

Commissioners Meeting Minutes

Monday, November 13, 2023

7:30 pm via Zoom

Commissioners:

Present: Garrett Anderson, Mark Davis, and Dan Ennis

Absent: none

Quorum present? yes

Present during all or portions of the meeting: Clerk Cate McDonald, Property Manager Andrea Scanlon, Treasurer Alice Allen, and Events Manager Beth Anderson.

Town Residents: Chris Scanlon, Miche Booz, Michael Acierno, Nick Roy, Bruce Evans, Mike Oestreich

Others: none

Proceedings: *The meeting was called to order at 7:35 pm via Zoom*

Residents' Questions & Comments

Chris Scanlon started off the discussion with two items

- 1) Any feedback from the Commissioners on the BPC's proposed plans for the end of Water St.
- 2) He has concerns about the tensions regarding parking at the end of Water St.

Three cars are parked at the end of Water St, next to 301 Market. One car belongs to 104 Water (Anderson), and two to 301 Market St. (Haris). After the October 23, 2023, Town meeting regarding parking on Water St., Garrett Anderson thought that the outcome was that anyone could park on public ROW. The Haris family parks two cars on the public ROW, which is allowable by the parking ordinance. The Haris's cars have been parking parallel vs. head-in. After Garrett Anderson parked his car on the Town ROW, Chris Haris became upset about the Anderson car park there.

Michael Acierno: The Commissioners passed a parking ordinance allowing "long-term parking on Town Right of Way is to provide reasonable accommodation for Town residents without adequate space for privately-owned suitable parking locations..". There are multiple areas in Town where Residents are parking long-term on Town ROW. Commissioners should represent the Town in ways that are respectable and civil and abide by the ordinance and policy that the Commissioners have adopted. There is room for debate on how this issue is being handled.

Garrett Anderson: He asked what the issue is and if he is not allowed to park in Town.

Miche Booz: after the Oct. 23rd meeting, long-term resident parking has been used by people for many years and has become the status quo. Since the Commissioners have complained about congestion at the entrance to Water St, and recently there have been only two cars parked there, a Commissioner would park a third car, and by adding a car, it would seem to suggest a situation we haven't talked about yet. Also, the BPC has not heard back from the commissioners about their proposed parking plans. As a Planning Commission Member, he recuses himself whenever there is a conflict due to ethics. It is the ethics law, and it applies here.

There was a discussion about why Commissioner Anderson should recuse himself whenever the topic of Water Street parking is involved, and he should not park on Town ROW until there is a parking plan that everyone agrees with.

Commissioner Davis: the personal issue between Haris and Anderson presents a perceived and probably an actual conflict of interest. He will ask Commissioner Anderson to recuse himself from any decision regarding parking on Water St.

There was a lengthy discussion about the reason for recusals, a Commissioner's power and influence in the decision-making process, and the erosion of trust in self-governance.

Beth Anderson stated she needed another parking spot for her home-based business, and they currently only have two parking spots, as discussed at the Oct. 23rd meeting. At the Oct. 23rd meeting, it was stated that parking on the Town ROW on Water St was open for anyone to park. She thought the Harises agreed and understood that as well. She wants to know where she should have a client park on Water St since parking on Town ROW is unavailable.

Commissioner Ennis: After the Oct. 23rd meeting, he believed the Commissioners understood the need for parking on Water St and Haris's desire for privacy. There is a clear path forward: shifting the parking pad on Water St down the street. The Commissioners can not get involved in personal issues between residents. The third car (Anderson) is parked legally on Water St., The Commissioners will work on a parking solution, allowing short-term parking for 104 Water (Anderson), and Water St will be safe and non-congested.

Beth Anderson asked for an immediate solution for 104 Water to have safe parking on Water St.

Commissioner Davis says the plan is to reduce congestion at the entrance to Water St. so the road can be aligned better with the Market / High Sts intersection and the bottleneck that occurs.

There was a discussion about three cars parked on the Town's ROW not reducing congestion and that parking the third car (Anderson) was aggressive to escalate a sensitive situation. The Commissioners will work with Residents to find a solution to parking on Water St.

Next Step: The Town Commissioners will provide feedback on the BPC parking options and will attend the December BPC meeting to discuss.

ROUTINE TOWN BUSINESS

- **Meeting Minutes:** The October meeting minutes were approved.
- **Budget:**
 - The budget report was reviewed.
 - The annual audit is complete and was posted to the Town's website.
 - The pros/cons of a multi-year waiver of the annual audit requirement were discussed; this topic will be addressed in the December Commissioners meeting.
 - The Town did not spend all of FY'22 HUR and will carry over \$3,159 in HUR to be used within the next ten years.
- **Rental Report:**
 - Scouts agreed to the new rental rates that take effect 1/1/2024.
 - The current rental rates were raised 20% across the board. New rates will take effect 1/1/2024.
 - There was a discussion about social media and the best place to post the rental sign.
- **Tree Removal permit** at 5 High St: unanimously approved.
- **SHA MOU for Rt 97 Maintenance:** unanimously to move forward.

New Business

- **Streetlight painting and electrical RFP**
 - This entails 3 RFPs
 - Spring City for the LED light upgrade
 - Electrician
 - Painting of the streetlight poles
 - The Pepco streetlight program is a separate project
 - There is a potential State grant for FY'24 for the LED light upgrade. The Town will proceed with the quotes and the budget for the work.
 - There was a discussion about replacing the streetlight at 307 Market, which was hardwired into 307 Market's electrical panel. Commissioner Anderson will talk to Pepco about powering the light from the Town's streetlight wiring.
- **Set a date for the Semi-Annual Meeting**
 - February 12, 2024 at 7:00pm via Zoom. The February Commissioners Meeting will immediately follow the Semi-Annual Meeting
- **Town holiday brunch** ~ December 3 at 7:00pm
 - The to-do was reviewed
- **Open Meeting Acts training:**
 - The Town Commissioners will take the on-line training class.

Old Business

- **Water Street Modifications**
 - The motion to approve the Water Street Modifications was not seconded. The Town Commissioners will attend the December BPC meeting to review and discuss the BPC's proposed modifications of Water Street.
 - The Commissioners will discuss and vote on Water Street modifications.
- **Streetscape RFP**
- **Charter & Ordinances update project**
 - UMD class is projected to start in the Spring.

Town Property and Infrastructure

- **Academy:**
 - **Stonewall:** no update
 - **Acoustic:** Quotes for improving the acoustic are being sought.
- **Schoolhouse**
 - Nothing to report.
- **Town-maintained infrastructure & ROW**
 - **Tree Montgomery:** working on the tree locations for Water St.
 - **Street Sign painting and refurbishment**
 - Estimated 4-6 weeks to refurbish the signs. The Town will start with the South Street sign to see the quality of the work.
 - No update on Pepco lights updates

Open Discussion:

- The Town was awarded a \$2,500 mini-grant from Heritage Montgomery with a 50 % match for a new parking sign.
- Jim Klein's contract to supply the Town with a ROM was approved; he estimate 6 hours of work at \$165 per hour. The Town's cap for this project is \$2,000.

The meeting adjourned at 10:47 pm.

Cate McDonald

Town Clerk