



TOWN COUNCIL REGULAR MEETING
Monday, December 11, 2023 @ 7:00pm
Warren County Government Center

View LIVE on Government Access Channel 16 or <https://www.frontroyalva.com/673/Town-Hall-Live>

1. MOMENT OF SILENCE
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF MINUTES – *I move that Council approve the Regular Meeting Minutes of November 27, 2023 and Work Session Minutes of December 4, 2023, as presented.*
5. ADDITION/DELETION OF ITEMS FROM THE AGENDA OR REVISION TO ORDER OF BUSINESS
[Items added will be placed as the last item under Business Items. Unanimous vote is required to add/delete]
6. RECOGNITIONS/AWARDS/REPORTS/PRESENTATIONS
 - A. Proclamation to Recognize WFTR Radio Station for 75 years
 - B. Resolution for Dedication of South Street Bridge in Memory of Lieutenant William Patrick “Pat” Farrell
7. PUBLIC HEARINGS - NONE
8. PUBLIC COMMENTS NOT RELATED TO PUBLIC HEARINGS
9. REPORTS
 - A. Report of Town Manager
 - B. Report of Councilmembers
 - C. Report of the Mayor
10. CONSENT AGENDA ITEMS - *I move that Council approve the Consent Agenda as presented.*
 - A. Bid Award for 2023 Sewer Rehabilitation Project
 - B. Front Royal-Warren County Liaison Committee Mission Statement and Policies Revisions
 - C. Reappointment to Advisory Committee on Environmental Sustainability (ACES)
11. Business Items
 - A. HEPTAD Request for One-Year Extension to Submit Development Plan
12. CLOSED MEETING
13. Adjourn



TOWN COUNCIL REGULAR MEETING MINUTES

November 27, 2023 @ 7:00PM in the Warren County Government Center

The following minutes are a summary of items on the agenda. This meeting may be viewed in its entirety by accessing the video of the same date online via the Town's website at www.frontroyalva.com for a limited time.

Moment of Silence

Pledge of Allegiance led by Conor Bass and Evelyn Bass

ROLL CALL BY CLERK OF COUNCIL

PRESENT: Mayor Lori A. Cockrell
Vice Mayor R. Wayne Sealock
Councilman Joshua L. Ingram
Councilwoman Amber F. Morris
Councilman H. Bruce Rappaport
Councilwoman Melissa DeDomenico-Payne
Councilman Glenn E. Wood

OTHERS PRESENT: Clerk of Council Tina L. Presley
Town Manager Joseph E. Waltz
Town Attorney George M. Sonnett, Jr.

APPROVAL OF MINUTES – Councilwoman Morris moved seconded by Councilman Rappaport that Council approve the Special and Regular Meeting Minutes of October 23, 2023, and Work Session Minutes of November 6 and 13, 2023, as presented.

Vote: Yes – Councilmembers Sealock, Ingram, Morris, Rappaport, DeDomenico-Payne

No – N/A

Absent – N/A

Abstain – Councilman Wood

ROLL CALL

ADDITION/DELETION OF ITEMS FROM THE AGENDA OR REVISION TO ORDER OF BUSINESS - None

RECOGNITIONS/AWARDS/REPORTS

Angela Toler was recognized for her 12 years of service on the Board of Architectural Review (BAR). She was presented with a certificate and congratulated by the Mayor and Council.

Director of Energy Service Carey Saffelle recognized several employees who received their Apprenticeship Journeyman Lineman License through the Department of Labor for the Commonwealth of Virginia. Those recognized and congratulated by the Mayor and Council were: Ryan Lyerly, Christopher Cubbage, Alan Bell, and Travis Petty. He also gave Christopher Roland and honorable mention who could not attend.

The Advisory Committee for Environmental Sustainability (ACES) was recognized and congratulated by the Mayor and Council for receiving the 2023 Community Conservation Award.

The Resolution to Dedicate and Name the South Street Bridge in Memory of Lieutenant William P. Farrell was postponed earlier in the day due to the family not being able to attend tonight's meeting.

PUBLIC HEARINGS - None

PUBLIC COMMENTS NOT RELATED TO PUBLIC HEARINGS - None

REPORTS

A. Town Manager Report – Mr. Waltz advised that due to the most recent rainfall the Shenandoah River has risen enough to carry the Town out of water conservation, but cautioned that without more significant rainfall the Town could easily go back into conservation. He noted that *Christmas on Main* would be celebrated downtown on Saturday, December 2nd beginning at 12:00pm with the parade beginning at 4:00pm along with the lighting of the Christmas Tree.

B. Town Council Reports

Councilman Rappaport attended the Town's 235th birthday celebration. He thanked Town Staff for working through the night to complete repairing a water main break on Massie Street. He remembered Arthur Maddox and his most recent passing noting prayers for the family. He also noted that the Town received additional funds from the Virginia Department of Transportation (VDOT) in the amount of \$288,442.84 to be used for the Town's streets.

Councilwoman DeDomenico-Payne attended ribbon cuttings for "Fitness Fuel" and "Fleetwood Vintage". She thanked all those who voted for her in the most recent special election and encouraged everyone to reach out to her with their concerns.

Councilman Wood thanked the community for their vote at the most recent special election and looked forward to serving them.

Councilwoman Morris congratulated and welcomed Councilmembers DeDomenico-Payne and Wood on their most recent election to Council. She gave a shout out to the Town Staff for getting through the Town's busiest time of year. She expressed excitement about the river's water levels. She advised that the sign outside of the former Afton Inn stated that the completion would be 2023 and voiced disappointment that an update was not given to Council at the last work session.

C. Report of the Mayor – Mayor Cockrell advised that she was currently working on getting an update to Council on the former Afton Inn. She attended several events: *Spooky Saturday*, the election polls, *Veterans Day Ceremony* that included a tree giveaway by ACES and other organizations, the Town's 235th birthday celebration, and a Christmas event at "The Trellis." She reminded everyone that there was one Council work session and one regular Council meeting in December.

CONSENT AGENDA ITEMS

A. Sole Source Purchase of a Traffic Signal Cabinet and Equipment

Council approved the Sole Source procurement from Econolite for the replacement of the Traffic Signal Cabinet and Equipment located at the intersection of South Royal Avenue and Criser Road, in the amount of \$57,233.88.

B. Purchase of Pickup Truck for Solid Waste Department

Council approved the purchase of a 2024 Ford F-250 4x4 pickup to replace a 1998 Chevrolet three-quarter ton refuse truck for the Solid Waste Department from Hall Automotive in the amount of \$47,929.20.

