



SOMERSET TOWN JOURNAL



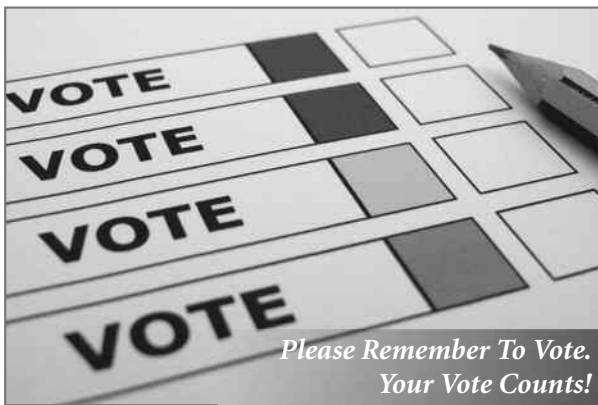
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Somerset Election Is March 20. You Must Be Registered To Vote By March 6.



You must bring your Medicare Part D card with you.

If you are **NOT** enrolled in Medicare Part D, *the cost of the inoculation is \$220*, payable to **Medstar VNA** at the time of your inoculation. Payment must be by check or cash only. The Medstar receipt can be submitted to your health insurance company for possible reimbursement. Contact your insurer in advance to learn if the shingles vaccine is covered.



Shingles Prevention Clinic

By Barbara Marblestone, Trent Street

Shingles vaccinations will be available from **Medstar** on **March 9, 2012**, from **4:00 p.m. – 6:00 p.m.** at the Town Hall. Cost of the vaccine is \$220. For people **60 years** of age and older, a single dose of the shingles vaccine is recommended



by the **Centers for Disease Control**. Please make an appointment with **Nicole Ventura** at **301-657-3211** or town@townofsomerset.com.

Shingles is a painful skin rash that may occur in anyone who has had chickenpox or the chickenpox vaccine. People over 60 are at greatest risk. The shingles vaccine reduces the risk by **50 percent**. You should not have the vaccine if you have certain allergies, a weakened immune system, a severe illness, or a fever of **101.3 or higher**. To learn more, ask your health care provider, contact CDC at **1-800-232-4636**, or check www.cdc.gov/vaccines.

If you are enrolled in **Medicare Part D**, the cost of the inoculation is covered by that plan as long as you show your Medicare D card to the nurse at the clinic.

Calendar

Monday, March 5
Town Council Meeting

Friday, March 9
Shingles Vaccine

Monday, March 19
MVA Mobile Office

Tuesday, March 20
Town Election

Don't forget to check the Town website throughout the month for an up-to-date calendar. Go to www.townofsomerset.com and click on **Town Calendar**.

The Preliminary Agenda for each month's Town Council meeting is posted on the Town website (www.townofsomerset.com) seven days prior to the meeting. A copy is also posted on the bulletin board on the Town Hall porch.



On My Mind

By Mayor Jeffrey Slavin

A Beautiful Streetscape

One of the best things I have learned from *Town Inspector Larry Plummer* is how important having an attractive streetscape is. Not only does it make Somerset look better (*and provides us with a psychological/emotional boost*) but it also increases our property values.

There are many components of our *streetscape*, some coming under the direction of the Town, but others the responsibility of our property owners, and I will talk about both here.

The quality and look of the streets themselves are of utmost importance, and the Council has been very responsible by authorizing the necessary funds to totally re-do our roadways. We also have a program in the budget to *clean the streets periodically*, in addition to being vigilant when the utility companies need to make repairs. We always require these companies to do a meticulous job when doing their patches and will make sure they do it right if they do not do so the first time.

The *curbs and gutters* are the next element, and while they have held up relatively well, we will need to think about their replacement in our long-range budgeting. Before I was Mayor, the Town had performed a major patch job that was not the best quality; next time we will do better. The Town also does a good job with sidewalk maintenance.

Our Town trees are the third element of importance, and as a **Tree City**, we keep our arbors trimmed nicely, and constantly replace dead ones. In addition, we have worked with the **Parks and Natural Resources Committee** to create an updated tree replacement policy, which in the long run should provide an even better look.

Our *private property owners* have done a major job for our streetscape, because almost all of our houses are well kept, nicely painted, and roofs maintained. There are only a few houses that do not live up to these standards. Additionally, many of the houses have been almost completely renovated, and that adds to a wonderful look. Many of our residents also have nicely designed landscaping.

In *driving and biking* around at night, I note that an area that could probably be improved is outside lighting. This would not only improve aesthetics, but also safety. This can often be done relatively inexpensively.

A final element of all this involves *cleaning, trimming, and litter*. On my dog walks, I see that some owners are allowing their plants

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Maxine Finkelstein, Editor
Deadline for ads and copy is the 15th of the month at 4:30 p.m.

and shrubs to invade our sidewalks. This prevents clear passage and could lead to some injuries. Folks also need to do a better job at **removing ice and snow** from sidewalks when the fallen amount is less than two inches. Furthermore, there is **more litter around** than we would all like, and everyone must do their part to pick up trash when they see it. Then there is the never-ending problem of **dog poop**. Enough has already been said on that. It's also nice that so many people remember to put away toys, bikes, and garden equipment at the end of the day.

Finally, there is the matter of **driveway aprons**. I am not sure that everyone realizes these are not the Town's responsibility. There is a large number in disrepair that probably do not conform to code. It would be great if everyone in this category would think about making improvements in the near future. The Town staff can provide advice in this area.

Thanks to all who are contributing to the beauty around us with expressions of creativity, and through adherence to our laws.

Town Election

By Phyllis Wiesenfelder,
Board of Elections



Town residents have an opportunity to vote for Mayor and two Council members in the upcoming election on **March 20, 2012** from **5:00 p.m. to 9:00 p.m.** in the Somerset Town Hall. At the Council Meeting on **Monday, February 6**, **Jeffrey Slavin** was nominated for **Mayor** and **Cathy Pickar** and **Barbara Condos** were nominated for the **Town Council**, to serve **two-year terms**.

Additional nominations may be made if **20 registered voters** file a petition with the Town Manager no later than **4:30 p.m.** on **February 28, 2012**.

