

**Village of Martin's Additions
Elections and Annual Village Meeting Minutes
May 7, 2009**

7013 B Brookville Road, Chevy Chase, MD 20815

COUNCIL MEMBERS AND VILLAGE REPRESENTATIVES PRESENT: Council Members: Noell Sottile, Richard Krajeck, Diane Everts, Catherine Gwin, Larry Wasson; **Village Manager:** Jean Sperling; **Attorney:** Ron Bolt; **Building Administrator:** Alan Beal. **Elections Committee:** Frank Correl, Sharon Hadary Coyle, Ted Stoddard.

Residents: Peggy Eastman, Henry Metzger, Bill Gilbert, Lynn King, John MacDonald, Christoph Mueller, , Keith Allen, Al and Brenna Hirsch, Ernie and Bert Liebman, Jon Fleming, Rick Michel, Steve Schmal, Margery Thompson, Gordon Thompson, Hanne Correl.

8:00PM Meeting Called to Order by Chairman Krajeck. Mr. Krajeck announced that the official Village audio recorder would not be operated for this meeting. He asked if anyone else was operating a recording device that they make that information known to the gathering. No notice was made.

POLICE REPORT- Sgt. Dasilva, Chevy Chase Village Police

For the month of April: There was a solicitor complaint in Martin's Additions and a traffic offense for a suspended license.

For the year to date: The Chevy Chase Village Police spent 879 hours in Martin's Additions with 19 incidents to report; most of them were minor in nature--animal complaints, alarms and parking for example. During the same period the police dealt with 337 traffic contacts in Martin's Additions. Larceny from autos was by far the most frequent crime, with GPS devices and MP3 players the biggest target. Officer Dasilva recommended motion sensor lights around the home to help make a property less inviting to criminals.

ACTION ON MINUTES- APRIL 16, 2009 MEETING

Motion to Approve the Minutes: Council Member Diane Everts, 2nd: Council Member Noell Sottile

Vote Yea: Krajeck, Gwin, Everts, Sottile (Councilmember Wasson not yet present)

TREASURER'S APRIL REPORT: Council member Catherine Gwin, Treasurer

Presentation: Income for the month of April was \$5,324, the largest sources of revenue being highway user fees (\$3,482) and personal property tax (\$874). Expenses for the month totaled \$38,723, \$14,000 below the \$53,017 budgeted. This is largely due to lower than budgeted professional fees, tree maintenance and replacement, and right-of-way maintenance for the month.

For the fiscal year to date, income is \$599,951, or approximately 75% of the revised projected annual income of \$802,730. Expenses over the same time ten-month period are \$426,910, or about 62% of the revised FY2009 budget of \$683,130. Higher than anticipated income tax income remains the dominant revenue feature, along with somewhat lower than anticipated highway user fees over the ten months. On the expense side, expenditures for the ten months are about \$150,000 lower than the amount budgeted for this period.

Note: Because the May Council meeting comes early in the month, bank statements have not been received and reconciled, so interest income is not included in this report for April. The income will be reflected in the next Treasurer's report.

Motion to Approve: Councilmember Sottile. 2nd. Councilmember Larry Wasson. **Vote:** All in favor.

VILLAGE PROGRESS REVIEW: Chairman Krajeck reviewed the major projects that have been underway in the Village over the past year.

Major projects included:

- Installation of a Geographic Information System (GIS) derived from village-wide land survey. This includes pictures of every house, front building line, the location of the village owned trees and the like.
- Completion of the work of the Land-Use Task Force.
- Completion of the Village Website and training for the Village Manager

Village services included:

- Increased street cleanings—twice as much service over previous years at a significantly less cost by using a different vendor.

