



Town Council Minutes 39 W. Main Street

October 10, 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 October 10, 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, Dennis Kimble, & Michael Davies. Councilwoman Mueller and Councilman Romanell were absent.

Decision: Councilmember Rossman 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 Davies

Discussion: None

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

The motion passed.

The regular meeting of the Mayor and Council of the Town of New Market was held October 10, 2013 in the Town Hall, 39 West Main Street, New Market, MD, with Mayor Winslow Burhans presiding. Members of the Council present were Michael Davies, Dennis Kimble, and Shane Rossman. Councilman Romanell arrived at 7:25. Councilwoman Mueller was absent.

CALL TO ORDER: The meeting was called to order at 7:15 p.m.

APPROVAL OF MINUTES

Decision: Councilmember Kimble made a motion to approve the minutes of September 12, 2013 as written.

Second: Councilmember Davies

Discussion: None

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

The motion passed.

Mayor & Liaison Reports:

Mayor Burhans: Mayor Burhans gave an overview of the audit that was completed for FY13. The printed version will be available anytime and will be posted on the website or available for review at Town Hall.

Councilman Rossman: The Fall Clean-up date is set for November 2nd from 8-11 am. Linganore High has reached out once again to offer their assistance. We also need the Main Street shops and residents to assist with the front of their property as well and to keep up with the leaves that continue to fall. The Linganore Homecoming Parade had a great turnout. Each year has been bigger and better.

Councilman Romanell: Paul Cooper has completed the trimming of the areas that Councilman Romanell received throughout Town along the Alleys. Delegate Schultz led

the effort on the community meeting on the addiction problems. At the meeting there were three main points: 1) The sheriff stated that we have a problem, 2) there are many services available to family and addicts, and 3) many services are not known to the families and those with the addictions. The twelve county municipalities and the Board of County Commissioners are working with the schools to get a one-page paper together that would go out to all of the parents.

Del. Kelly Schultz – Legislative Wrap-up

Delegate Schultz reached out to Mayor and Council to offer the delegation as a resource with any concerns or needs that the Town may have before heading into the next legislative session in January. She also congratulated the Town on receiving the Streetscape funding. Highway user revenues funds are available in this budget through the Governor's office (15 million was available) and wanted to make sure that New Market knew of this program.

Delegate Schultz is involved in a drug awareness program in conjunction with Sheriff Jenkins and the MML. There has been a 300% increase in the use of heroin in the county within the past year. Parents need to be aware of resources that are available if they suspect drug or alcohol use/abuse. Delegate Schultz is working on a program to spread awareness of all of the resources that are available within the county and state for parents and those suffering from addiction.

Old Business

- 1. Gutters & Downspouts for Town Hall** – Councilman Kimble received a new proposal for the gutters and downspouts from Gary White as well as another bid from another contractor. He agrees with the new proposal that has been presented by Gary White.

Decision: Councilmember Kimble made a motion to accept the proposal from Gary White in the amount of \$425.00 to replace the current east side gutters and downspout.

Discussion: Councilman Rossman: Will 4" be enough of a pipe to take the water away from the building? Councilman Kimble: Yes, 4" is enough diameter. Also raising the pipe off the ground and using a straight pipe versus corrugated will also give more of a fall and move the water away from the building.

Second: Councilman Romanell

Discussion: Councilman Rossman: Is there any kind of warranty on this work?

Motion Amended: In addition, the contract will include removing the debris and adding a one-year warranty on all work and materials.

Second: Councilmember Romanell

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

This item will come out of General Maintenance Labor.

New Business

2. Marley Street Widening – Shawn Burnett, Town Engineer

- a. **Construction budget** – The original estimate for the project was in the 100K to 120K range. After further study, the amount would be around 300K (standalone project). If the project was piggybacked on the Streetscape project then it might reduce it to about 250K.
- b. **Design budget** – This has been exhausted at this point and will require more funds to complete the project.
- c. **Actual execution of contract** – DR Horton currently owns the property for the widening of Marley Street. An agreement will have to be made to allow the state to go on those privately held roads.

Councilman Romanell: *Why is the new estimate so off from the original budget?*

Mr. Burnett: *The original estimate was based on cost per mile from SHA. The project is 350 linear feet and the magnitude of costs the SHA has were not applied originally.*

Councilman Romanell: *How much is required to complete the design phase?*

Mr. Burnett: *An additional \$10,000 would be required to complete the design phase.*

Mayor Burhans: *This project is proposed to bid at the same time as Streetscape. Do we have to make any commitment to any dollar amount until its bid?*

Mr. Burnett: *SHA will probably require a Memorandum of Understanding that would require the Town to commit to spending the money before they will allow the Marley Street project to be added to the bid. The Town will probably be able to stipulate the maximum that they would pay in the MOU.*

Decision: Councilmember Romanell made a motion to move \$10,000.00 to CIP budget for the engineering of the Marley Street Widening project.

Second: Councilmember Rossman

Discussion: None

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

3. Introduction of Resolution 2013-02 – Smith-Cline Annexation Introduction of Resolution 2013-03 – Delaplaine Annexation

Decision: Councilmember Rossman made a motion to withdraw the annexation resolutions from last year, 2012-01 and 2012-02 and to introduce Resolution 2013-02 – Smith-Cline Annexation and Resolution 2013-03 – Delaplaine Annexation.

Second: Councilmember Romanell

Discussion: None

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

4. Request for Water/Sewer Plan Amendment (W5 to W3) and 1.82 Water/Sewer Taps

Decision: Councilmember Romanell made a motion to recommend to the county that they reclassify 4/6 E. Main Street from W5 to W3 and to recommend providing 1.82 water and sewer taps out of the 11.08 taps and that any unused capacity would return to the town. If they require any additional taps then the property owner will have to come back to the Council.

Second: Councilmember Rossman

Discussion: None

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

5. Observation of Halloween – October 31, 2013 – 6:00 pm to 8:00 pm

Decision: Councilmember Romanell made a motion to celebrate Halloween on Thursday, October 31 between the hours of 6:00 pm and 8:00 pm. anyone that would like to participate should leave their front porch light on.

Second: Councilmember Rossman

Discussion: None

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

6. Mowing Specifications for FY14-FY16 – Councilman Kimble – The current contract with Valley Crest expires this season. Town will need a new contract before the next growing season. A couple of changes were made to the mowing spec – maintenance along the fence line behind town hall and maintenance of the flowerbeds on Royal Oak Drive. The request for bids will go out in the next week and bids will be due on November 14, 2014. The bids received will be opened at the next meeting of Mayor and Council (November 14).

PUBLIC COMMENT: Tom Hyde, Miller & Smith: The sales manager has notified him that there are only 23 units left to sell. By the spring of 2015 should be finished. Phase 1 should be completed soon and thanked the town for their assistance in getting through that section.

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

Second: Councilmember Rossman

Discussion: None.

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

Respectfully submitted,

Debra Butler
Clerk to Council