

**Village of Martin's Additions
Council Meeting
7013 B Brookville Road, Chevy Chase, MD 20815
Minutes of September 15, 2011 Meeting**

COUNCIL MEMBERS AND VILLAGE REPRESENTATIVES PRESENT: Council Members: Richard Krajeck, Arthur Alexander, Jill Filipczyk, Chris Mueller, and Michael Zielinski. Village Manager: Jean Sperling. Assistant Manager: Deb Schmal. Mid-Atlantic Inspections: Alan Beal; Village Attorney: Ron Bolt.

RESIDENTS PRESENT: Steve Schmal, Irene Hoskins, Hanne and Frank Correl, Bill Catherwood, Dan Gardner, Keith Allen, Nia Davis (Chevy Chase Patch), Peter Gray, Chairman, Section 5 to the Village of Chevy Chase.

7:30 PM Call to Order: Richard Krajeck

Chairman Krajeck opened the meeting, noting that it was being recorded.

There were no Residents' Concerns and Contributions

REPORT ON RIGHT OF WAY ACCESS/OBSTACLES STUDY: Steve Schmal Presenting

Schmal (Summit Avenue) reported that he and Dan Gardner (Delfield St., and Village Tree Supervisor) had undertaken a survey of the Village right-of-way (ROW) for the benefit of the Council. The intention of this study was to develop data the Council could use to develop policies to address ROW issues. The depth of the ROW varies considerably from street to street and, in a few cases, from property to property on a street.

The results of the ROW survey suggested a couple of issues:(1) an apparent lack of awareness by some residents that they do not own that portion of property that is the ROW in front of their homes, (2) a wide range of objects are found in the ROW and (3) many obstacles in the ROW result in people not being able to get out of their cars--in some extreme cases the only access to a property is at a path. They also noted many trees, as distinguished from shrubs, that are not maintained by the village but are in the ROW. They also found cases of large rocks in the ROW.

Council Discussion: Chairman Krajeck mentioned that he had driven several of the streets where there are no sidewalks, particularly in the north end and thought that Chestnut Street was the worst. Schmal mention that Summit Avenue also has a great deal of planting on the ROW. Vice Chairman Mueller asked if they noticed shrubs infringing on the sidewalk and Schmal replied that they had not found that to be much of problem. He added that this is the first step of the study; they will prepare a data report of their findings as well as a written summary. In reply to questions about the experiences in other towns, Attorney Bolt noted that Chevy Chase Village requires a license to use the right-of-way in order for anything to be placed or planted in the ROW, the same as Martin's Additions. Sperling expressed the concern that excavation of the ROW by WSSC that will take place with water line and sewer line replacements in the near future could be very upsetting to residents who think it is their property that is being disturbed. Chairman Krajeck thanked both Steve Schmal and Dan Gardner for doing an excellent job with a demanding and time consuming project. The Council agreed that the best thing to do at this point is communicate more information to the residents about the right of way and take any further action once they receive the written report..

DISCUSSION, CHEVY CHASE @ HOME REQUEST

Chairman Krajeck opened the discussion by explaining that the Village had received a request from Chevy Chase@Home for a contribution to their operations of \$3,250, or approximately \$10 per head of Martin's Additions residents. At the Council meeting in July, Chapter 2, Article 4, Section 2-401 of the Village Code, titled "Expenditures" was discussed and concern was raised that the wording of that ordinance prohibits the Village from making such a donation. At that meeting the Council directed the Village attorney to investigate the history and content of the ordinance and make a recommendation to the Council regarding whether such a contribution can be made. Krajeck said as he understood the opinion, the Village could not make a donation without being in violation of the Village Ordinance.

Irene Hoskins, a resident of Bradley Lane and member of Chevy Chase@ Home noted that they are a non-profit organization with 501(c) (3) status. Attorney Bolt explained that when the ordinance related to contributions outside the Village was passed it was meant to apply to a public institution that must be taxpayer

supported. This disqualifies CC@ Home from receiving a contribution from the Village of Martin's Additions. Krajeck added that the Council is in agreement that this contribution cannot be made under the current code.

Peter Gray, Council Chairman from Section 5 asked to speak on the topic since Section 5 had just completed debate on the same subject. He said that the topic of making donations comes up every year. There are people with opinions on both sides of the fence on every issue. Their Council has decided that they will no longer be making these contributions going forward, they will however be encouraging their residents to make direct contributions as they see fit.

The Martin's Additions' Council agreed that private contributions would be encouraged through the newsletter.

Councilmember Zielinski added that he would like to pursue repealing the ordinance completely and would like to pursue that possibility. The Council supported this consideration and will discuss it further at the next meeting.

DISCUSSION, POLICE INCIDENTS: Sperling

Manager Sperling summarized the numerous incidents that have been experienced in Martin's additions related to car break-ins, a car theft and suspicious activity. She also discussed complaints she has received about resident's opinions regarding inadequate police patrols and responses to house alarms.

Sperling has discussed these matters with the MCPD's Community Liaison Officer, Denise Gill. Officer Gill recommended that the Village keep a record of the incidents being reported so that MCPD's notes and the Village notes can be compared to make sure that Gill is seeing all the reports. She also urged Sperling to remind residents to lock their doors—both houses and cars—and report all incidents to the non-emergency number or to 911 if they witness an incident in progress. Gill also recommended that the Council invite Captain Matt Hamill of the Bethesda 2nd District Station to attend a meeting to talk to the residents.

The Council agreed that an invitation should be extended to Captain Hamill to attend a Council meeting.