- Planted over 25 trees; improved the care of newly planted trees by instituting a regular, professional tree watering service.
- New storm clean-up services were offered for the Village residents. The village contractor now picks up and processes storm debris for residents who can get their debris to the curb.
- “Shred-it!” service offered for residents of VMA was very well received. Martin’s Additions worked with Sections 3 & 5 and completely filled a truck—3,000 pounds of shredded materials were produced and will be used for the creation of further recyclable materials. We are hoping to do more cooperative projects with neighboring villages
- We hosted a Street Lighting Forum with surrounding municipalities to educate ourselves on the lighting technology currently available. The forum was very well attended by all the surrounding jurisdictions.
- We have continued our monthly community-wide heavy trash pick-up which is just a terrific service.
- The Village sponsored a Neighborhood Watch Training session with County Police that resulted in a great deal of useful information on ways to improve the safety of Martin’s Additions.

Capital improvement projects include:

- Solving a long standing water run off issue on Turner Lane with the creation of a drain catching system
- Sealed all the streets; pothole repairs are still to be completed.

Community projects included the very successful Canned Food Drive for the Manna Food Distribution Center and a collection point for “Toys for Tots” at the holidays.

Expanded local visibility: Jean has expanded our visibility with other villages with a monthly Village Manager Lunch and the Maryland Municipal League. It offers idea sharing and professional development—all of which results to benefits for our Village.

RESIDENTS COMMENTS AND CONCERNS:

- Peggy Eastman (Bradley) thanked the Council for the “Shed It!” Event.
- John MacDonald (Summit) expressed his approval of the work sessions to discuss the Land Use ordinances and said he will attend. He also thanked the Chairman for being willing to offer his home phone number for residents to contact him on the Land Use matters.
- Bill Gilbert (Shepherd) presented information on the project for aging residents, “Chevy Chase@Home” which is modeled after a similar one in Beacon Hill in Boston; this project is intended to build community strength and cohesiveness. A questionnaire will be contained in the next Martin’s Edition Newsletter. The committee envisions a mixture of volunteers and paid dues to help underwrite services people want. The next major step is to identify people in the community that need help. One of the major problems that has been identified with the aging population is social isolation. This is just one of the problems that CC@H hopes to be able to address. The organizing group anticipates that it will take about 18 months to get this project up and running.
- Al Carr, one of our four Delegates to the State Legislature introduced himself to the meeting and urged residents to contact him with any concerns they might have. He reminded residents that they have four state representatives—three delegates Ana Sol Gutierrez, Jeffrey Waldenstricher and himself and one State Senator, Rich Madeleno. In response to a question by a resident he explained that he has been involved with several issues affecting municipalities such as public safety, and the regulation of commercial signs. He also played a large role in getting municipalities the right to purchase and maintain their own street lights.

BUDGET PRESENTATION: Council Chairman Krajeck

Residents were referred to the budget documents made available.

FY 2009. Krajeck explained that the current fiscal year budget shows a one-time increase in income tax revenue pass-through of about \$150,000, probably as the result of a business sale. The high current year income tax revenues cannot be expected to be repeated next year. For FY 2009 we are projecting \$802,730 income, \$683,130 of general operating expenses (\$50,000 is earmarked for capital improvements). Approximately \$120,000 will be added to our available fund balance for a total fund of about \$1.1 million. A set aside of \$600,000 has been designated for capital improvements.

FY 2010. Our income projections show an anticipated drop in revenues to \$570,000, more than \$200,000 from this current fiscal year's level. This reduction reflects the loss of the one time payment in the category of income tax revenue, fewer building permits, less interest income, and lower highway user revenues. No change is being made in our village tax rates.

Over all, we are projecting a slight decrease in the operating budget, from \$633,000 to \$603,000. We have identified some one-time operating expenses for the coming fiscal year that represent new initiatives: working with the urban planner to address storm water management and a street light survey are the largest of those plans.

The budget envisions an aggressive capital improvement plan with a projected budget of \$274,000. While it is to the Village's advantage to do these projects sooner rather than later, there is some flexibility with the timing that will allow the Village to implement these projects as money allows. If all of these projects are completed, it will result in a draw down of funds available by \$350,650, leaving the fund level at about \$750,000.