C. Purchase of Cab Chassis for Water and Sewer Maintenance Department

Council approved the purchase of a 2024 Ford F-450 4x4 regular cab chassis with a 14' utility box to replace truck #619, a F-350 regular cab chassis 2wd with a utility body box, for the Water Sewer Maintenance Department from Hall Automotive in the amount of \$54,706.20.

D. FY24 Budget Amendment to Accept Additional Funds from VDOT to be Used for Street Maintenance, Construction and Reconstruction Projects

Council approved a FY24 Budget Amendment in the amount of \$288,442.84 to accept additional funds from the Commonwealth of Virginia Transportation Board to be used for street maintenance, construction and reconstruction purposes.

E. Resolution Supporting the Application for Highway Safety Improvement Program Funds for Safety Initiative Projects – Energy Resources

Council approved a Resolution supporting the application for Highway Safety Improvement Program Funds for Safety Initiative Projects as presented.

F. Agreement for the Lease and Maintenance of a New IBM Power10 System

Council approved an agreement, through cooperative contracting, to CAS Severn / IBM Credit, LLC, for the Lease and Maintenance of a New IBM Power 10 System to replace the Town's existing Power8 Legacy server. Payment terms are for a 3-Year Lease Agreement for a total of \$53,000.28.

G. Appointment and Reappointment to FRED A

Council reappointed Richard Novak to the Front Royal Economic Development Authority to a 4-year term ending December 13, 2027, and appointed Robert A. Elliot to a 4-year term beginning December 13, 2023 and ending December 13, 2027.

Councilwoman Morris moved seconded by Vice Mayor Sealock that Council approve the Consent Agenda as presented.

Councilwoman Morris mentioned the two Front Royal Economic Development Authority (FRED A) appointments listed on the Consent Agenda [reappointment of Richard Novak and appointment of Robert Elliott] and voiced appreciation for their service. Mayor Cockrell mentioned the Budget Amendment for the acceptance of the Virginia Department of Transportation's (VDOT) additional funds to the Town.

Vote: Yes – Councilmembers Sealock, Ingram, Morris, Rappaport, DeDomenico-Payne, Wood

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

BUSINESS ITEMS – None

CLOSED MEETING

Councilwoman Morris moved seconded by Vice Mayor Sealock that Town Council convene a closed meeting, pursuant to Sections 2.2-3711 and 2.2-3712 of the Code of Virginia, for the following purpose:

- 1) pursuant to Section 2.2-3711(A)(7) of the Code of Virginia, for consultation with legal counsel and briefings by staff members or consultants pertaining to actual litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body, more specifically, *HEPTAD v. Town Council*; and,
- 2) pursuant to §2.2-3711(A)(1) of the Code of Virginia, for the discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees, or employees of any public body, more specifically, a promotion to a position to be created.

Vote: Yes – Councilmembers Sealock, Ingram, Morris, Rappaport, DeDomenico-Payne, Wood

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

Vice Mayor Sealock did not go into the closed meeting due to not feeling well.

Councilwoman Morris left the closed meeting at 9:00pm due to family matter.

Councilman Rappaport moved seconded by Councilwoman DeDomenico-Payne that Council certify that to the best of each member's knowledge, as recognized by each Council member's affirmative vote, that only such public business matters lawfully exempted from Open Meeting requirements under the Virginia Freedom of Information Act as were identified in the motion by which the Closed Meeting was convened were heard, discussed or considered in the Closed Meeting by Council, and that the vote of each individual member of Council be taken by roll call and recorded and included in the minutes of the meeting of Town Council.

Vote: Yes – Councilmembers Ingram, Rappaport, DeDomenico-Payne, Wood

No – N/A

Absent – Vice Mayor Sealock and Councilwoman Morris

Abstain – N/A

ROLL CALL

Meeting adjourned approximately 9:20pm.

Approved by Town Council

Date: _____



TOWN COUNCIL WORK SESSION MINUTES
Monday, December 4, 2023 @ 7:00pm
Town Hall Conference Room

The following minutes are a summary of items on the agenda. This meeting may be viewed in its entirety by accessing the video of the same date online via the Town's website at www.frontroyalva.com for a limited time.

Roll Call by Clerk of Council

PRESENT: Mayor Lori A. Cockrell
Vice Mayor R. Wayne Sealock
Councilman Joshua L. Ingram
Councilwoman Amber F. Morris
Councilman H. Bruce Rappaport
Councilwoman Melissa DeDomenico-Payne
Councilman Glenn E. Wood

OTHERS PRESENT: Town Manager Joseph E. Waltz
Town Attorney George M. Sonnett, Jr.
Clerk of Council Tina L. Presley
Various members of the staff and public

Consent Agenda Item Slated for December 11th

A. Bid Award for 2023 Sewer Rehabilitation Project – Finance Director BJ Wilson noted that the ARPA (American Rescue Plan Act) funds the Town received were being used for this project with the hopes the work will get the Town out of the DEQ's (Department of Environmental Quality) consent order they are currently under. He advised that once approved the goal was to begin the project in February or March, noting it could be sooner if all the documents were in place with the expectation it could take approximately six months to complete. Council agreed to add to the consent agenda on December 11th for final approval.

Old Business

A. Continued Discussion Pertaining to An Ordinance to Amend Town Code 175-3 Definitions and 175-110.5 Performance Standards for Urban Agriculture Pertaining to Chickens in Town Limits – Corey Childs Extension Agent at Virginia Cooperative Extension – Town Manager Joe Waltz advised that Corey Childs, Extension Agent for the Virginia Cooperative Extension, was invited tonight so that Council could get some questions answered and ultimately advise staff as to where council would like to go with any amendments to the ordinance. Director of Planning Lauren Kopishke introduced Mr. Childs explaining that he reviews all of the Management Plans for permits and advises staff of any issues he may encounter.

Mr. Childs stated that he had been involved with Management Plans for fifteen years working with numerous people in several counties to allow them to participate in backyard poultry for their families. He explained that with urban density his objective was to put together the best plan that reflected the safety

with neighbors by trying to minimize impacts by education. He emphasized keeping it simple with any changes they may make.

Councilwoman Morris noted that the issue was not the increase in chickens but the increase in regulations. She voiced concern on the way the Town was restricting the way chickens were to be housed. Ms. Kopishke advised that one acre lots and above did not need a permit and the amendments to the ordinance are what the Town was already doing, clarifying that she was suggesting that they be codified. She explained that staggered inspections of those who currently have permits were performed once a year by staff. While it was mentioned that there were 51 permits issued, it was clarified that those permits included rabbits and bees. Ms. Morris commented that she was not prepared to move forward with the amendments due to overregulation.