The Town Charter requires its elected officials to be:

- **Citizens** of the United States
- **Residents** of Somerset for at least 18 months preceding the election
- **Qualified** voters in the Town of Somerset and the State of Maryland

Voter Registration deadline is **Tuesday, March 6, 2012**. If you are a registered voter in **Montgomery County**, you are automatically eligible to vote in the Town and do not need to do a separate Town registration. A member of the **Board of Supervisors of Elections** will be at the Town Hall on **Monday, March 5, 2012** from **5:30 p.m. to 7:00 p.m.** to register new voters. Residents can register directly at the Town Hall, Monday through Friday from **9:00 a.m. to 4:30 p.m.** or by mail by sending completed registration forms to the Town Hall, **4510 Cumberland Avenue**. The Town also has registration forms at the Town Hall. Please contact the Town staff at **manager@townofsomerset.com** or call **301-657-3211**, if you need a form mailed to you.

To be a qualified voter in Somerset, a resident must be:

- **At least** 18 years old by March 20, 2012
- **A resident** of Somerset for 14 days preceding the election or by March 6, 2012
- **A citizen** of the United States, or
- **An alien legally** authorized to reside in the country
- **Registered** to vote in the Town of Somerset or Montgomery County

Candidates' Statements

Barbara M. Condos, Falstone Avenue
Candidate for Town Council



Barbara M. Condos

In **1978**, I moved to Somerset with my two children, **Cathy** and **Liz**, who entered **Somerset Elementary School** in **fifth** and **third grade** that Fall.

A graduate of **George Washington University Law School**, I practiced law with a small litigation firm in **Washington, DC** and, later in **Maryland**, until my recent retirement. I remain a member of the **District of Columbia** and **Maryland State Bars**, and the **Trial Lawyers Association of Metropolitan Washington**.

I am currently a member of the **Somerset Pool Committee** where I have served as chairperson for the last two years.

If elected to the Town Council, I would build on the experience gained as Pool Committee Chair in **listening to the desires and needs** of Town residents and trying to reach **common sense solutions** to best accommodate residents' needs within the governing framework.

I would appreciate your vote on Election Day.

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Cathy Pickar, Cumberland Avenue

Candidate for Town Council



Cathy Pickar

Somerset has offered much to my family and me for the past **23 years**, so it has been an honor to serve and give back to the community through my two terms on the Town Council, and it would be an honor to serve for an additional term.

Communities are vital entities that inevitably change. And while change is often good, it can challenge the values that keep our community special. If elected to another term in office, I will continue to strive to make decisions that are **financially sound** and informed by the need to **preserve community values**.

- **Respect** for individual differences
- **Sensitivity** to balance between individual rights and community living
- **Safety** of our residents
- **Recognition** of the richness and the needs of a multi-generational population
- **Practice** of fiscal responsibility
- **Understanding** of our relationship to the environment and the larger community around us

General History

- **Resident** of Somerset for 23 years
- **Married to David Pickar**, two daughters, Bess (23) and Crystal (19)
- **Graduate degree in Music**; mentored with and performed under the late **Robert Shaw** of the Atlanta Symphony and Chorus; mentored with and performed under the late Margaret Hillis of The Chicago Symphony and Chorus
- **Music professor** at George Washington University for 20 years
- **Founding Editor**: Women and Music: A Journal of Gender and Culture, published by University of Nebraska Press
- **Principal** in a real estate and property management company

I would appreciate your support and vote in the upcoming Town election.



Jeffrey Slavin, Warwick Place

Candidate for Mayor



Jeffrey Slavin

The Town of Somerset continues to be one of the most desirable places to live in the **Metro DC area**, and probably even on the **East Coast**. Our residents have excellent municipal services and a beautiful environment. As Mayor, I am proud of the progress we have made, and I want to give credit to the

team of elected officials we have in place. Each of them has worked hard to help us achieve such an enviable record.

I have always viewed my role as that of “**team leader**,” and appreciate the Council’s support and oversight. Together, we have made sure that the Somerset government provides maximum results. We get tremendous assistance from the staff, particularly for our outstanding **Town Manager, Rich Charnovich**.

The primary stakeholders, our residents, are vital to the Town’s success. I will always make sure they receive timely information, and their views are encouraged

and respected. This ensures the best possible final decisions are made.

Some accomplishments of which I am especially proud include the **pool house renovation**, professionalism of the **budget process** in a time of declining revenues, and enhanced oversight over the increasing number of **construction projects**.

If re-elected, I want to see **new procurement** and **ethics policies** put in place, establishment of a long term parking plan, and an increased number of community service activities.

I humbly ask for your vote on March 20 so I can continue in a job I thoroughly enjoy.

Budget Time In Somerset



By Marnie Shaul, Council Member

It’s time for Somerset to begin the budget process. For those of you

who want to follow this closely, here is what you can expect to see over the next couple of months, and how you can participate.

The Mayor will present a **5-year fiscal plan** at the Council meeting on **March 5**. This is required under the Town Code, and represents a “**big picture**” look at where we are going. However, it’s not a legal document; the Council does not approve it. Residents will have access to the 5-year fiscal plan on the Town’s website, and it will be published in the **April issue** of the **Town Journal**.

In March, the Mayor and the Council will begin more detailed work to develop the fiscal year (FY) **2013**

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budget. Somerset's FY13 runs from **July 1, 2012 to June 30, 2013.** As we did last year, the Council will have a work session on **Monday, March 12** beginning at **7:30 p.m.** to go over every element in the budget. Residents are welcome to attend, but participation is limited since it's a Council work session. Residents will be able to see what the Council is doing with various elements of the budget, because we'll be using the technology Council Member **Alan Proctor** introduced a couple of years ago—a large screen where the budget and potential changes are projected. Developing a solid FY13 budget is important because it lays out an operating budget for our day-to-day expenses, and a capital budget for Somerset's plans for investing in its infrastructure.

The FY13 budget developed in March will be introduced at the **April 2 Council meeting.** Residents will be able to view the budget on the website, and printed copies will be available at the meeting. Residents can make suggestions or raise questions by email to the mayor and Council throughout April, prior to the Council's adopting a FY13 budget at its **May 7 meeting.** They can also submit letters to the **Town Journal** by **April 15.** At the **May Council meeting** there will be a public hearing on the budget when residents can make additional comments. The Council can amend the budget presented in April in order to respond to residents' comments or new information about projected expenses or revenues. The budget adopted at the May Council meeting governs spending in the **upcoming** fiscal year.



