

**MINUTES  
HAMILTON TOWN COUNCIL  
REGULAR MEETING  
JULY 11, 2011**

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The regular meeting of the Hamilton Town Council was convened at 7:00 PM with the following attendance:

**PRESENT:** Greg K. Wilmoth, Mayor  
John Unger, Vice Mayor  
Kenneth C. Wine, Council member  
David R. Simpson, Council member  
Dimitri Kesari, Council member - Late  
Michael Snyder, Council member - Late  
James Thomas Rollins, Jr., Council member - Late

**STAFF:** Lori Jones, Treasurer  
Maureen Gilmore, Town Attorney  
David Beniamino, Zoning Administrator  
Jennifer Helbert, Recorder

**CALL TO ORDER:**

Mayor Wilmoth called the Town Council meeting to order at 7:00 PM.

**PLEDGE OF ALLEGIANCE:**

Mayor Wilmoth led the Pledge of Allegiance

Council member Wine made a motion that the Council move the Recognition of Commissioner Gallant up on the agenda.

Motion: Council member Wine  
Second: Council member Simpson  
Carried: 5-0-3 with Kesari, Snyder and Rollins absent

Mayor Wilmoth read and presented the Resolution of Thanks to former Planning Commissioner Gallant.

**GUESTS:**

Malcom Baldwin, Candidate for Catoctin District Supervisor came forward to speak.

**PUBLIC COMMENT:**

**Michael Kling** of 118 South St. Paul Street came forward to speak. He stated that at the June Council meeting the Council approved a sewer connection to his property on the condition that the property be added to the sewer tax district and any back taxes be paid. There are some legal issues that need to be resolved between the Town and the County that have delayed his project indefinitely. He stated that if you have ever experienced a failing drain field then you understand their persistence in trying to get this issue taken care of. He stated that they have been dealing with this issue since mid May and it has become almost unbearable and caused immense stress in their lives. He stated that they limited their water use to bathing and occasionally toilet flushing, daily chores such as laundry and washing dishes have become extremely challenging and physically exhausting. Mr. Kling stated that they agreed to the conditions set forth by the Town and the request that they be permitted to proceed with the connection of the sewer lateral. If this is not possible at this time they would like to be assured that this is a priority issue and a resolution is forthcoming.

**APPROVAL OF MINUTES:**

Council member Kesari made a motion to approve the Town Council meeting minutes of May 9, 2011 with minor changes.

Motion: Council member Kesari  
Second: Council member Rollins  
Carried: 7-0

**MAYOR'S REPORT:**

**Vandalism of Town Sign and Waste Water Treatment Plant** – Mayor Wilmoth stated the sign at the west end of Town had been vandalized and it was removed to be repaired. He also stated that on July 6<sup>th</sup> the Waste Water Treatment Plant was broken into and vandalized. There was considerable damage done. The Sheriff's Office indicated that they had some suspects and were moving forward in the investigation.

**Don's Johns at the Park** – Mayor Wilmoth stated that one has now been placed at the park.

**Milling and Paving** – Mayor Wilmoth stated that there were a couple of valve boxes that were covered which was fixed and they will be back to repaint the no parking stripes in front of Town Hall.

**Illegal Dumping in Sewer System** – Mayor Wilmoth stated that they believe that there was some illegal dumping that occurred and he would like the residents to be aware that if they see

anyone around a manhole or hydrant they should call the Police or the Town Hall because this is a private system and there should be no dumping of waste or taking water from the hydrants.

**Mt. Zion Letter** – Mayor Wilmoth stated that Council member Rollins put a letter together to give to the Church and a copy is available if the Council would like to look at it.

**WATER AND SEWER COMMITTEE:**

**I&I Extension Request** – Mayor Wilmoth stated that the Council has requested an extension from DEQ to try to get an I&I plan together and he is now waiting to hear back from them.

**PARKS & RECREATION COMMITTEE:**

Council member Wine stated that on the 18<sup>th</sup> of June there was a group of Little League kids that used the park for their end of season party but upon leaving no one policed the area and there was food and trash left throughout the playground area. Council member Wine believes that people need to be notified that they need to clean up after themselves. Council decided that they would have a sign placed at the park.

**TREASURER'S REPORT:**

**Monthly Treasurer's Report** – Ms. Jones issued a report to the Council and answered any questions that they had about the report.

Council member Wine made a motion to accept the Treasurer's Report as amended.

Motion: Council member Wine  
Second: Council member Kesari  
Carried: 7-0

**FINANCE COMMITTEE:**

Vice Mayor Unger stated that they have no items this month.

**PUBLIC SAFETY & ZONING ENFORCEMENT COMMITTEE:**

Council member Kesari stated that the Committee met and made changes to the Comprehensive Plan that they will be sending forward. The Committee asked that Mr. Benamino make the changes requested and then send the document on to the County for their review.