Councilman Rappaport was not in favor of increasing the number of chickens and stressed the importance of cleanliness or it could become a health hazard for the community. He voiced concern of the "novelty" of owning chickens wearing off quickly for some owners and that from a health standpoint six chickens were enough.

Ms. Kopishke reiterated that the regulations and standards currently in place for a permit were not codified but advised that staff did have the ability to revoke the permit without the codification but felt like codification would tighten up the ordinance to make it easier to enforce.

Councilwoman DeDomenico-Payne questioned the fence issue and the difficulty of elaborating on that in the code. Mr. Childs advised that chickens could fly short distances including over fences, noting it was a fine balance to protect the health of the community as well as the animals.

Mr. Waltz advised Council that staff may have confused the situation by adding to the code what the Town was already doing, noting the real decision from Council was going from six chickens to ten.

Councilman Wood reminded Council that Mr. Childs was telling Council what they needed to do and voiced concern that Council was spending a lot of time on something that affected a small number of people. Ms. Morris noted that this was urban agriculture and reiterated that the number of chickens was not the issue. Mr. Rappaport reiterated that Mr. Childs advised Council to keep it simple and six chickens was simple. He encouraged Council to look at the entire community.

Councilman Ingram opined that if the yards were contained enough for the chickens to be free range he had no issues, but smaller lots had to have credentials. Mr. Childs explained the difference between a smaller lot vs a larger lot including the coop/run space, noting there was not one perfect situation or solution.

Mr. Sonnett noted that zoning violations were criminal in nature and the clearer the law the better.

There was much discussion on whether to move forward or continue discussion at another work session. It was agreed to move to another work session for further discussion.

B. Liaison Committee Policy Revisions – Town Manager Joe Waltz read through the revisions and that the County preferred the Town approve the Policy first. Council agreed to add to the consent agenda on December 11th for formal approval.

New Business

~~A. Request a Waiver for Curb, Gutter and Sidewalk Requirements for a Potential NVR, Inc. Project Located at 835 Shenandoah Shores Road~~ – The applicant requested that this item be removed from the agenda.

B. Request An Ordinance Text Amendment by Magdalen Capital, LLP Pertaining to Minimum Acreage Requirement for Planned Neighborhood Development District (PND) from 20 and 50-acre Minimum to 2-acre Minimum – Director of Planning Lauren Kopishke advised that the request was for the PND to go from 20 – 50 acres lots to a minimum of two acre lots. The Planning Commission recommended a minimum of five acre lots. She clarified that a majority of the lots contained environmental constraints like steep slopes.

Councilwoman DeDomenico-Payne voiced concern that five acre lots seemed small for a PND. Ms. Kopishke advised that PNDs allowed for clustering, additional open spaces and a mixture of residential types including commercial. Mrs. DeDomenico-Payne questioned the underground utilities. Ms. Kopishke and Mr. Waltz both agreed that staff would tie into the existing overhead lines at the property but everything in the PND would go underground.

Councilman Rappaport voiced concern that smaller parcels created more urbanization and the “small charm effect” would be lost including the loss of green space. Ms. Kopishke advised that every five-acre lot would have to have one acre of green space. While there was discussion about affordable housing it was noted that the pictures in the agenda packet for the PND were not pictures of affordable housing. Mr. Rappaport stated that there was no guarantee what the builder was going to construct, noting the market would determine that not the Town.

Councilman Wood noted that as a member of the Planning Commission he felt like the presentation on what the applicant was requesting was more enlightening. Council then went into discussion about the rezoning shown in “C” below.

C. Request to Rezone 311 Leach Street from R-S, Suburban Residential District and Adjoining Properties from R-1, Residential District to PND, Planned Neighborhood Development District – Director of Planning Lauren Kopishke advised that the applicant was asking to rezone four or five lots on approximately 11 acres with two potential concepts: Option 1 having higher density and By-Right Option having 21 single family homes. She explained that the text amendment was required to be approved first before the rezoning could happen. It was noted that the applicants were in attendance.

Councilman Rappaport stated that the majority of the lots off Leach Street were single-family properties noting the steep slopes. Ms. Kopishke advised that the site plan would show how they would work with the slopes. It was also noted that there would be an HOA (Homeowners Assoc) in place to maintain the roads.

Mr. Waltz advised that the earliest for public hearings was January 22nd. Council agreed to hear the text amendment in a public hearing on January 22nd and the rezoning public hearing on February 26th.

D. Reappointment to Advisory Committee on Environmental Sustainability (ACES) –Council agreed to add to the consent agenda for reappointment on December 11th.

CLOSED MEETING

Councilman Rappaport moved Vice Mayor Sealock that Town Council convene a closed meeting, pursuant to Sections 2.2-3711 and 2.2-3712 of the Code of Virginia, for the following purposes:

- 1) pursuant to Section 2.2-3711(A)(7) of the Code of Virginia, for consultation with legal counsel and briefings by staff members or consultants pertaining to actual litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body, more specifically, HEPTAD, LLC v. Town Council; and,*
- 2) pursuant to Section 2.2-3711(A)(8) of the Code of Virginia, for consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, more specifically, a request from HEPTAD, LLC.*

Vote: Yes – Councilmembers Sealock, Ingram, Morris, Rappaport, DeDomenico-Payne, Wood
No – N/A
Absent – N/A
Abstain – N/A

ROLL CALL

Councilman Ingram moved seconded by Councilwoman Morris that Council certify that to the best of each member's knowledge, as recognized by each Council member's affirmative vote, that only such public business matters lawfully exempted from Open Meeting requirements under the Virginia Freedom of Information Act as were identified in the motion by which the Closed Meeting was convened were heard, discussed or considered in the Closed Meeting by Council, and that the vote of each individual member of Council be taken by roll call and recorded and included in the minutes of the meeting of Town Council.