Swim Team Committee Ordinance

Proposed Swim Team Committee Ordinance

By Cathy Pickar, Council Member

The Council will have a hearing and vote on a proposed code amendment to establish a **Town Swim Team Committee** at its monthly meeting on March 5. The goal of the Committee is to bring the Swim Team more clearly under the Town's liability policy.

The Council encourages the **Somerset Swim Team** as a vital part of our community. While the Town has contributed substantially to support the team, its relationship with the team has not been clear to all residents. To that end, the Council is proposing an ordinance (published in this issue) that would establish a Swim Team committee, formalize the team's **legal relationship** with the Town, and bring the team under our **liability policy.**

The Council's intent is to keep operations of the team the same, but to give it the **structure** and **benefit** of a Town committee. The following bullet points highlight how the current team activities would be manifest within the Town committee structure. The complete ordinance is available on the Town's website at townofsomerset.com.

- **The mayor will appoint**, with the advice of the current committee (or in the case of the 2012 season, advice from the 2011 executive committee) a committee with a minimum of 5 and maximum of 11 members. Included on the committee will be the team manager, the A-team rep, the B-team rep, and the financial manager. Terms are three-year terms with a two-term limit. A former member is eligible for reappointment after a one-year absence from the committee. The mayor will have the flexibility to extend a term in the event there is no one available to fill the term.
- **The Town will continue to pay**, from its general operating expenses, the annual MCSL dues and will continue to provide additional annual funds as approved by the Council from general operating expenses to go toward the compensation of the Swim Team coaches.
- **Funds raised by the Swim Team committee** through registration fees, sale of concessions and other sources approved by the mayor, will be held in a Town account that is dedicated to and reserved exclusively to support activities of the swim team. In the event these funds are not exhausted at the end of the fiscal year, the funds will roll over into the same account for availability the next fiscal year.
- **The Swim Team Committee** will submit an annual budget for approval by the Council. The team already has an excellent template in place that was used through 2010.

The Swim Team will **submit rules** for Council approval.

Please send your comments to the Council at council@townofsomerset.com, or come to the meeting **March 5** to express your views.

Notes From The Manager's Desk

By Rich Charnovich, Town Manager



Town Hall Top 10 List

Each month I will attempt to do my best to inform our residents on **10 important issues** I currently see happening within the Town of Somerset. As always, if anyone has any questions regarding Town operations, please feel free to contact me at Town Hall at manager@townofsomerset.com or call 301-657-3211.

an electronic copy, please contact Town Hall at manager@townofsomerset.com or call 301-657-3211.

Crime Alert

For the near future, the Town will be increasing the hours its contracted police officers work for the public safety of the Somerset community. This is in response to the recent crime wave that has hit the **Chevy Chase/Bethesda** area. Please report all suspicious persons and vehicles immediately to the **Police** at 301-279-8000 or 911. This would include solicitors going door-to-door who appear suspicious. Never let a suspicious person into your home.

Reminder: Free home security surveys by Officer **Dana Stroman**, 240-876-1277 by appointment, to assess security risks of your residence. Here are some safety recommendations for those of you who do a lot of walking for either work or leisure:

- **Walk briskly**, with your head up, eyes scanning, and alert to your surroundings.
- **Avoid using ear buds** or headphones, and avoid talking on a cell phone while walking.
- **Walk in groups** whenever possible
- **Trust your instincts**; if someone makes you feel uncomfortable, avoid them by changing your direction and increasing your pace; go directly to a well-lit public place if possible.
- **Call the police** immediately and report any suspicious person or circumstance.

Winter Season Is Here

A few reminders as the winter season has arrived. **Mulheron Tree Experts** is the Town's contractor for snow

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The image shows a 2011 Maryland Resident Income Tax Return form (Form 502). A handwritten note "Town of Somerset Here" with an arrow points to the "City or Town" field in the "PRESENT ADDRESS" section. The form includes fields for Social Security numbers, filer's name, spouse's name, and filing status. The year "2011" is printed in the top right corner.

Tax Season Approaching

Somerset's largest source of revenue is the portion of the State income tax paid by Town residents. Unfortunately, Somerset will not get its share of income taxes unless our name appears on the **Maryland** income tax form in the box marked, "**City, Town or Taxing Area.**" Please do not forget to complete this section when filling out your taxes.

FY13 Budget

The next few months at Town Hall will be spent setting the **FY13 Capital and Operating Budgets**. **Council Vice President Shaul** has provided an article in this month's journal outlining the budgetary process for the Town. If any Town resident has comments, questions or suggestions they would like to see considered in the Town's FY13 budget, feel free to email or call me.

2012 Town of Somerset Election

The **2012 Election** will take place at the Town Hall on **March 20, 2012** from **5:00 p.m. to 9:00 p.m.** Please refer to the article in this month's journal regarding voter registration, absentee ballots, etc.

E-Journal Sign-Up

We would like to urge as many residents as possible to receive their **Town Journal** electronically. As a **Tree City USA** and a **PLANT Maryland Community**, Somerset wants to reduce its impact on the environment by encouraging residents to receive their copy of the Town Journal by email. If you are not currently on the Town Journal email distribution list and would like to receive

Council Regular Meeting Actions – February 6, 2012 Meeting

The Town Council met in regular session on February 6, 2012. The Council took the following actions:

