



Town Council Minutes
39 W. Main Street

August 13, 2015 – 7:00 p.m.

An Executive Session under the Open Meetings Act Law §3-305(b)(1) was held on August 13, 2015 at 6:00 pm to discuss personnel matters, with Mayor Burhans presiding. Members of the council present were Shane Rossman, Mike Davies, Jake Romanell, and Dennis Kimble. Rita Mueller was absent.

CALL TO ORDER: The executive session was called to order at 6:15pm.

Decision: Councilman Romanell made a motion to enter into an Executive Session under the Open Meetings Act Law §3-305(b)(1) to discuss personnel matters.

Second: Councilman Davies

Discussion: None

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

The motion passed.

The regular meeting of the Mayor and Council of the Town of New Market was held on August 13, 2015 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, Jake Romanell, and Dennis Kimble. Rita Mueller was absent. Special Guest: Mayor Wade Yost – “If I were Mayor” contest winner.

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

APPROVAL OF MINUTES:

July 9, 2015

Councilman Romanell asked to amend the minutes under his liaison report to read as follows: “ Councilman Romanell reported that the stormwater management easement dedication for 6th Alley is scheduled for August.”


Decision: Councilman Kimble made the motion to approve the minutes as amended.

Second: Councilman Rossman

Discussion: None

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

The motion passed.



Mayor & Liaison Reports:

Mayor Burhans: The Mayor did not have anything to report on.

Councilman Rossman:

Streetscape Update: Councilman Rossman reported that the streetscape project is 23.8% complete. There was some vandalism at the staging area that included some tires slashed. Concrete General and SHA and Councilman Rossman met with the Principal and Vice-Principal at New Market Elementary school and the head of transportation to talk about the flow of traffic for picking up students at the Elementary school. Concrete General said it's going to be about a two-week construction time in front of the elementary school and they will be notified when that work is about to begin.

Special Guest: Wade Yost – “If I were Mayor”

Mayor Burhans introduced Wade Yost as the Special Guest for winning the “If I were Mayor” contest from Deer Crossing Elementary School. Councilman Romanell reported that the MML holds a contest annually, which is open to 4th grade students across the state of Maryland. The students are given a problem to solve and asked, “If I were Mayor” how would I solve the problem. This year’s theme was, there is a vacant lot, some want to build a playground others want to build a skate park. The town decides on the playground. How would you get both sides to work together to build a playground and what would you do after the decision is made, to make sure the whole town supports the playground? Wade Yost read his essay to everyone. The Mayor and town council presented Wade Yost with a certificate of congratulation to recognize Wade Yost as the Town’s Junior Mayor, who will preside along with Mayor Burhans over the Town Council meeting on this day Thursday, August 13, 2015.

Old Business:

1. Ordinance and Findings and Facts – Calumet Application & Petition for PDD Floating Zone Map Amendment.
Decision: Councilman Romanell made the motion to adopt the findings of fact and analysis.
Second: Councilman Kimble
Discussion: None
Public Comment: None
Vote: *For - 4 (Rossman, Davies, Romanell, Kimble) Against - 0, Abstain - 0*
The motion passed.

Decision: Councilman Kimble made the motion to set the density at 925 units.
Second: Councilman Romanell
Discussion: None
Public Comment: None
Vote: *For - 4 (Rossman, Davies, Romanell, Kimble) Against - 0, Abstain - 0*
The motion passed.



Ordinance No. 2015-03 - The Mayor and Council of the Town of new Market an ordinance amending the Land Development Ordinance of the town of New Market (Calumet PDD Map Amendment)

Decision: Councilman Rossman made a motion to adopt Ordinance No. 2015-03 with an introduced date of August 13, 2015, Enacted date of August 13, 2015 and an Effective date of September 3, 2015.

Second: Councilman Davies

Discussion: None

Public Comment: None

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

New Business:

1. The Orchard – Phase II Road Acceptance – Resolution No. 2015-01
Shawn Burnett and Bryan Dusza gave a presentation to the Mayor and Council
Decision: Councilman Rossman made the motion to pass the Resolution No. 2015-01.
Second: Councilman Romanell
Discussion: None
Public Comment: None
Vote: *For - 4 (Rossman, Davies, Romanell, Kimble) Against - 0, Abstain - 0*
The motion passed.

Budget Amendment for Snow & Ice Removal

Decision: Councilman Kimble made the motion to increase the Snow & Ice Removal budget by \$1,561.

Second: Councilman Romanell

Discussion: None

Public Comment: None

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

2. Annual Paving Projects
Councilman Romanell presented the estimates for the FY2016 Paving Projects.

• Wicomico Ct.	Speed Hump Repair	\$1,430.40
• North Federal St.	Berm Repair	\$5,093.40
• Dorchester Dr.	Roadway Repair	\$4,813.40
• Wicomico Dr.	Roadway Repair	\$1,519.00

TOTAL REPAIRS \$12,856.20

- Emory Alley Breakdown
Councilman Romanell met with Frederick County Public Schools (FCPS) and Remsburg paving about the alley breaking down and needing repair. Notice was received from FCPS that they will share 50% of that cost with the town.