Vote: Yes – Councilmembers Sealock, Ingram, Morris, Rappaport, DeDomenico-Payne, Wood
No – N/A
Absent – N/A
Abstain – N/A

ROLL CALL

Adjourned approximately 9:50 pm

Approved by Town Council

Date: -----



PROCLAMATION
WFTR-AM AND WFTR(WZRV)-FM RADIO STATION
CELEBRATING 75 YEARS

WHEREAS, on September 19, 1948 WFTR, a 250-watt AM radio station, opened in Front Royal broadcasting from the Sky-Park Building located on John Marshall Highway signing on at 6:30am with the National Anthem and signing off at 11:00pm just after headline news and the National Anthem with various daily programming to include music, local and national news, local program features hosted by various staff and community figures, local church services and radio dramas; and,

WHEREAS, in 1962 the FCC (Federal Communications Commission) approved the increase of broadcast power from 250 watts to 1,000 watts allowing for better coverage beyond Warren County's borders; and,

WHEREAS, there were several transfers of ownership from 1969 to 2000 including the addition of a co-owned FM station (WIXV) in 1981, a new call sign change to WFTR-FM in 1983 the affiliation with CNN news in 1991, and AM Talk Radio in the mid 1990's. The most recent ownership change occurred in August 2000 by Royal Broadcasting, Inc.'s Andrew Shearer who began reclaiming the idea of local radio as it was envisioned in the early days of the radio station; and,

NOW THEREFORE, the Mayor and Town Council do hereby proclaim that, on Tuesday, September 19, 2023 FM Radio Station WFTR (now WZRV The River 95.3) and WFTR-AM, celebrated their 75th Anniversary in the same building on John Marshall Highway, the same call letters (WFTR) and on the same frequency (1450) boasting a 1,000-watt signal power both day and night.

APPROVED:

Lori A. Cockrell, Mayor

ATTEST:

Tina L. Presley, Clerk of Council

This proclamation was adopted by the Town Council of the Town of Front Royal, VA on December 11, 2023



Regular Council Meeting Consent Agenda Statement

Item #6B

Meeting Date: December 11, 2023

Agenda Item: Resolution to Dedicate/Name the South Street Bridge in Memory of Lieutenant William P. Farrell

Summary: Council is requested to approve a resolution dedicating and naming the South Street bridge in memory of Lieutenant William P. Farrell who died from a duty related illness he contracted on November 6, 1977 ultimately causing his health to deteriorate until his death in July 1991, as presented.

Budget/Funding: None

Meetings: Work Session held November 6, 2023

Should Council wish to remove this item from the consent agenda, the following motion would allow approval of this request:

Proposed Motion: I move that Council approve a Resolution dedicating and naming the South Street bridge in memory of Lieutenant William P. Farrell who died from a duty related illness he contracted on November 6, 1977 ultimately causing his health to deteriorate until his death in July 1991, as presented.

Moved _____ Seconded _____

VM Sealock _____ Ingram _____ Morris _____ Rappaport _____ DeDomenico-Payne _____ Wood _____

RESOLUTION
Dedication of South Street Bridge
in Memory of Lieutenant William Patrick “Pat” Farrell

WHEREAS, William Patrick “Pat” Farrell was born March 24, 1948; and,

WHEREAS, Mr. Farrell was hired September 1, 1971 as a Patrolmen for the Town of Front Royal Police Department after being discharged from the United States Air Force August 20, 1971. He was promoted to the position of Sergeant March 1, 1975 and Lieutenant December 12, 1978; and,

WHEREAS, on November 6, 1977, Mr. Farrell was bitten and scratched by a suspect who had Hepatitis B unbeknownst to him at the time; and,

WHEREAS, Mr. Farrell developed chronic hepatitis that caused his health to deteriorate creating early retirement from the Town on March 9, 1982 and ultimately his death on July 24, 1991 at the age of 43; and,

NOW, THEREFORE, BE IT RESOLVED that the Mayor and the Town Council of the Town of Front Royal dedicate the South Street Bridge in memory of Front Royal Police Lieutenant William Patrick “Pat” Farrell who not only fulfilled the duties of a sworn police officer and public servant in an outstanding manner but sacrificed his life and paid the ultimate price to perform his duties in a duty related illness that created many years of suffering.

APPROVED:

Lori A. Cockrell, Mayor

ATTEST:

Tina L. Presley, Clerk of Council

This Resolution was approved at the Regular Meeting of the Town of Front Royal, Virginia Town Council conducted on _____, 2023 upon the following recorded vote:

Melissa DeDomenico-Payne	___ Yes ___ No	H. Bruce Rappaport	___ Yes ___ No
Joshua L. Ingram	___ Yes ___ No	Glenn E. Good	___ Yes ___ No
Amber F. Morris	___ Yes ___ No	R. Wayne Sealock	___ Yes ___ No

Approved as to Form and Legality:

George M. Sonnett, Jr., Town Attorney

Dated: _____



Regular Council Meeting Consent Agenda Statement

Item # 10A

Meeting Date: December 11, 2023

Agenda Item: Bid Award for 2023 Sewer Rehabilitation Project

Summary: Council is requested to approve awarding a bid for the 2023 sewer rehabilitation project to Synder Environmental Services in the amount of \$2,758,648.04

The Town received bids for the 2023 Sanitary Sewer Replacements and received one bid that was from Snyder Environmental Services, Inc., in the amount of \$3,550,343.40. Due to the bid amount exceeding available funds, the Town negotiated with SES, in accordance with the Town's 2023 Procurement Policies and Procedures Manual and Code of Virginia § 2.2-4318 to reduce the contract amount by removing three select sewer segments from the project and reducing the pavement restoration pricing. The attached award recommendation from CHA shows the specific negotiated quantities and pricing leading to the mutually agreeable final contract amount of \$2,758,648.04.

Budget/Funding:	9802-R47998	Sewer Line Maintenance	\$2,758,648.04
		I&I Abatement	

Meetings: Work Session held December 4, 2023

Should Council wish to remove this item from the consent agenda, the following motion would allow approval of this request:

Proposed Motion: I move that Council approve awarding a bid for the 2023 sewer rehabilitation project to Synder Environmental Services in the amount of \$2,758,648.04.

Moved _____ *Seconded* _____

VM Sealock _____ *Ingram* _____ *Morris* _____ *Rappaport* _____ *DeDomenico-Payne* _____ *Wood* _____



November 15, 2023

Mr. Robert B. Boyer
Director of Public Works
Town of Front Royal
P.O. Box 1560
Front Royal, VA 22630

**Re: Award Recommendation: Town of Front Royal – 2023 Sanitary Sewer Replacements
(IFB #33-2023); CHA Project No. 060948**

Dear Mr. Boyer:

On Wednesday, October 25, 2023, the Town received bids for the 2023 Sanitary Sewer Replacements contract. This contract includes approximately 1,204 linear feet of 8" sanitary sewer along with 277 linear feet of 12" sanitary sewer and 27 sanitary sewer manholes, pipe bursting approximately 5,800 linear feet of existing 6" sanitary sewer to new 8" sanitary sewer, and associated work.