ACTION ON FY 2010 BUDGET AND TAX RATE

Motion Resolution 5-09-1 Budget: Sottile

Introduced: May 7, 2009 Adopted: May 7, 2009

SUBJECT: A RESOLUTION TO APPROVE THE BUDGET FOR FISCAL YEAR 2009-2010

RESOLVED: That the budget for the year July 1, 2009 - June 30, 2010, attached hereto and incorporated herein, be and the same hereby is adopted.

2nd: Catherine Gwin; **Vote:** All in favor.

Motion Resolution 5-09-2 Tax Rate: Sottile

Introduced: May 7, 2009 Adopted: May 7, 2009

SUBJECT: A RESOLUTION TO APPROVE LEVYING A TAX ON CERTAIN REAL AND PERSONAL PROPERTY UNDER THE PROVISIONS OF SECTION 6-203 OF THE TAX-PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AS AMENDED

RESOLVED: That the Village Council of the Village of Martin's Additions, pursuant to the authority granted by the Village Charter and Section 6-203 of the Tax-Property Article of the Annotated Code of Maryland, hereby levies a tax at the rate of eight tenths of a cent (\$.008) per One Hundred Dollars of assessed value (fair market value) on each One Hundred Dollars (\$100.00) worth of assessable real property, in the Village of Martin's Additions, and a tax at the rate of fifty cents (\$.50) per One Hundred Dollars of assessed value on each One Hundred Dollars (\$100.00) worth of assessable personal property, in the Village of Martin's Additions;

2nd: Gwin; **Vote:** All in favor

PUBLIC HEARING ON OPEN MEETING ORDINANCE 4-09-1

SUBJECT: TO AMEND CHAPTER 2 OF THE CODE OF ORDINANCES OF THE VILLAGE OF MARTIN'S ADDITIONS BY ADDING AN ARTICLE 5 TO ADOPT CERTAIN REGULATIONS FOR OPEN SESSIONS.

Comments:

Steve Schmal (Summit Ave): Mr. Schmal asked if the Council had considered a penalty for violation of the ordinance, or if there was a general penalty that would apply should the provisions of this ordinance be violated? Attorney Ron Bolt explained that Section 3- 303 of our Code states that if there is any violation of Village codes and if a specific penalty is not specified, it is considered a general municipal infraction; it is further explained in Section 3-302 that the penalty is a fine of \$100.

Councilmember Wasson asked where "Municipal Infraction" was defined. Mr. Bolt directed him to Section 3-101(b), of the Code, titled "Definitions."

Ernie Leibman (Thornapple Street): How are infractions enforced and where?

Mr. Bolt explained that infractions are processed in District Court, but first the violator is issued a ticket, much like a traffic ticket by the Code Enforcement Officer. Alan Beal is the code Enforcement Officer for Martin's Additions.

The Meeting was recessed at 8:45 PM to await the report of the Elections and Ethics Committee of the Election's Result. The Meeting was called back in Session at 9:20 PM

ANNOUNCEMENT OF ELECTION RESULTS

Mr. Frank Correl, Chair of the Elections and Ethics Committee filed the following report on the May 7, 2009 Election for two Village Council Members:

- 144 ballots were filed in person, 40 ballots were cast in absentee.
- 3 ballots were disqualified for a total of 181 votes cast as follows:
 - 169 Votes for Chris Mueller
 - 29 Votes for Lynn King
 - 145 Write-In Votes for Mike Zielinski
 - 1 Write in vote for Frank Correl

Mr. Correl called Mike Zielinski to ask him if he would accept the position. Mr. Zielinski agreed to serve on the Council.

Mr. Correl commended the Village for its interest and cooperation in this election. He also thanked Chris and Lynn for their willingness to run for a position on the Council.

ADJOURNMENT

The Meeting was adjourned at 9:30. Motion Catherine Gwin; 2nd Noell Sottile, Vote: All in Favor.