1. Approval of January 3, 2012 Regular Council Meeting Minutes.
2. Approval of nominations of Jeffrey Slavin for the Town of Somerset Mayoral seat and Cathy Pickar and Barbara Condos for two Council positions.
3. Approval of a replacement HVAC Unit at 5800 Deal Place.
4. Approval of the installation of a HVAC Unit and approval of a new family room and deck repairs for 4901 Essex Avenue.
5. Approval of Generator permit sound mitigation extension to 5532 Warwick Place until March 5, 2012.
6. Approval of a building permit extension for 4909 Essex Avenue to April 2, 2012.
7. Approval of a recommendation as the Local Advisory Panel to the Historic Preservation Commission for an application at 4805 Cumberland Avenue for exterior window work including new bay windows.
8. Parks and Natural Resources Committee amendment to the Town's current tree replacement plan would be deferred until the March Council Meeting. An article on the amendment will be in this issue of the Journal.
9. Approval of the removal of Town trees number 398 and 400 located at 4804 and 4810 Falstone Avenue.
10. Approval of a proposal submitted by the Parks and Natural Resources Committee related to the maintenance of the island entrance to the Town of Somerset near Little Falls Parkway owned by Montgomery County Park and Planning.
11. Authorized the Town Environmental Committee to begin the process of establishing a Storm Water Management Plan for the Town of Somerset.
12. Approval of the Pool Front Entrance Sign design, Option B, as submitted by McInturff Architects. A copy of the design approved can be obtained by contacting the Town Manager.
13. Authorize the Town Manager to send out a RFP for a brief review of the Town's 2009 Traffic Calming Study and to address subsequent issues.
14. Vice President Shaul introduced an amendment to the Town Code in relation to traffic regulations on Warwick Lane near Cumberland Avenue and Somerset Elementary School. An article will be in this Journal edition.
15. Authorization of Mayor Slavin to enter into a Memorandum of Understanding with the Village of Drummond in relation to traffic regulations on Warwick Lane near Cumberland Avenue and the Somerset Elementary School.
16. Council Member Pickar introduced an amendment to the Town Code related to establishment of a Swim Team Committee. An article will be in this Journal edition.
17. Vice President Shaul introduced a code amendment to the Town Code related to establishment of emergency procedures for the installation of HVAC Units.
18. Council Member Zeughauser introduced an amendment to the Town Code related to submissions and distribution of the Town Journal, administration and procedures, deadlines for submissions. An article will be in this Journal edition.
19. Approval of a Memorandum of Understanding between the Montgomery County Police Department and Town of Somerset regarding the towing, storage and disposition of abandoned, damaged, or seized vehicles.

In addition to the items approved at the Regular Meeting, the Council also heard the Financial Report from the Town Manager, Richard Charnovich, and a brief Pool House renovation update from Lou Balodemas, Project Manager. Council Member Farley mentioned several items of interest, including that he is currently sitting on a Committee for the site selection of the new middle school for the B-CC cluster. He also mentioned several other meetings of note, including that County Executive Ike Leggett would be attending the Silver Spring Transportation Management District meeting, State Senator Brian Frosh would be discussing Environmental Issues at the Little Falls Watershed Alliance meeting, and Bill Bronrott would be attending a meeting in Friendship Heights to discuss transportation issues. Mayor Slavin had his monthly report available at the meeting for anyone who wanted to review it. He also mentioned that the Council would likely need to consider a special meeting request in February on a building permit application for 4515 Cumberland Avenue.

removal. Regarding sidewalk cleaning, please be advised that the **Town Code** states that when **less than two inches of snow accumulate** in the front or side of the property it is the homeowner's responsibility to keep those areas clear. **Two inches or more** is the responsibility of the Town contractor. Please also be mindful of the plows that clear our roads by doing your best to keep cars parked in driveways as opposed to on the streets. This enables the roadways to be cleared fully.

The **batting cage** located at the Town Hall will be closed this winter season from **December through February**. Snow last year caused some **damage** to the cage, so this measure is for its protection; the cage will open again in **early March**.

Finally, if you are interested in **hiring** someone for snow shoveling/maintenance around your property during the winter months, please keep in the mind the "**odd jobs**" list that was distributed in the November journal.

Bulk Trash Pick-Up

The next bulk trash pick-up will take place in **May 2012**. At the April Council Meeting, the Council will be choosing a date for the pick-up in May. Please pay close attention to the next journal issue as well as the Town's email blast for the exact date.

Construction/Parking in Town

Town Hall Staff recognizes all of the difficulties right now with the significant amount of construction occurring in Town. The Town will continue to **enforce its Code**, monitor construction projects, and ensure that construction regulations are reinforced with applicants, contractors, and subcontractors for all projects. It is important that the Town do its best to enforce regulations to minimize disruptions to existing property owners, while welcoming those who are moving into Town. With some exceptions, the Town has adopted the same work hour regulations that are administered by **Montgomery County**. A "**Reminders to Builders**" document can be found on the Town's website or by contacting the Town Hall.



Generator Noise Regulations

Enforcement of Generator Noise Regulations

Many homes in Town either already have generators installed or will be applying to install **emergency generators**. Many of these generators have been unable to pass the county noise level requirements. I am pleased to announce however, that recently we have had several generators **successfully** pass the noise level requirements. Town staff and I will be requesting that mitigation measures be taken to meet the noise level requirements if the generator has not passed yet. This is a very sensitive issue, as we realize that many homes need the generators for various reasons, **medical** or **otherwise**, but we also must be mindful that the noise of these generators can affect our neighbors. Please contact Town Hall if you would like information on mitigation contractors we have on file. A list of **Acoustical Engineers** can also be located on the Town's website.

HVAC Unit Permits

A fact that I don't think many residents realize is that a **Town permit is required** if you are going to install or replace any type of **HVAC unit** for your home. Noise level requirements must be met for these units as well for the protection of your neighbors. Please contact the Town Hall or visit the Town website for specific requirements for the installation of HVAC units. An article is in this month's journal regarding a proposed amendment that would permit the emergency installation of HVAC units.

Private and Town Tree Removal Process

This is just a reminder that the Town of Somerset **must approve** any trees to be removed within the Town, whether they are **public or privately owned**. Please make sure that you contact the Town Hall to obtain a permit in advance of removing any trees from your property. Violators of this Ordinance are subject to **fines** in accordance with the Town Code.



By Mayor Jeffrey Slavin

While understanding his reasons, I was saddened by Council member **Alan Proctor's** announcement that he **will not** be running for a third term. Alan has been a vital part of our elected team these past four years and he has an outstanding record of accomplishments. We are all particularly grateful for the time he spent on the **pool house renovation project** and his great attention to detail. While he will no longer be on the Council, Alan has assured me he is going to continue to be an active citizen so we will look forward to seeing him at Town Hall throughout the year.