The Town received one bid as summarized below. A detailed bid tabulation is also enclosed.

Bidder Name	Total Base Bid
Snyder Environmental Services, Inc.	\$3,550,343.40

Snyder Environmental Services, Inc. was the lowest responsive and responsible Bidder for the contract.

Subsequent to receiving bids, the Town negotiated with Snyder Environmental Services, Inc. in accordance with Code of Virginia § 2.2-4318 to reduce the contract amount by removing three select sewer segments from the project and reducing the pavement restoration pricing. The enclosed table shows the specific negotiated quantities and pricing leading to the mutually agreeable final contract amount of \$2,758,648.04.

Snyder Environmental Services, Inc. specializes in water and sewer pipeline construction, including sanitary sewer pipe replacements, along with water and wastewater treatment plant construction/operation and ancillary support services. They have successfully completed numerous similar sanitary sewer projects. Additionally, the Town and CHA has had favorable experiences with Snyder Environmental Services on the Town's Happy Creek Sanitary Sewer Replacement project with challenging conditions and the recently-completed Targeted Sanitary Sewer Point Repairs project. Based upon our knowledge of the Bid and Snyder Environmental Services's credentials, CHA recommends award of the 2023 Sanitary Sewer Replacements contract to Snyder Environmental Services, Inc. in the amount of \$2,758,648.04.

We appreciate the opportunity to work with the Town on this project. If you should have any question with respect to this recommendation, please do not hesitate to contact me.

Sincerely,

Earl Smith, PE
Project Manager

EES\ees
Enclosures

BID TABULATION**Owner:** Town of Front Royal**Project:** 2023 SANITARY SEWER REPLACEMENTS (IFB #33-2023)**Bid Date:** Wednesday, October 25, 2023 10:00 AM**CHA Project Number:** 060948.000

BIDDER				SNYDER ENVIRONMENTAL SERVICES, INC.	
Item	Description	Unit	Est Qty	Unit Price	Extended Total Price
1	Bonds, Insurance, Mobilization	LS	1	\$260,800.00	\$260,800.00
2	Open Cut - 12" SDR26 PVC Sanitary Sewer Pipe - Not in Public Road	LF	277.00	\$343.00	\$95,011.00
3	Open Cut - 8" SDR26 PVC Sanitary Sewer Pipe - In Public Road	LF	478.00	\$419.00	\$200,282.00
4	Open Cut - 8" SDR26 PVC Sanitary Sewer Pipe - Not in Public Road	LF	726.00	\$362.00	\$262,812.00
5	Sanitary Sewer Lateral	EA	176	\$6,260.00	\$1,101,760.00
6	Manhole Base (4' diameter)	EA	27	\$11,450.00	\$309,150.00
7	Manhole Riser Section (4' diameter)	VLF	70.70	\$812.00	\$57,408.40
8	Manhole Frame and Cover - Watertight	EA	27	\$900.00	\$24,300.00
9	Concrete Piers (set)	EA	1	\$1,120.00	\$1,120.00
10	Subgrade Stabilization Stone	TON	40	\$157.00	\$6,280.00
11	Public Asphalt Pavement Restoration - Sheet C-302	LS	1	\$84,200.00	\$84,200.00
12	Private Asphalt Pavement Restoration - Sheet C-303	LS	1	\$59,100.00	\$59,100.00
13	Pipe Burst - 8" DR 17 HDPE Sanitary Sewer Pipe - Sheet C-305 (W 11th St)	LS	1	\$31,200.00	\$31,200.00
14	Pipe Burst - 8" DR 17 HDPE Sanitary Sewer Pipe - Sheet C-306 (11th St)	LS	1	\$25,700.00	\$25,700.00
15	Pipe Burst - 8" DR 17 HDPE Sanitary Sewer Pipe - Sheet C-306 (12th St)	LS	1	\$28,100.00	\$28,100.00
16	Pipe Burst - 8" DR 17 HDPE Sanitary Sewer Pipe - Sheet C-307 (MH 6041 - MH 6047)	LS	1	\$29,300.00	\$29,300.00
17	Pipe Burst - 8" DR 17 HDPE Sanitary Sewer Pipe - Sheet C-307 (MH 6047 - MH 6049)	LS	1	\$22,400.00	\$22,400.00
18	Pipe Burst - 8" DR 17 HDPE Sanitary Sewer Pipe - Sheet C-308 (Virginia Ave)	LS	1	\$32,600.00	\$32,600.00
19	Pipe Burst - 8" DR 17 HDPE Sanitary Sewer Pipe - Sheet C-308 (Villa Ave)	LS	1	\$29,300.00	\$29,300.00
20	Pipe Burst - 8" DR 17 HDPE Sanitary Sewer Pipe - Sheet C-309 (Lee St)	LS	1	\$35,300.00	\$35,300.00
21	Pipe Burst - 8" DR 17 HDPE Sanitary Sewer Pipe - Sheet C-310 (Short St)	LS	1	\$28,700.00	\$28,700.00
22	Pipe Burst - 8" DR 17 HDPE Sanitary Sewer Pipe - Sheet C-310 (Ritenour St)	LS	1	\$27,900.00	\$27,900.00
23	Pipe Burst - 8" DR 17 HDPE Sanitary Sewer Pipe - Sheet C-311 (Acton St)	LS	1	\$38,500.00	\$38,500.00
24	Pipe Burst - 8" DR 17 HDPE Sanitary Sewer Pipe - Sheet C-311 (Beeden Ln)	LS	1	\$23,700.00	\$23,700.00
25	Public Asphalt Pavement Restoration - Sheet C-305 (W 11th St)	LS	1	\$76,300.00	\$76,300.00
26	Public Asphalt Pavement Restoration - Sheet C-306 (11th St)	LS	1	\$44,800.00	\$44,800.00
27	Public Asphalt Pavement Restoration - Sheet C-306 (12th St)	LS	1	\$40,000.00	\$40,000.00
28	Public Asphalt Pavement Restoration - Sheet C-307 (MH 6041 - MH 6047)	LS	1	\$28,800.00	\$28,800.00
29	Public Asphalt Pavement Restoration - Sheet C-307 (MH 6047 - MH 6049)	LS	1	\$24,300.00	\$24,300.00
30	Public Asphalt Pavement Restoration - Sheet C-308 (Virginia Ave)	LS	1	\$73,100.00	\$73,100.00
31	Public Asphalt Pavement Restoration - Sheet C-308 (Villa Ave)	LS	1	\$49,500.00	\$49,500.00
32	Public Asphalt Pavement Restoration - Sheet C-309 (Lee St)	LS	1	\$69,500.00	\$69,500.00
33	Public Asphalt Pavement Restoration - Sheet C-310 (Short St)	LS	1	\$56,400.00	\$56,400.00
34	Public Asphalt Pavement Restoration - Sheet C-310 (Ritenour St)	LS	1	\$104,000.00	\$104,000.00
35	Public Asphalt Pavement Restoration - Sheet C-311 (Acton St)	LS	1	\$122,100.00	\$122,100.00
36	Public Asphalt Pavement Restoration - Sheet C-311 (Beeden Ln)	LS	1	\$19,960.00	\$19,960.00
37	Abandon Existing Sewer Pipe at Manhole Connection	EA	1	\$2,280.00	\$2,280.00
38	Sewer Manhole Vent	EA	2	\$12,190.00	\$24,380.00
Total Base Bid				\$3,550,343.40	

