Meeting minutes of Town Council on 3-7-2023

As reviewed, approved, and accepted by the Town Council on April 4, 2023

There being a quorum, Vice President Koval called the regular meeting of the Town Council to order at 7:31 p.m. The meeting was held using video conferencing. Council Members Charles Bradsher, Tom Burke, and David Preusch were present. The Treasurer, Clerk, Assistant Clerk, Assistant Staff Member, five residents and one guest were also present. Mayor Ruspi was able to listen to the meeting but did not have video or microphone capabilities.

Vice President Koval opened the meeting by welcoming Judy Hruz, Executive Editor, The Greater Olney News.

Minutes: The minutes from the Town Council Meeting held February 7, 2023, were approved as submitted.

Treasurer's Report: The Treasurer reviewed the Profit and Loss report for the month of February. The major source of income for February was $42,754 from Income Tax. In addition, $3,513 was received in Highway Income. The major expenses for the month of February were $6,301 for Waste Collection, $5,260 for Payroll Expenses and $2,650 for Consulting.

Council Member Burke made a motion to accept the February Treasurer’s report subject to audit. Council Member Bradsher seconded the motion. ***Unanimously approved.***

Committee/Board Reports

**Eric Wenger, Planning Commission Chair, said the Planning Commission’s first quarter meeting will be held on March 23, 2023. Chair Wenger said an application for subdivision has been received which will be one of the items discussed at the meeting.**

**Charles Hendricks, Historic District Commission (HDC) Chair said the HDC met over Zoom on February 20, 2023, considering and acting on three Historic District Work Permit applications and discussing a fourth anticipated project. The HDC held a public hearing on the work permit application submitted for Lot 2C in Laytonsville Preserve. The HDC approved the architectural design, contemplating the revised drawing submitted after receiving feedback from the HDC at its Work Session held on February 2, 2023. There was criticism of the distance the house would be setback from Laytonsville Road, and the amount of regrading planned to elevate the house above the currently existing ground level. The HDC did not take issue with these items understanding that these matters will be reviewed when the Mayor and Council consider the site development plan for this lot. The HDC considered and approved an application, submitted by the Mayor, to remove and replace the patio, walkway, ramp and stairs behind the Town Hall. The HDC recommended that the new ramp and stairs be placed entirely on the footprint of the current patio. The HDC also approved an application, on an emergency basis, to remove a large, diseased oak tree at 21404 Laytonsville Road. The HDC then received a report from the President of the Laytonsville District Volunteer Fire Department regarding the plan to replace the garage bay doors at the station. The HDC members plan to take prompt action once the details of the project are provided. The HDC will meet again on March 20, 2023.**

**Old Business**

**Town Election May 1, 2023: The Town election for Mayor and two Council Members will be held on Monday, May 1, 2023. The filing period opens on March 3, 2023, and closes at 5:00p.m. on March 17, 2023.**

**New Business**

**Appointments: Vice President Koval presented the following slate of appointments.**

1. **Staff Assistant – James Schneider**
2. **Judges of Elections – Jennifer Sizemore, Stacy Desimini, Michael Mauer, Gail Esders**

**Vice President Koval made a motion to approve the slate of appointments. Council Member Preusch seconded the motion. *Unanimously approved.***

**Parks and Trails Task Force Information: Christina Pellegrino, Member, explained the Task Force has developed a form and a plan for the Memorial Tree program. The cost will be $1,000 which will include the planting and maintenance of a tree with a plaque. She said the Task Force is requesting up to $2,000 to plant two trees in memory of Charlene Dillingham and Sheree Wenger. The trees will be planted this spring in Miller Park.**

**Council Member Preusch made a motion to approve up to $2,000 for the planting of two trees in memory of Charlene Dillingham and Sheree Wenger. Council Member Burke seconded the motion. *Unanimously approved.***

**Member Pellegrino shared information on the landscaping plan that has been developed for Miller Park. Phase one of the plan includes four garden areas, the planting of Skip Laurels along the fence at Sundown Road and two Coral Maples near the entrance. The Task Force is requesting up to $12,000 to proceed with the work this spring. Council Member Burke asked if additional bids have been received. Member Pellegrino said the Task Force has worked with Goshen Enterprises as they have the maintenance contract. Chair Ruspi commented that since trees must be ordered in advance, it could be beneficial to proceed with the plan as costs continue to rise.**

**Council Member Burke made a motion to approve up to $12,000 for phase one of the beautification plan for Miller Park. Council Member Bradsher seconded the motion. *Unanimously approved.***

**Public Hearing March 21, 2023: Vice President Koval said a public hearing will be held on March 21, 2023, at 7:30pm on an application for a site development plan for Lot 2C in Laytonsville Preserve. She noted that there are concerns with the setback and grading as Chair Hendricks shared in his report.**

**WSSC Water Meeting: Vice President Koval said WSSC will be holding a meeting on March 28, 2023, from 6:30pm to 7:30pm at the Laytonsville District Volunteer Fire Department. Representatives from WSSC have scheduled the meeting to speak to water quality concerns that have been raised and to update the public on the plans to address the concerns.**

**Special Message from Mayor Ruspi: Mayor Ruspi has prepared a message that he would like everyone to read. Clerk Burke will email the message to individuals after tonight’s meeting.**

**Resident’s Forum**

**Council Member Preusch inquired about the plan to address the dead trees on Mobley Farm Drive. Eric Wenger explained that one of the town arborists has surveyed the trees, prepared a detailed report and the process of getting estimates for the required work is in process.**

**Vote to Close Public Meeting: Council Member Koval read the following statement.**

 **“On behalf of Mayor Ruspi, who is legally blind,** I will now read into the record a closing statement that is available for public inspection. The Mayor and Council will not reconvene in open session after the closed session. The Mayor and Council will meet in closed session to consult with counsel to obtain legal advice regarding a zoning matter and potential litigation, as authorized by General Provisions Article Section 3-305(b)(7) of the Open Meetings Act and to consult with staff, consultants, or other individuals about pending or potential litigation regarding a zoning matter, as authorized by General Provisions Article Section 3-305(b)(8) of the Open Meetings Act.”

 “ On behalf of Mayor Ruspi, who is legally blind, I make a motion that the Mayor and Council meet in closed session to consult with counsel to obtain legal advice regarding a zoning matter and potential litigation, as authorized by the General Provisions Article, Section 3-305(b)(7) of the Open Meetings Act; and to consult with staff, consultants, or other individuals about pending or potential litigation regarding a zoning matter, as authorized by General Provisions Article Section 3-305(b)(8) of the Open Meetings Act.”

 Vice President Koval asked, “As I made a motion, do I have a second to the motion?”

 Council Member Burke seconded the motion.

 Council Member Bradsher voted in the affirmative to close the open meeting.

 Council Member Preusch voted in the affirmative to close the open meeting.

Vice President Koval asked if there were any objections from the public regarding closing the Open Meeting and moving into a Closed Session. There being none, Vice President closed the Open Meeting at 8:02pm.

Respectfully submitted,

Joy Jackson

Assistant Clerk
March 7, 2023