meeting.

New Business

2. Water Reclassification Requests

Decision: Councilmember Romanell made a motion to grant one water tap complimentary to the sewer tap pursuant to Exhibit B of the Water Service Area Agreement and to change the water classification from W5 to W3 for the following properties: 1 Wynn Hill Court, 155 W. Main Street, and 105 W. Main Street.

Second: Councilmember Kimble

Discussion: Councilman Kimble: Do we want to put them in one motion or do you want to do them in separate motions? There was a consensus that agreed to have separate motions.

Motion Withdrawn: Councilman Romanell.

a. Zimmerman, 1 Wynn Hill Court

Decision: Councilmember Romanell made a motion to grant one water tap to 1 Wynn Hill Court, complimentary to the sewer tap pursuant to Exhibit B of the Water Service Area Agreement and to change the water classification from W5 to W3.

Second: Councilmember Kimble

Discussion: None

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

Abstain – 0

b. Bostick, 155 W. Main Street

Decision: Councilmember Romanell made a motion to grant one water tap to 155 W. Main Street, complimentary to the sewer tap pursuant to

Exhibit B of the Water Service Area Agreement and to change the water classification from W5 to W3.

Second: Councilmember Kimble

Discussion: None

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

Abstain – 0

c. Yost, 105 W. Main Street

Decision: Councilmember Romanell made a motion to grant one water tap to 105 W. Main Street, complimentary to the sewer tap pursuant to Exhibit B of the Water Service Area Agreement and to change the water classification from W5 to W3.

Second: Councilmember Kimble

Discussion: None

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

Abstain – 0

3. Yost, 105 W. Main Street Request for 1.3 Water & Sewer Taps – An additional 1.3 water and sewer taps are required per DUSWM for the commercial use of 105 W. Main Street.

Decision: Councilmember Price made a motion to grant the request to Mr. Yost of 105 W. Main Street for 1.3 water and 1.3 sewer taps pursuant to the DUSWM email from Lauren Englar.

Second: Councilmember Romanell

Discussion: Howard Edwards: Do the 1.3 water/sewer taps come from the 4.99 remaining taps? **Yes.** Does Mealey's still have the taps that they had when they closed? **Yes.**

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

4. Nomination of Steve Sykes to HDC/ARC with term ending June 2013

Decision: Councilmember Price made a motion to approve the nomination of Steve Sykes to fill the vacancy on the HDC/ARC with a term ending June 2013.

Second: Councilmember Kimble

Discussion: None.

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

5. Certificate of Appreciation for Scott Studer of HDC/ARC

Decision: Councilmember Kimble made a motion to award a certificate of appreciation to Scot Studer for his time on the HDC/ARC.

Second: Councilmember Price

Discussion: None.

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

6. MML Municipal Government Works Month Proclamation

Decision: Councilmember Romanell made a motion to adopt the MML proclamation that November would be "Municipal Government Works Month".

Second: Councilmember Rossman

Discussion: None.

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

PUBLIC COMMENT: Larry Stottlemeyer, Adventure Park, Status of the Adventure Park DRRA. *The Council requested that Mr. Stottlemeyer review the changes that they had previously submitted to him. Once those changes have been made they can proceed to the next phase.*

ADJOURNMENT: Motion made by Councilmember Romanell to adjourn the meeting.

Second: Councilmember Rossman

Discussion: None.

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

The motion passed.

The meeting adjourned at 8:45 p.m.

Respectfully submitted,

Debra Butler
Clerk to Council