The Town staff recently gathered for a **Brazilian lunch** expertly prepared by **Town Arborist Feather**, to celebrate **Rich Charnovich's** birthday.



Rich Charnovich's Birthday Celebration

A meeting with our **new local** police Commander, **Captain David Falcinelli**, has been scheduled. Council Vice President **Marnie Shaul**, Manager **Rich Charnovich** and I will host the Commander and familiarize him with our particular crime and traffic issues. We appreciate his willingness to visit. If anyone has an **issue or problem** they would like to have discussed with Captain Falcinelli at any time, please email me at mayor@townofsomerset.com.

There might be **some confusion** this year, especially among our **newer residents**, regarding the upcoming **two elections**. I am urging all residents to participate in both.

The Town will be holding our **municipal election** at Town Hall on **Tuesday, March 20** from **5:00 p.m.–9:00 p.m.** You can also obtain an absentee ballot in advance from the **Town Manager/Clerk-Treasurer**. The second opportunity to vote is in the **Presidential Primary Election**, which this year includes a primary for our **Member of Congress**, representatives to the **Board of Education**, and candidates for delegates to the **Democratic** and **Republican Conventions**. This election will take place on **Tuesday, April 3**, and we vote at **Somerset Elementary School**. There is also **early voting** for that election from **March 24–29** at a number of sites in the County. Check the **Montgomery County Board of Elections** website for more information, or give me a call for a more personal clarification. It is vital that everyone casts both ballots.

This month, members of the Council and I will be visiting with all the **fourth graders** at **Somerset Elementary School** to encourage them to participate in the exciting annual **Maryland Municipal League "If I were Mayor"** essay contest, open to everyone in that grade in our State. I am also willing to make such a presentation about the contest at any of the **local private or parochial schools**. Or, we can make it easy for non-public school parents (and home schooled kids) and hold an evening or weekend session at Town Hall for those students. The Council and I would like all of the fourth graders in Town to participate. For further information about the contest, see www.mdmunicipal.org. It has always been a rewarding and educational experience for everyone

I am proud to have joined (last year) a national, bipartisan coalition of more than **600 mayors** called **Mayors Against Illegal Guns**, which supports efforts to **outlaw** such firearms. The coalition is over six years old, and is chaired by the mayors of **Boston** and **New York City**. It has tremendous support in the law enforcement community, and has proven effective in lobbying Congress. I will give reports on the coalition's activities from time to time

I hope everyone had a wonderful **Valentine's Day** experience this year, because it's such an important holiday not just being about romance; spreading love around will only make the world a better place.



Permits Granted



Dumpster Permit

4923 Essex Avenue, dumpster to be used for interior renovations.

Tree Removal Permit

4719 Dorset Avenue, Arborist recommended removal of *one white oak* and *one black walnut*. Arborist recommends the owner consider installing another **hardwood canopy tree** in place of the oak

When in Doubt—Play it Safe

Birdie Pieczenik, Security Committee Chair

I am pleased to report that there hasn't been any crime reported in Somerset this month, but there has been crime all around us.

- **Please look** at the safety tips that we have published, and which can be picked up at the town office.
- **Pay Attention to Your Surroundings**—when you are jogging, walking alone, parking, or coming home from the Metro at night.
- **Secure Your Purse/Wallet**—This might mean crossing your handbag over your body, or putting a wallet in the front pocket.
- **Travel Light**—Don't keep more in your handbag/pockets than you need. Make choices every time you go out.
- **Walk Safe**—Walk in the roadway rather than on the sidewalk if you will be walking in dark areas.
- **Trust Your Instincts**—Take the extra time if it means going on lit streets, with lots of people, rather than a shortcut through woods. Cross the street if you don't like what you see coming down the street ahead of you. Cut into a store and stay awhile if you don't feel comfortable on the street.
- **Give In**—*If anyone wants your bag, money, coat, etc*—just give the item to him/them.

When in Doubt, Play it Safe!



Emergency Installation Of Air Conditioners And Heat Pumps

By Marnie Shaul, Council Member

What if your **air conditioner or heat pump** fails during the season when it is needed? Under Somerset's current **building code**, you would need to wait for Council consideration of your application for a permit at its next meeting. That could create a **significant wait** and if the failure occurs after the Council agenda deadline of the 15th, a **late fee**, too.

At the February meeting, I introduced a code amendment for an **emergency procedure**. At the discretion of the Mayor, a **temporary building permit** can be issued upon a finding that the equipment has failed during a season when it is needed and requires immediate replacement to prevent harm to the resident. The applicant would have to follow the current application procedures and acknowledge in writing that the applicant is proceeding at his/her own risk, since a permanent permit can only be issued by the Council after a public hearing, which could be held at its next meeting.



Emergency Installation Permit

to obtain residents' comments. The full text of the code amendment is available on the Town's website or you can mail the Town Manager at manager@townofsomerset.com to obtain a full copy of the amendment.

The Council will be **considering** this legislation at the **March meeting** and there will be a public hearing



Warwick Lane – Protecting Children

Protecting Children On Warwick Lane

By Cathy Pickar and Marnie Shaul, Council Members

Over the past few years, residents have raised questions about when **Warwick Lane** is closed to **vehicular traffic** so children have **safe passage to school**. Somerset's **current Code** has the lane closed from **8:15 a.m. to 3:30 p.m.** on **school days**, but in practice, the lane is closed only around school opening and closing. Signs on both ends of the lane reflect **all-day closing** to vehicular traffic on school days.

The Code dates to **1979** when children **went home for lunch**, so to provide safe passage for multiple daily trips, both the **Village of Drummond** and the **Town of Somerset** wanted the lane closed over the entire school day. Now many residents in both Drummond and Somerset agree that the critical time for lane closing is during **morning arrival** and **afternoon leave time**. Mayor **Jeffrey Slavin** and Council Members **Cathy Pickar** and **Marnie Shaul** met with **Kristen Khanna**, Somerset PTA Co-President to learn what the PTA thought would be in the best interest of safe passage for children. In **December**, Somerset received a letter indicating that the **PTA** recommended closing Warwick Lane from **8:15 a.m. to 9:00 a.m.** and **2:45 p.m. to 3:30 p.m.**, and on days with early release, using **chains** to block the lane until children have left school.

