Meeting minutes of Town Council on 10-04-2022

As reviewed, approved, and accepted by the Town Council on November 1, 2022

There being a quorum, Mayor Ruspi called the regular meeting of the Town Council to order at 7:32p.m. The meeting was held using video conferencing. Council Members Charles Bradsher, Tom Burke, Amy Koval and David Preusch were present. The Treasurer, Clerk and Assistant Clerk were also present as were three residents and one guest.

Oath of Office: Mayor Ruspi administered the oath of office to Council Member Bradsher.

Minutes: The minutes from the Town Council Meeting held on August 9, 2022, the Town Council meeting held on September 6, 2022, and the Work Session held on September 20, 2022, were approved as submitted.

Treasurer's Report: The September Treasurer’s report will be presented at the November Town Council meeting.

Committee/Board Reports

**Eric Wenger, Planning Commission Chair, said the Planning Commission met over Zoom on September 22, 2022. The Commission wished Shannon Allcock well as he has moved to Florida. The Commission also discussed the process for reviewing and updating the Comprehensive Plan.**

**Charles Hendricks, Historic District Commission Chair, said the Commission met over Zoom on September 19, 2022.** The Commission approved a draft consolidated set of design guidelines which will govern the commission’s review of historic district work permit applications. The draft was submitted to Mayor Ruspi on September 26, 2022, for his review and presentation to the Town Council when he deems it appropriate. Chair Hendricks also corresponded with representatives of the Petroleum Marketing Group, owners of the Citco station, regarding the work being undertaken on the property. He was informed that the fittings were getting old and needed to be replaced but there had not been any leaks. When the work is completed, the concrete is to be replaced and a coating of asphalt will be laid when weather permits.

**Old Business**

**Update on Jones Farm Pond: Council Member Preusch introduced Gene Fleagle of Stormwater Maintenance & Consulting (SMC) and thanked him for attending. Council Member Preusch**

**stated the water level has dropped and the sound of water in the riser structure continues. Mr. Fleagle said the coating that was put on the outside of the riser was a temporary repair and the holes in it will likely get worse. He said the pond is sensitive and with the sandy soil it takes a while for water to get into the pond. The acidity level of the water could be tested to see if that has contributed to the holes in the riser. The level of water in the pond is very subject to the amount of rainfall received. Two things that might help would be planting water vegetation in the pond or some additional trees, in the proper areas, around the pond. Mayor Ruspi asked about the warranty that would be provided from SMC. Mr. Fleagle said the warranty would be on the repair SMC performs and he will get back to the Council with this information. Council Member Koval asked if there is a way to determine if there are any other leaks. Mr. Fleagle said CCTV could be used to examine that outfall barrel which would cost a few thousand dollars. He explained if there were significant leaks there would be sinkholes and he did not see evidence of this. Council Member Burke asked if it is possible to calculate how much water is lost through evaporation. Mr. Fleagle reviewed the study that SMC completed which calculated six inches of water are lost per month due to evaporation in the summer months. There was discussion on the materials, methods and associated costs that could be used to replace the riser and the pipe.**

**ARPA Update: Mayor Ruspi said there will be a Special Meeting of the Mayor and Council on October 18, 2022, to review proposed projects and approve expenditures of funds available through the American Rescue Plan Act. Mayor Ruspi reviewed some expenditures for the Council to consider: an advance to the Laytonsville District Volunteer Fire Department for fundraising revenue lost during the pandemic, replacing the bollards on the path at Jones Farm Pond, funds for the Laytonsville Historical Center to install signs in and around town, and funds for residents to have their drinking water tested. Mayor Ruspi explained the Council will need to decide how to allocate the ARPA funds and it is very important that the Council Members are present to make the decisions.**

**Update on Staffing: Mayor Ruspi expressed his appreciation to Charles Hendricks for volunteering to assist with organizing records and filing at the Town Hall. In the meantime, the process of hiring of an assistant staff member will continue.**