**PERSONNEL COMMITTEE:**

Council member Simpson stated Christie Ashby is now on board and is doing a fine job.

**PLANNING COMMISSION:**

Chairman McCann stated that the next meeting is next Wednesday. He also stated that Commissioner Gallant will be missed on the Commission. He stated that the Commission is still going over the Subdivision and Control Ordinance and hopefully will be able to turn it over to Council to review soon.

**OLD BUSINESS:**

- a) **Leak Adjustment Request** – Council decided to wait until next month to make a decision
- b) **Planning Commission Appointments – Robert McCann, Russell Beal, Christopher Cawley**

Vice Mayor Unger made a motion that the Hamilton Town Council appoint Robert McCann, Russell Beal and Christopher Cawley to the Hamilton Planning Commission for four year terms that commence on July 20, 2011.

Motion: Vice Mayor Unger  
Second: Council member Kesari  
Carried: 7-0

- c) **Sewer Connection – 118 S. St. Paul Street Update** – Ms. Gilmore updated the Council on this item. She stated that she is working with the County Attorney on this issue and he was going to take an agreement to the Board and she is hoping to hear from them very soon.

Council member Snyder made a motion to authorize the Mayor to sign the agreement on behalf of the Town if it meets the Town Council and County approval.

Motion: Council member Snyder  
Second: Council member Simpson  
Carried: 7-0

**NEW BUSINESS:**

**Maryland, Delaware Avenue Address Assignment** – Ms. Gilmore indicated that she spoke with the County Attorney about the address issue. The County Attorney stated that the County does have an address ordinance and he will suggest that the Board amend the Ordinance to allow the County Administrator to enter into agreements with Town's to take care of these types of issues.

**Sewer Connection Application – Maryland Avenue PIN 418-475-536-000 –**

Council member Kesari made a motion to approve the sewer connection application for PIN 418-536-000.

Motion: Council member Kesari  
Second: Council member Snyder  
Carried: 7-0

**FY2012 Town Council Meeting Calendar** – Council decided to move their October 10<sup>th</sup> Town Council meeting in 2012 to October 17<sup>th</sup> in observance of the Columbus Day Holiday. Council member Kesari made a motion to approve the proposed FY2012 Town Council meeting calendar with the above change. He also moved approval of the inclement weather policy.

Motion: Council member Kesari  
Second: Council member Rollins  
Carried: 7-0

**Resolution of Thanks – Michon Family** – Council member Kesari made a motion to approve the Resolution of Thanks for the Michon Family.

Motion: Council member Kesari  
Second: Council member Snyder  
Carried: 7-0

**Resolution of Thanks – William Gallant** – Council member Kesari made a motion to approve the Resolution of Thanks for William Gallant.

Motion: Council member Kesari  
Second: Council member Snyder  
Carried: 7-0

**Town Council Committee & Vice Mayor Assignments** – Vice Mayor Unger made a motion that the Town Council appoint Ken Wine as Vice Mayor.

Motion: Vice Mayor Unger  
Second: Council member Simpson  
Carried: 7-0

Council member Kesari made a motion to approve the proposed Committee assignments for 2012.

Motion: Council member Kesari  
Second: Council member Wine  
Carried: 7-0

**Purchase of Town Truck** – Council member Snyder made a motion to advertise for a Public Hearing on July 21, 2011 and a Special Town Council meeting immediately following the public hearing to consider amending the budget to purchase a new truck.

Motion: Council member Snyder  
Second: Council member Kesari  
Carried: 7-0

**CLOSED SESSION:**

Council member Wine made a motion that the Hamilton Town Council recess its open meeting and convene a closed session to discuss the following:

- 1) Actual or Probably Litigation Authorization for which is contained in Code of Virginia Section 2.2-3711(A)(7)

Motion: Council member Wine  
Second: Council member Kesari  
Carried: 7-0

Council member Wine made a motion that the Town Council adjourn the closed session and reconvene the regular meeting.

Motion: Council member Wine  
Second: Council member Snyder  
Carried: 7-0

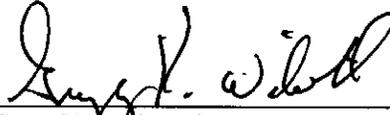
Town Council  
Regular Meeting Minutes  
July 11, 2011

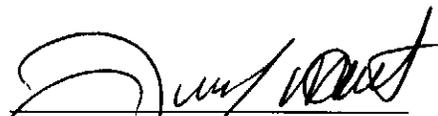
Council member Wine made a motion that the Town Council certify that while in closed session to the best of each members knowledge (i) only public business matters lawfully exempted from open meeting requirements under this chapter and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered by the meeting of the public body.

Motion: Council member Wine  
Second: Council member Snyder  
Carried: 7-0

**ADJOURNMENT:**

There being no further business the meeting adjourned at 8:20 PM.

  
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Greg K. Wilmoth, Mayor

  
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Jennifer L. Helbert, Recorder