After receiving the PTA's recommendations, Mayor **Slavin** and Council Members **Pickar** and **Shaul** met with the Mayor of Drummond, **Scott Kragie**, and learned that Drummond agrees with the PTA's recommendation. Both communities agreed that **pedestrian safety** could be improved if **trucks** were **banned** from the lane at all times. In Somerset, current signs on **Warwick Place** and **Cumberland Avenue** would need to be changed to reflect the times the Lane is closed. Somerset agreed to **draft a Code amendment** and order new signs for both ends of Warwick Lane, with each community **paying** for the sign on its property.

The Code amendment was introduced at the **February meeting** and there will be a public hearing on the amendment at the **Council's March meeting**, when the Council will consider it. The full text of the amendment is on the Town's website.



Safe Passage To School



Trees in Spring

By Tolbert Feather, Town Arborist

The Town installed **two trees last fall**, and is planning to install another **13 trees in April** along the street rights of way. They will be located away from underground utilities, and the utilities will be marked before the trees are placed.

Mulching Tips

Mulching benefits trees by helping to **conserve moisture** and adds a **finished** look to the landscape. Young and small trees should always be mulched to promote **growth and development**. However, too **much mulch** or **mulch installed improperly** can hurt trees.

The proper way to mulch is to first **examine** the tree ring and see how much is already there. There should be no more than **2 inches** of mulch. If there is more, it should be stripped of old mulch down to bare soil. The tree ring or bed should be edged by cutting a small trench about 3 inches deep all the way around, and the edging should be removed. Fresh mulch can be applied to a total depth of **3-4 inches** total, including the old mulch. The same method can be used for larger trees if they are in a **planting bed**. It is also **good practice** to mulch around the base of larger trees that are in lawns. The mulch ring should be at least a 3-4 foot radius around the tree, being careful not to cut any large roots (**1-1/2 to 2 inches diameter**) when edging the ring. Mulching large trees in lawns protects the base of the tree from damage by **lawn mowers** and **string trimmers**. *Enjoy this Spring.*

Proposed Updated Street Tree Replacement Plan

By Patty Friedman, Co-chair, Parks and Natural Resources Committee



The **PNRC** has worked hard to come up with an updated street tree replacement proposal that takes into account several changes that have occurred since the last plan was put into place in **1989**.

The committee would like to preserve the **magnificent legacy trees** that line many of our streets. Unfortunately, as you may have noticed with the recent **Pepco pruning**, it is difficult to maintain the trees under the power lines, especially the expanded lines on **Dorset, Surrey, and Greystone**. We propose greater flexibility in the choice of trees to replace those that are **dying**, allowing legacy trees to be placed in areas that have no **power lines** and an **open canopy**. **Smaller trees** should be placed in areas where there are obstacles to growth.

An additional factor in the choice of tree should be an emphasis on **native trees**. The only exception to this is the **ornamental cherries**, which will continue to line **Falstone** and part of **Trent**. Replacement trees will be chosen by the **PNRC** in conjunction with the **Town arborist** to blend with existing trees. Final tree approvals will continue to be voted on at Town Council meetings.

Distribution Procedure For The Town Journal

By Barbara Zeughauser, Council Member

At the Town Council meeting on **February 6, 2012**, I introduced an amendment to the Town Code relating to the **procedural distribution of the Town Journal**. Currently, the Code states that the Journal must be delivered to residents no later than **seven (7) days** prior to the next meeting. Our Town Staff goes to great lengths to ensure that we meet this deadline, but despite their best efforts, we have missed this deadline occasionally due to problems with the new **U.S. Postal Service** bulk mailing service.

Given this procedural issue, and the need for residents to be fully aware of **Town issues** well before upcoming meetings, the Journal will be posted on the Somerset Town **Hall Bulletin Board** and on the **Town Website** (*except for the All about People and Classifieds Sections*), at least seven (7) days prior to the following Council meeting. As always, the Journal (**in its entirety**), will continue to be **mailed** to all Town households, and we will continue to work with the USPS to have it delivered to **households economically and promptly**. Residents who subscribe to **electronic delivery** will continue to receive this service, and we encourage others to request receiving the Journal by email by calling or emailing the Town Hall.

If you have any questions or comments, please email the Council at **council@townofsomerset.com**.

Distribution Procedure For The Town Journal Ordinance

ORDINANCE TO AMEND THE TOWN OF SOMERSET CODE,
CHAPTER 2, SECTION 2-402(f) AND SECTION 2-402(j),
RELATING TO SUBMISSIONS AND DISTRIBUTION OF THE TOWN JOURNAL,
ADMINISTRATION AND PROCEDURES, DEADLINES FOR SUBMISSIONS

WHEREAS, the Somerset Town Council wishes to change and clarify its policies and procedures for the submission to and the distribution of the Town Journal.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Somerset, that Chapter 2, Section 2-402(f) and Section 2-402(j), of the Town of Somerset Code is amended as follows: (deletions in [**bold brackets**]; (new matters in **BOLD CAPS**):

Section 2-402. TOWN JOURNAL

(f) Deadlines for Submission: The editor shall set the deadlines for submission of articles to allow time for layout, design, proofreading, printing and **DISTRIBUTION [mailing]** so that the Journal is **DISTRIBUTED [delivered]** to residents no later than 7 days prior to the next Town Council meeting. The deadline for submissions to the next edition is announced in each issue. The editor may refuse any submissions not received by the published deadline. Submissions are not considered received unless acknowledged by the editor. It is the responsibility of the submitter to verify receipt. See also paragraph (i) for policies on submitting advertisements.