**Update on Fuel Costs for Contractors: The fuel surcharge requested from Goshen Enterprises was short term and has been dropped from their invoices. Montgomery County Sanitation and Recycling requests the additional $500.00 per month continue until diesel fuel drops to $3.60, or less, per month. The contractor will provide the cost of diesel fuel to Mayor Ruspi each month.**

**New Business**

**Third Quarter Safety Inspection: Council Member Burke reviewed the safety inspection report. He noted several sidewalk repairs needed on Route 108. Mayor Ruspi said he will contact the state regarding the sidewalk. The fourth quarter safety inspector will be Council Member Bradsher.**

**Bulk Trash Pick Up: The bulk trash pick up is scheduled for Tuesday, October 18, 2022. Details are available on the town website.**

**Repairs at the Town Hall: Mayor Ruspi said the back walkway and the patio behind the Town Hall need to be repaired or replaced. An estimate of $1370.00 has been received to grind and fill the gaps on the patio. Council Member Koval suggested doing more than filling the gaps on the patio. Mayor Ruspi will follow up and request additional estimates for replacing the patio with pavers or concrete. Mayor Ruspi stated he recently noticed a damp smell while in the Town Hall. He asked the Council to consider sealing the dirt floor in the basement and the possibility of installing a dehumidifier. Council Members Preusch, Burke and Koval said they have not seen any evidence of moisture in the basement, and it was determined not to proceed at this time.**

**Restoration of Little Free Library: Mayor Ruspi thanked Council Member Burke for making repairs and Jill Ruspi for painting the Little Free Library at the Town Hall.**

**Update on Status of Laytonsville Grove: Mayor Ruspi recently met with Dusty McLain, Land Development Manager for Lennar and he will be meeting with Peggy Urban, Field Supervisor for Montgomery County regarding the status of turning over the development to the town.**

**Meeting with Laytonsville District Volunteer Fire Department: Mayor Ruspi and Council Member Burke met with representatives from the fire department to discuss the possibility of purchasing the lot next to ATCO. The fire department rents the lot to ATCO for $7500.00 a year and their trustees decided they do not want to sell it to the town. Council Member Burke, Jim Scott and Murph Richards have been asked to work together to see what can be done to make it safer and more attractive.**

**Snow Plowing Services Contract for 2022-23 Season: Mayor Ruspi said the contract for snow and ice removal for the upcoming season has been received. He noted none of the prices were increased and the contractor will add Laytonsville Grove to the contract when it is turned over to the town.**

**Council Member Preusch made a motion to approve the contract from JB Kline for snow and ice removal for the 2022-23 season. Council Member Burke seconded the motion. *Unanimously approved.***

**Resident’s Forum**

**Mayor Ruspi said interviews are being scheduled for the hiring of a new reforestation consultant.**

**Eric Wenger, 6715 Maple Knoll Drive, said the current zoning of the lot next to ATCO is residential historic and a parking lot is not a permitted use. He said that while he does not have a personal problem with it, the town continues to have violations of the zoning ordinance that are not enforced. He expressed his concern that the lack of enforcement delegitimizes the zoning ordinance, and the town could be liable for selected enforcement.**

**Council Member Burke questioned why the lot in question is zoned residential.**

**Joy Jackson, Assistant Clerk, read the following from a letter in the parcel file dated November 16, 1990, “On October 2, 1990 the Mayor and Town Council of the Town of Laytonsville adopted a new Zoning Ordinance and a new zoning map. A copy of the new map is enclosed.” The zoning for Parcel 960 changed from commercial to residential historic and it was not grandfathered.**

**Mayor Ruspi explained that he told the representatives from the fire department that the lot is zoned residential historic, and they asked if the lot could be rezoned.**

**Charles Hendricks, 7011 Brink Road, asked if it would be a problem for the Town Council to change the zoning ordinance to make parking a permitted use in the residential historic zone? He commented on the number of cars being parked at the gas station and the grandfathered status of that lot. He noted it could be difficult to enforce excessive parking at one lot and not the other.**

Adjournment: Council Member Burke made a motion to adjourn at 9:38p.m. Council Member Bradsher seconded the motion. ***Unanimously approved.***

Respectfully submitted,

Joy Jackson  
Assistant Clerk   
October 4, 2022