* Denotes a correction of an arithmetic error present in the Bid Form; the correct sum shall govern per Article 1.15-A.3 of the Instructions to Bidders.

** Denotes non-responsive bid

Apparent Low Bidder: SNYDER ENVIRONMENTAL SERVICES, INC.

Prepared By: Earl Smith, P.E. - CHA Consulting, Inc.

CONTRACT NEGOTIATION**Owner:** Town of Front Royal**Project:** 2023 SANITARY SEWER REPLACEMENTS (IFB #33-2023)**CHA Project Number:** 060948.000

Item	Description	Unit	Est Qty	BID		NEGOTIATED		
				Unit Price	Extended Total Price	Est Qty	Unit Price	Extended Total Price
1	Bonds, Insurance, Mobilization	LS	1	\$260,800.00	\$260,800.00	1	\$260,800.00	\$260,800.00
2	Open Cut - 12" SDR26 PVC Sanitary Sewer Pipe - Not in Public Road	LF	277.00	\$343.00	\$95,011.00	277.00	\$343.00	\$95,011.00
3	Open Cut - 8" SDR26 PVC Sanitary Sewer Pipe - In Public Road	LF	478.00	\$419.00	\$200,282.00	478.00	\$419.00	\$200,282.00
4	Open Cut - 8" SDR26 PVC Sanitary Sewer Pipe - Not in Public Road	LF	726.00	\$362.00	\$262,812.00	726.00	\$362.00	\$262,812.00
5	Sanitary Sewer Lateral	EA	176	\$6,260.00	\$1,101,760.00	138	\$6,260.00	\$863,880.00
6	Manhole Base (4' diameter)	EA	27	\$11,450.00	\$309,150.00	22	\$11,450.00	\$251,900.00
7	Manhole Riser Section (4' diameter)	VLf	70.70	\$812.00	\$57,408.40	63.92	\$812.00	\$51,903.04
8	Manhole Frame and Cover - Watertight	EA	27	\$900.00	\$24,300.00	22	\$900.00	\$19,800.00
9	Concrete Piers (set)	EA	1	\$1,120.00	\$1,120.00	1	\$1,120.00	\$1,120.00
10	Subgrade Stabilization Stone	TON	40	\$157.00	\$6,280.00	40	\$157.00	\$6,280.00
11	Public Asphalt Pavement Restoration - Sheet C-302	LS	1	\$84,200.00	\$84,200.00	1	\$84,200.00	\$84,200.00
12	Private Asphalt Pavement Restoration - Sheet C-303	LS	1	\$59,100.00	\$59,100.00	1	\$59,100.00	\$59,100.00
13	Pipe Burst - 8" DR 17 HDPE Sanitary Sewer Pipe - Sheet C-305 (W 11th St)	LS	1	\$31,200.00	\$31,200.00	1	\$31,200.00	\$31,200.00
14	Pipe Burst - 8" DR 17 HDPE Sanitary Sewer Pipe - Sheet C-306 (11th St)	LS	1	\$25,700.00	\$25,700.00	1	\$25,700.00	\$25,700.00
15	Pipe Burst - 8" DR 17 HDPE Sanitary Sewer Pipe - Sheet C-306 (12th St)	LS	1	\$28,100.00	\$28,100.00	1	\$28,100.00	\$28,100.00
16	Pipe Burst - 8" DR 17 HDPE Sanitary Sewer Pipe - Sheet C-307 (MH 6041 - MH 6047)	LS	1	\$29,300.00	\$29,300.00	1	\$29,300.00	\$29,300.00
17	Pipe Burst - 8" DR 17 HDPE Sanitary Sewer Pipe - Sheet C-307 (MH 6047 - MH 6049)	LS	1	\$22,400.00	\$22,400.00	1	\$22,400.00	\$22,400.00
18	Pipe Burst - 8" DR 17 HDPE Sanitary Sewer Pipe - Sheet C-308 (Virginia Ave)	LS	1	\$32,600.00	\$32,600.00	0	\$32,600.00	\$0.00
19	Pipe Burst - 8" DR 17 HDPE Sanitary Sewer Pipe - Sheet C-308 (Villa Ave)	LS	1	\$29,300.00	\$29,300.00	1	\$29,300.00	\$29,300.00
20	Pipe Burst - 8" DR 17 HDPE Sanitary Sewer Pipe - Sheet C-309 (Lee St)	LS	1	\$35,300.00	\$35,300.00	1	\$35,300.00	\$35,300.00
21	Pipe Burst - 8" DR 17 HDPE Sanitary Sewer Pipe - Sheet C-310 (Short St)	LS	1	\$28,700.00	\$28,700.00	1	\$28,700.00	\$28,700.00
22	Pipe Burst - 8" DR 17 HDPE Sanitary Sewer Pipe - Sheet C-310 (Ritenour St)	LS	1	\$27,900.00	\$27,900.00	1	\$27,900.00	\$27,900.00
23	Pipe Burst - 8" DR 17 HDPE Sanitary Sewer Pipe - Sheet C-311 (Acton St)	LS	1	\$38,500.00	\$38,500.00	0	\$38,500.00	\$0.00
24	Pipe Burst - 8" DR 17 HDPE Sanitary Sewer Pipe - Sheet C-311 (Beeden Ln)	LS	1	\$23,700.00	\$23,700.00	0	\$23,700.00	\$0.00
25	Public Asphalt Pavement Restoration - Sheet C-305 (W 11th St)	LS	1	\$76,300.00	\$76,300.00	1	\$49,650.00	\$49,650.00
26	Public Asphalt Pavement Restoration - Sheet C-306 (11th St)	LS	1	\$44,800.00	\$44,800.00	1	\$28,350.00	\$28,350.00
27	Public Asphalt Pavement Restoration - Sheet C-306 (12th St)	LS	1	\$40,000.00	\$40,000.00	1	\$24,250.00	\$24,250.00
28	Public Asphalt Pavement Restoration - Sheet C-307 (MH 6041 - MH 6047)	LS	1	\$28,800.00	\$28,800.00	1	\$18,500.00	\$18,500.00
29	Public Asphalt Pavement Restoration - Sheet C-307 (MH 6047 - MH 6049)	LS	1	\$24,300.00	\$24,300.00	1	\$15,500.00	\$15,500.00
30	Public Asphalt Pavement Restoration - Sheet C-308 (Virginia Ave)	LS	1	\$73,100.00	\$73,100.00	0	\$50,000.00	\$0.00
31	Public Asphalt Pavement Restoration - Sheet C-308 (Villa Ave)	LS	1	\$49,500.00	\$49,500.00	1	\$31,250.00	\$31,250.00
32	Public Asphalt Pavement Restoration - Sheet C-309 (Lee St)	LS	1	\$69,500.00	\$69,500.00	1	\$47,000.00	\$47,000.00
33	Public Asphalt Pavement Restoration - Sheet C-310 (Short St)	LS	1	\$56,400.00	\$56,400.00	1	\$35,750.00	\$35,750.00
34	Public Asphalt Pavement Restoration - Sheet C-310 (Ritenour St)	LS	1	\$104,000.00	\$104,000.00	1	\$66,750.00	\$66,750.00
35	Public Asphalt Pavement Restoration - Sheet C-311 (Acton St)	LS	1	\$122,100.00	\$122,100.00	0	\$82,000.00	\$0.00
36	Public Asphalt Pavement Restoration - Sheet C-311 (Beeden Ln)	LS	1	\$19,960.00	\$19,960.00	0	\$12,750.00	\$0.00
37	Abandon Existing Sewer Pipe at Manhole Connection	EA	1	\$2,280.00	\$2,280.00	1	\$2,280.00	\$2,280.00
38	Sewer Manhole Vent	EA	2	\$12,190.00	\$24,380.00	2	\$12,190.00	\$24,380.00
Total Base Bid					\$3,550,343.40			\$2,758,648.04