* * *

(j) Distribution: The Journal **SHALL BE DISTRIBUTED NO LATER THAN AS FOLLOWS: 7 DAYS PRIOR TO THE NEXT TOWN COUNCIL MEETING, (1) [will be mailed to each household in Somerset. The Journal will also be made available as a PDF attachment to an e-mail for those residents who request it.]** The Journal except for the Somerset Life section, **SHALL BE POSTED ON THE SOMERSET TOWN HALL BULLETIN BOARD AND POSTED ON THE TOWN WEBSITE; (2) THE JOURNAL, INCLUDING THE SOMERSET LIFE SECTION, SHALL BE PLACED IN THE MAIL, ADDRESSED TO ALL HOUSEHOLDS IN THE TOWN AND TO ALL NON-RESIDENT OWNERS OF REAL PROPERTY IN THE TOWN; AND (3) DISTRIBUTED ELECTRONICALLY TO THOSE HOUSEHOLDS IN THE TOWN AND TO NON-RESIDENT OWNERS OF PROPERTY IN THE TOWN WHO HAVE SO REQUESTED. [, which includes personal information about residents will be posted on the Town website as soon as it is available.]**

Proposed Swim Team Committee Ordinance

ORDINANCE TO AMEND THE TOWN OF SOMERSET BUILDING CODE, CHAPTER 5, SECTION 5-303, SWIMMING POOL COMMITTEE, AND SECTION 5-304, SWIM TEAM

WHEREAS, the Somerset Town Council finds that the swimming program of the Montgomery County Swim League is of great benefit to the children of the Town of Somerset and their parents, as well as to all residents; and

WHEREAS, the Town Council wishes to continue to promote and support this program through a Swim Team Committee; and

WHEREAS, the Town Council wishes to establish such a committee and set forth the duties and responsibilities of such a committee; and

WHEREAS, the Town Council wishes to revise the number of members and duties of the Swimming Pool Committee.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Somerset, that Chapter 5, Section 303, Swimming Pool Committee, and Chapter 5, Section 5-304, Swim Team, of the Town of Somerset Code is amended as follows: (underlining added to the existing ordinance by the 2/12/12 version; [**single bold face brackets**] deleted from the existing ordinance by the 2/2/12 version; double underlining added by the amendment to the 2/2/12 version; [**double boldface brackets**] deleted by the amendment from the existing ordinance or the 2/2/12 version.):

Section 5-303. Swimming Pool Committee

(a) The Committee shall consist of no more than a minimum of 5 and a maximum of 11 members. The Mayor shall appoint, with approval of the Council, Town residents, including one Council member, to serve on a permanent Swimming Pool Committee. The Mayor shall strive to include on the Committee —

- Younger and older residents
- Individuals with and without children at home
- Residents from various parts of Town
- Longtime residents and newcomers
- Pool Users
- Males and females

(b) The terms of all Committee members except for the Council member, shall be for three years. The terms shall begin after the Council meeting in September of each year. A member, excluding Council, may serve for no more than two consecutive terms. If a Committee member resigns or is terminated, the Mayor will appoint a replacement for the remainder of that term. Replacement members are eligible for two full consecutive terms. After a one year absence from the Committee, a former Committee member is eligible for reappointment to the Committee regardless of prior service. If any of the eleven (11) Mayor-appointed members misses three (3) scheduled meetings during any calendar year, his or her service will be terminated.

(c) The Mayor shall appoint a chairperson each year, with approval of the Council.

(d) The Swimming Pool Committee shall have the following specific duties:

- (1) Each October, after the closing of the pool, the Committee shall meet with the pool staff and the pool management to review the operations of the pool during the past summer and to prepare a list of recommendations, including budget recommendations, if any, for the next pool season to be submitted to the Mayor and Town Council prior to their November meeting.
- (2) Each May, before the opening of the pool, the Committee shall conduct an orientation program for the pool staff, covering such subjects as pool regulations, life guard behavior, record keeping, front desk management, and dressing room maintenance.
- (3) The Committee shall convene at least once a month between April and September at open meetings to discuss current aspects of the care, operation, and maintenance of the pool. Any matters discussed which require the attention of the Mayor and Council shall be brought to their attention immediately by the Committee chairperson.

(e) The Swimming Pool Committee shall carry out its duties with the full understanding that the Mayor and Council have the legal and fiscal responsibility for the Somerset Swimming Pool. During the pool season all instructions to the pool staff and the pool management services shall be given by the Mayor, the Clerk-Treasurer, the Committee member who is a Council member, or the Committee chairperson.

Section 5-304. Swim Team Committee

The Mayor, with input from the current Swim Team Committee, with the approval of the Town Council, shall appoint a swim team committee with a minimum of 5 and a maximum of 11 members to include the team manager, the A-team rep and B team rep, a financial manager, and a Council liaison. The Mayor will appoint the chair of the committee with the input of current swim team committee members.

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(a) The terms of all committee members shall be for three (3) years. The term shall begin after the Town Council meeting in September of each year. A member may serve for no more than two consecutive terms. If a committee member resigns or is terminated, the Mayor shall appoint a replacement for the remainder of that term. Replacement members are eligible for two (2) full consecutive terms. However, if at the end of the two terms there is no one else qualified to fill the position, the Mayor may extend the term until a suitable replacement is found. After a one (1) year absence from the committee, a former committee member is eligible for reappointment regardless of prior service. If a member of the committee misses three (3) scheduled meetings during any calendar year, the Mayor has the option to terminate the service of this individual.

(b) The Town will pay from its general obligation expenses the yearly dues for membership in the Montgomery County Swim League and will provide additional funds from its general operating expenses, as approved by the Town Council to be applied to compensation for personnel to coach team participants, to support Somerset swim team activities sponsored by the Montgomery County Swim League for children residing in the Town of Somerset. Additional funds may be approved by the Town Council only to the extent necessary due to insufficient funds raised by the swim team committee through swim team registration fees, the sale of food or drink or t-shirts, or through other revenue sources approved by the Mayor.

(c) Funds raised by the swim team committee through registration fees, sale of concessions and other sources approved by the Mayor, will be Town funds and held in a Town account that is dedicated to and reserved exclusively to support activities of the swim team. In the event these funds are not exhausted at the end of the fiscal year, the funds will roll over into the same account for availability the next fiscal year.