- Emory Alley Total Roadway Repair \$6,029.20

FCPS Total = \$3,014.60 Town Total = \$3,014.60

Public Comment:

Gayla Wheeler – 75 W. Main St.

North Alley Repair & Traffic Control

Councilman Romanell reported that various repairs are also needed on North Alley to include stormwater management and possible speed humps.

- North Alley Total Roadway Repairs \$48,834.26

South Alley Repair & Traffic Control

Councilman Romanell also reported on repairs and a speed Bump on South Alley.

- South Alley – Speed Bump \$1,091.20

The Mayor and council agreed to proceed with the Annual Paving Projects of Wicomico Ct., North Federal St., Dorchester Dr. and Wicomico Dr. for a total of \$12, 856.20 and hold off on Emory Alley until further discussion. Councilman Romanell is going to get more estimates for North Alley and bring that back for further discussion.

3. Discussion of Legislative Initiatives –

A letter was sent by County Executive Jan Gardner to the town to solicit input and ideas for legislative initiatives for the upcoming General Assembly Session.

County Councilman Tony Chmelik was in attendance as the County representative.

No action was taken.

Public Comment:

Tony Chmelik – County Council

ADJOURNMENT:

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

Second: Councilman Rossman

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

The motion passed.

Respectfully submitted,

Karen Durbin
Clerk to Council

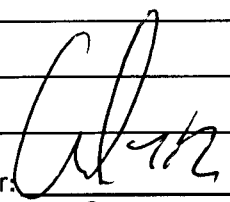
**WRITTEN STATEMENT FOR CLOSING A MEETING
UNDER THE OPEN MEETINGS ACT**

Date: 8/13/15 Time: 6:00pm Location: 39 W. Main St. Motion to close meeting made by: Romanell
Seconded by Davies, Members voting in favor: Kimble, Rossman
Opposed: 0 Abstaining 0 Absent Muelw

STATUTORY AUTHORITY TO CLOSE SESSION, General Provisions Article, §3-305(b) (check all that apply):

- (1) To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; or any other personnel matter that affects one or more specific individuals;
- (2) To protect the privacy or reputation of individuals concerning a matter not related to public business;
- (3) To consider the acquisition of real property for a public purpose and matters directly related thereto;
- (4) To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State;
- (5) To consider the investment of public funds;
- (6) To consider the marketing of public securities;
- (7) To consult with counsel to obtain legal advice on a legal matter;
- (8) To consult with staff, consultants, or other individuals about pending or potential litigation;
- (9) To conduct collective bargaining negotiations or consider matters that relate to the negotiations;
- (10) To discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans;
- (11) To prepare, administer, or grade a scholastic, licensing, or qualifying examination;
- (12) To conduct or discuss an investigative proceeding on actual or possible criminal conduct;
- (13) To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter;
- (14) Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

FOR EACH CITATION CHECKED ABOVE, THE REASONS FOR CLOSING AND TOPICS TO BE DISCUSSED:

§3-305(b) () _____
§3-305(b) () _____
§3-305(b) () _____
This statement is made by _____, Presiding Officer:  _____
SIGNATURE

WORKSHEET FOR USE IN CLOSED SESSION (CHECKLIST OF DISCLOSURES TO BE MADE IN MINUTES OF NEXT REGULAR MEETING- NOT A PART OF THE CLOSING STATEMENT)

PERSONS ATTENDING CLOSED SESSION: Rossman, Davies, Romanell, Kimble, Buhns
TOPICS ACTUALLY DISCUSSED Hire of New Town Planner
ACTION(S) TAKEN (IF ANY) AND RECORDED VOTES: 4-0 favorable vote to hire
Pat Faux S.T. contract
TIME CLOSED SESSION ADJOURNED: 7:00
PLACE OF CLOSED SESSION 39 W. Main St Town Hall
PURPOSE OF CLOSED SESSION: Personnel
STATUTORY AUTHORITY FOR THE CLOSED SESSION: §3-305(b) () ; () ; ()
MEMBERS WHO VOTED TO CLOSE: Rossman, Romanell, Davies, Kimble



BUDGET AMENDMENT FORM

Budget Line Item: Snow & Ice Removal

Current Amount: \$15,980

Increase: \$ 1,561

Decrease: \$

Final Amount: \$ 17,541

Budget Line Item: Unappropriated Reserve

Current Amount: \$225,374

Increase: \$

Decrease: \$1,561

Final Amount: \$223,813

Motion by:

Seconded by:

Vote FOR: 4 AGAINST: 0 ABSENT: 1 ABSTAIN:

Mayor Winslow Burhans III

Date

Budget Revised: _____

Copy Sent to: Karen
Mayor