Font : denotes reduced quantity reflecting project scope change**Reduction:** (\$791,695.36)

: denotes reduced pavement restoration unit price provided by the Contractor

22%



Regular Council Meeting Consent Agenda Statement

Item # 10B

Meeting Date: December 11, 2023

Agenda Item: Front Royal-Warren County Liaison Committee Mission Statement and Policies Revisions

Summary: Council is requested to approve the Front Royal-Warren Liaison Committee Mission Statement and Policies as presented. The revisions have reviewed by both the Town and County during their quarterly Liaison Committee Meetings (January, April, July and October). Few changes were made; however, the final policy revision has yet to be approved by both bodies. The three revisions include:

- Under MANAGER/ADMINISTRATOR REPORT recommend *both written and oral reports* be given by Manager/Administrator at each other's meetings.
- Under MEETING AGENDA recommend adding the word "agreed" to the second bullet *"Wherever the meetings are held, the host (Town Manager or County Administrator) shall be responsible for the preparation of the "agreed" agenda upon consultation with the Mayor and Board Chairman respectively and provide a person who will take formal minutes of the meeting.*
- Under MEETING AGENDA recommend revising Thursday to *Wednesday at 1:00pm* to the fourth bullet

Budget/Funding: None

Meetings: Work Session held December 4, 2023

Should Council wish to remove this item from the consent agenda, the following motion would allow approval of this request:

Proposed Motion: I move that Council approve the revised Front Royal-Warren County Liaison Committee Mission Statement and Policies as presented.

Moved _____ Seconded _____

VM Sealock _____ Ingram _____ Morris _____ Rappaport _____ DeDomenico-Payne _____ Wood _____



FRONT ROYAL – WARREN COUNTY
Liaison Committee Mission Statement and Policies
~~March 2021~~–December 2023

PURPOSE OF THE LIAISON COMMITTEE

The purpose of the Front Royal-Warren County Liaison Committee is to offer a venue whereby the leadership of the Town of Front Royal and the County of Warren can discuss issues of mutual interest and inform each other of positions taken and decisions made by each public body that may affect both localities. The Committee is NOT designed to be an environment where decisions are made, but one where issues are discussed, and Board and Council members take them back to their respective bodies for further discussion and recommendation.

MEMBERSHIP

The Liaison Committee shall include the Mayor of the Town of Front Royal, the Chairman of the Warren County Board of Supervisors, the Front Royal Town Manager, the Warren County Administrator, one (1) Front Royal Town Council member and one (1) Warren County Board of Supervisors member. The latter two (2) members shall rotate between its various members from meeting to meeting.

MEETING SCHEDULE

Meetings shall be held on the third Thursday every quarter at 6:00 p.m. unless otherwise agreed upon by the Town and County. The meetings shall be rotated every quarter (January, April, July, October) between the Town and County.

MEETING AGENDA

- Meetings of the Liaison Committee shall at all times be subject to the terms of the Virginia Freedom of Information Act.
- Wherever the meetings are held, the host (Town Manager or County Administrator) shall be responsible for the preparation of the agreed agenda upon consultation with the Mayor and Board Chairman respectively and provide a person who will take formal minutes of the meeting.
- Any request to place an item on the agenda shall be made by 1:00 pm on Wednesday the week prior to the Liaison meeting.
- All requests to place an item on the agenda must be accompanied by a written summary of the request which can be placed in the agenda packet.
- The Liaison Committee may amend a meeting agenda by agreement at the meeting.

MEETING POLICY and PROCEDURES

- The Mayor of the Town shall be Chairman of the Committee when the meetings are hosted by the Town, and the Chairman of the Board of Supervisors shall be Chairman of the Committee when the meeting is hosted by the County.
- The Chairman shall make procedural or parliamentary decisions which may be overruled by a majority vote of the Committee.
- The Town and/or County may invite any of their staff personnel, including attorneys, to attend meetings that either feels would be helpful for the issues and items scheduled to be addressed.
- This mission statement and policies shall be adopted by a majority of the Board of Supervisors and the Town Council. They may be amended by a majority vote of the Town Council and Board of Supervisors.

MANAGER and ADMINISTRATOR REPORTS

Quarterly, the Warren County Administrator shall submit a written report and give an oral report of the County to the Council, and the Front Royal Town Manager shall submit a written report and give an oral report of the Town to the Board, one month prior to the quarterly Liaison Committee Meeting (December, March, June, September). This will not be a question-and-answer period.