(d) The swim team committee shall have the following duties:

1. Organize, conduct and promote swim team activities for children residing in the town of Somerset as participants in the Montgomery County Swim League.
2. Obtain volunteers.
3. Cooperate and coordinate with the Town of Somerset and the pool management company to provide coaching services to swim team participants.
4. Raise funds through swim team registration fees, sale of food, drink and other items, and through other revenue sources approved by the Mayor.
5. Prepare and submit annually for town Council approval, at a time requested by the town Council, a swim team committee budget for all committee activities, specifying:
 - i. Anticipated expenses by category;
 - ii. Anticipated revenues by source;
 - iii. Anticipated funds of the Town of Somerset, if any, needed to pay expenses beyond funds obtained from other sources.
6. Submit team rules to the Council annually for approval at a time to be determined by the committee, but prior to the season to which the rules apply.
7. Operate within the team budget approved by the Council.
8. All monies received by the swim team committee shall be transmitted timely by the Finance Manager to the Mayor or the Manager/Clerk-Treasurer of the Town, for deposit in an account to be dedicated to the swim team as part of the Town funds. A report specifying the amount and source of such funds shall accompany the transmittal. In the event these funds are not exhausted at the end of the fiscal year, the funds will roll over into the same account for availability the next fiscal year.
9. Bills for all expenses approved by the swim team committee shall be submitted for payment to the Mayor or Manager/Clerk-Treasurer of the Town. The Mayor or Manager/ Clerk-Treasurer of the town shall pay such expenses if they have been authorized as part of the original, or supplemental, swim team committee budget approved by the Town Council. With the approval of the Mayor or Manager/Clerk-Treasurer of the town, some of the funds authorized for expenses in the budget approved by the Town Council may be given to the swim team committee in advance of the actual incurrence of the expense so as to provide funds to committee member volunteers to purchase food and other items for swim team activities. The Financial Manager shall timely transmit to the Mayor or the Manager/Clerk-Treasurer a report of how the advanced funds were expended, accompanied by a receipt for such expenditure.
10. Those in charge of swim team activities shall respect the wishes of adults who wish to swim after working hours and the needs of families who live in the vicinity of the pool by (1) posting in advance at the pool the schedule of practice times, (2) scheduling swim team activity at times other than weekends and between 5:00 and 7:00 p.m. on weekdays, unless essential and with prior notification, and (3) notifying neighboring families in advance of the date and times of meet and special events at the pool.

Preliminary Agenda

Regular Town Council Meeting

Somerset Town Hall – Monday, March 5, 2012 – 7:30 p.m.

The Somerset Town Council will meet in regular session on Monday, March 5, 2012 at 7:30 p.m. at the Somerset Town Hall.

Agenda updates are posted on the Town website:

www.townofsomerset.com

Regular Meeting of the Town Council

Council Work Session – 7:00 p.m.

Council Meeting Convenes – 7:30 p.m.



left to right: Council members Bill Farley, Barbara Zeughhauser, Cathy Pickar, Vice President Marnie Shaul, Alan Proctor

1. Council Work Session – 7:00 p.m.
2. Council Meeting Convenes – 7:30 p.m.
3. Motion: To approve the February 6, 2012 Regular Council Meeting Minutes – 7:30 p.m.
4. Discussion: Town Manager's March Financial Report – 7:35 p.m.
5. Discussion: Mayor Slavin's Proposed 5-Year Fiscal Plan – 7:40 p.m.
6. Comments: Town Residents/Agenda Items – 7:55 p.m.
7. Comments: Town Residents/Non-Agenda Items – 8:00 p.m.
8. Public Hearing/Motion: To consider approval of an application submitted by Heather Kaye, 4604 Dorset Avenue, for a replacement Heat Pump that has already been installed – 8:05 p.m.
9. Public Hearing/Motion: To consider approval of an application submitted by Perry Urken and Megan Spellacy, 4816 Cumberland Avenue, for the installation of a 17kW emergency generator–8:10
10. Public Hearing/Motion: To consider approval of a building permit application submitted by Joseph D. and Anne D. Yap, 4805 Cumberland Avenue – 8:20 p.m.
11. Public Hearing/Motion: To consider a recommendation by the Council, acting as the Local Advisory Panel to the Historic Preservation Commission, on an application submitted by Paramount Construction, Inc. on behalf of the property owner, Alexandria P. Dubois, of 4712 Cumberland Avenue. The applicant proposes a scope of work as outlined in Paramount Construction, Inc.'s letter dated February 15, 2012 – 8:30 p.m.
12. Public Hearing/Motion: To consider approval of a Proposal submitted by the Parks and Natural Resources Committee to amend the current Town Tree Replacement Plan – 8:40 p.m.*
13. Public Hearing/Motion: To consider approval of Council Vice President Marnie Shaul's amendment to the Town Code in relation to traffic regulations on Warwick Lane near Cumberland Avenue and the Somerset Elementary School – 8:50 p.m.*
14. Public Hearing/Motion: To consider approval of Council Member Cathy Pickar's amendment to the Town Code in relation to the establishment of a Swim Team Committee – 9:05 p.m.*

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15. Public Hearing/Motion: To consider approval of Council Vice President Shaul's amendment to the Town Code in relation to the establishment of emergency procedures for the installation of HVAC units – 9:20 p.m.*
16. Public Hearing/Motion: To consider approval of Council Member Barbara Zeughouser's amendment to the Town Code, Chapter 2, Section 2-402(f) and Section 2-402(j), relating to submissions and distribution of the Town Journal, administration and procedures, deadlines, and submissions – 9:35 p.m.*
17. Motion: To consider adoption of a 2012 Arbor Day Proclamation – 9:50 p.m.
18. Discussion: Mayor's Report – 9:55 p.m.
19. Adjourn – 10:00 p.m.

Key

Public Hearing Item: Agenda item where public comment is permitted.

Discussion Item: Agenda item limited to discussion among the Council, Mayor and Town Staff.

Motion Item: Agenda item requesting action, limited to Council discussion.

Comments: Opinions and Questions from Town residents.

This is a preliminary Agenda prepared to meet the Journal press deadline, which typically is two weeks prior to the next Town Council meeting. During this period, there will likely be changes to the timing of items, and some items may be added or deleted. Please consult the bulletin board on the Town Hall porch or the Town website for the most up-to-date Agenda.

Residents who wish to be present for a particular Agenda item are advised to arrive 15 minutes ahead of the item's scheduled discussion time as discussions sometimes run ahead of schedule.

Items marked * have related articles inside this issue of the Town Journal.