Approved by the Warren County Board of Supervisors: September 7, 2010

Approved by the Front Royal Town Council: September 13, 2010

Approved by the Front Royal Town Council March 9, 2020

Approved by the Warren County Board of Supervisors March 17, 2020

Approved by the Front Royal Town Council February 22, 2021

Approved by the Warren County Board of Supervisors March 2, 2021



Regular Council Meeting Consent Agenda Statement

Item # 10C

Meeting Date: December 11, 2023

Agenda Item: Reappointment to Advisory Committee on Environmental Sustainability (ACES)

Summary: Council is requested to approve the reappointment of a member to the Advisory Committee for Environmental Sustainability (ACES) to a four-year term.

Budget/Funding: N/A

Meetings: Work Session held December 4, 2023

Should Council wish to remove this item from the consent agenda, the following motion would allow approval of this request:

Proposed Motion: I move that Council reappoint Justin Proctor to a 4-year term on the Advisory Committee for Environmental Sustainability (ACES) beginning December 13, 2023 and ending December 13, 2027.

Moved _____ *Seconded* _____

VM Sealock _____ *Ingram* _____ *Morris* _____ *Rappaport* _____ *DeDomenico-Payne* _____ *Wood* _____



Council Regular Meeting Agenda Statement

Item # 11

Meeting Date: December 11, 2023

Agenda Item: HEPTAD Request for One-Year Extension to Submit Development Plan

Summary: Council has received a letter from Joseph F. Silek Jr., dated October 2, 2023 requesting an extension of the requirement to file a Development Plan for HEPTAD, pursuant to Town Code 175-37.18. The Town Code requires that a development plan be submitted within one (1) year of approval of the Master Land Use Plan and allows the deadline to be extended by Council. Council has approved the extension every year since 2016.

Budget/Funding: None

Meetings: Work Session held December 4, 2023

Proposed Motions:

I move that Council approve a one-year extension to HEPTAD to file a Development Plan, pursuant to Town Code 175-37.18.

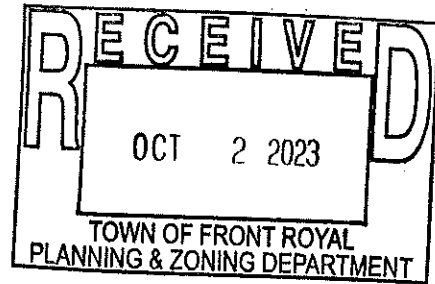
I move that Council deny a one-year extension to HEPTAD to file a Development Plan, pursuant to Town Code 175-37.18

Moved _____ *Seconded* _____

VM Sealock _____ *Ingram* _____ *Morris* _____ *Rappaports* _____ *DeDomenico-Payne* _____ *Wood* _____

JOSEPH F. SILEK, JR., P.C.

43 CHESTER STREET
POST OFFICE BOX 602
FRONT ROYAL, VIRGINIA 22630
TELEPHONE: (540) 635-9415
FACSIMILE: (540) 635-9421
E-MAIL: JSILEK@SILEKPC.COM



October 2, 2022

Lauren Kopishke, Planning Director
Department of Community Development & Planning
Town of Front Royal
102 East Main Street
Front Royal, Virginia 22630

Re: Heptad, LLC – Renewed Request for Extension

DELIVERED BY HAND DELIVERY

Dear Lauren:

Last year, the Town Council granted Heptad's request for an extension of the requirement to file a Development Plan pursuant to Town Code §175-37.18. Please treat this letter as a request for an additional one-year extension.

As justification for the request, on August 28, 2023, the Town Council denied Heptad's proffer amendment application. Shortly thereafter, on September 13, Van Metre Communities, L.L.C., the contract purchaser for the project, terminated the contract because of the denial. As a result, Heptad will need to restart the marketing process for the property. Heptad will need at least an additional year to seek a new purchaser for the project who can be in a position to prepare and file a Development Plan. Over the past eleven (11) years, the Town Council has consistently granted an annual extension of the deadline for filing a Development Plan so as to permit Heptad the time it has needed to bring this project to fruition – a project which the Town Council's own consultants have recognized will be beneficial to the Town. We believe that the Council's action has unfortunately set the project back significantly, and we thus believe we had to take steps to protect the company, but what has happened can at least potentially be mitigated by this extension.

I respectfully request that this matter be placed on the earliest regular meeting of the Town Council. I also ask that you copy me with any Town communications, notices, or meeting agendas referencing this request.

Thank you in advance for your assistance, and please contact me with any additional questions.

Very Truly Yours,

A handwritten signature in black ink, appearing to read 'J. Silek, Jr.', with a stylized, cursive script.

Joseph F. Silek, Jr

cc: Heptad, LLC
John H. Foote, Esq.
George Sonnett, Esq.
Olaun Simmons, Esq.



Work Session Agenda Statement

Item # 12

Meeting Date: December 11, 2023

CLOSED MEETING

Motion to go into Closed Meeting

[to be approved by affirmative recorded vote, with motion set forth in detail in the minutes]

I move that Town Council convene a closed meeting, pursuant to Sections 2.2-3711 and 2.2-3712 of the Code of Virginia, for the following purpose:

- 1) pursuant to §2.2-3711(A)(1) of the Code of Virginia, for the discussion, consideration, assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees, or employees of any public body, more specifically the Front Royal Planning Commission and the Local Board of Building Code Appeals (LBBCA); and,
- 2) pursuant to Section 2.2-3711(A)(7) of the Code of Virginia, consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body, more specifically, Town of Front Royal v. Front Royal Limited Partnership; and,
- 3) pursuant to Section 2.2-3711(A)(8) of the Code of Virginia, for consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, more specifically, property located at 201 E. 8th Street formerly owned by the Town; and,
- 4) pursuant to Section 2.2-3711(A)(8) of the Code of Virginia, for consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, more specifically, obligations of the Front-Royal Warren County EDA.

Motion to Certify Closed Meeting at its Conclusion

[At the conclusion of the Closed Meeting, immediately re-convene in open meeting and take a roll call vote on the following:]

I move that Council certify that to the best of each member's knowledge, as recognized by each Council member's affirmative vote, that only such public business matters lawfully exempted from Open Meeting requirements under the Virginia Freedom of Information Act as were identified in the motion by which the Closed Meeting was convened were heard, discussed or considered in the Closed Meeting by Council, and that the vote of each individual member of Council be taken by roll call and recorded and included in the minutes of the meeting of Town Council.