BUILDING ADMINISTRATOR'S REPORT: Alan Beal, Mid-Atlantic Inspections

Construction Completed: Quincy and Oxford Street Sump Pump Connection documents recorded with the deeds; County permit costs were reimbursed to homeowners, as promised; 7315 Delfield. Final Row clearance needs to be given; written agreement on trees needs to be made; Brookville Rd, 6807:Cleared; 7404 Summit Ave. awaiting final patch from Washington Gas

Permits Issued: 7201 Summit Ave, driveway apron; 3503 Bradley Lane-building permit; 3401 Thornapple Street- Variance Permit

Project Ongoing: Chestnut Street, 7216; Thornapple Street, 3401; Bradley Lane, 3503; Cummings Lane, 3502

Other projects supported by Mid-Atlantic: Assistance and reporting on Pepco Work; Raymond Street restoration by WSSC; No Parking posted as needed for tree work, paving work and sewer emergencies; Sediment Control problems at 7216 Chestnut during hurricane; Line Down on Raymond street 9/7/11-emergency road closure; WSSC Water line project, Oxford Street; Sign repair (Turner, Melville, Cummings).

Improvements to Building Code Documentation. Beal explained that he is finding that some of the illustrations of the building codes are causing interpretation difficulties for architects, builders and residents. He has seen this before in other towns as the new building codes become more widely used. He would like to suggest some improvements to the troubling areas of the Code, perhaps even the development of a more user-friendly guide. He hopes to be able to present an approach at the next meeting. The Council like the idea and agreed that Alan should put together a plan to make improvements in this area.

Improvements in Cost Allocation and Accounting. Beal noted that a lot of the support that Wayne Fowler of Mid-Atlantic is lending to the Village Office is not strictly building administration related but also support other activities such as complaint resolution, utilities disruptions and the like. His office will work with Sperling to develop more descriptive budget categories. The Council agreed with this plan.

Mr. Beal said that he and Mrs. Sperling will have a proposal ready at the October meeting to address building fees for remodeling projects that had been discussed earlier

Council member Zielinski asked if there had been any problems with the construction project on Bradley Lane. Beal reported that there were a few challenges at the very beginning of the project, but since then, the project is moving forward incident free. Councilmember Krajeck added that the builder Steve Schultz has been very attentive to the parking situation and responsive to any requests to move vehicles.

FINANCIAL REPORT FOR AUGUST 2011: Alexander, Treasurer

July 2011-August 2011

	<u>Actual</u>	<u>Budgeted</u>
Revenues	\$26,661	83,576
Expenses	49,806	170,519
Net Income	-23,145	-86,943

Reserve account: \$1,052,266

We now have the FY2011 accounts ready for audit. Revenues over the fiscal year came in \$70,000 (14%) above budget. Expenditures over the course of the year were \$40,000 (7%) less than budgeted. Almost every individual revenue item was slightly higher than expected and almost every spending category was less than budgeted. As a result, the Village ended the fiscal year with a surplus of \$110,000. Fiscal planning and operations management were conservative and frugal.

Despite this good news, we are accumulating needs that we will have to address in the future for street lighting, road and right-of-way maintenance, trees planting and maintenance, and other areas.

The first two months of the 2012 fiscal year are getting off to a slow start. Revenues and expenditures are well below the pro-rated annual values, as expected during the summer months. Our first major receipts from income taxes will arrive at the end of October; until then, we will not know what to expect from that source.

The reserve account is roughly 1.5 times the average annual expenditures over the past three years, giving us a cushion against unexpected occurrences and a source for needed capital investments.

Motion to approve all financial reports: Filipczyk; 2nd Mueller. Vote: All in favor.

ACTION ON MINUTES OF JULY 21, 2011 (Approved earlier by Email)

Motion to Approve: Alexander; 2nd Mueller; Vote: All in favor.

MANAGER'S REPORT SEPTEMBER 2011-Sperling

Street and/Or Utility Services:

WSSC Waterline project Underway. Met with WSSC officials and contractor for project review and information. All residents of Oxford Street received letters. All residents of Quincy Street received emails and an attached copy of the letter to Oxford Street residents.

PEPCO: The Village weathered the hurricane without any power loss; new poles continue to be installed. Cummings lane is complete although the lines are still being transferred. Brookville Road pole appears to be complete. Lines are being transferred over. Additional new poles on Raymond, Bradley and Chestnut and Taylor Streets. Asplundh will have to do more tree trimming. A lot of street lights have been reported out-seem to be repaired quickly. PEPCO has agreed to accept and review pictures of any equipment we have concerns about-Wayne has been helping to coordinate that work.

Trees:

Prune and haul all Hurricane Irene **storm damage** in the Village, -- about \$1,600.

Private tree at 7215 Chestnut Street came down (it was completely rotten) and took a Village tree with it and ruined a Children at Play sign. Paul Wolfe came out on a Sunday to clear the Road. Deb, Jean and Dan were also present. Doug Stein, the builder at 7216 Chestnut Street helped clear the Road.

Other tree work included **stump grinding** from last round of PEPCO removed trees; **clearing of street signs** also performed; Trees to be **pruned around street lights** next week. Lower tree branches lifted.

Additional tree pruning is needed by Asplundh on Raymond Street, Bradley Lane and Chestnut and Taylor Street as PEPCO moves forward on yet another aspect. The proposed work has been reviewed by the Village Tree Supervisor Dan Gardner, our Arborist Paul Wolfe and Sperling.

Limb came down at 3519 Raymond Street and brought down power lines in a recent rain storm.

A list of location for fall planting of new trees is being prepared.

Traffic:

Chevy Chase Village Police expect to place the **speed trailer** on Cummings Lane on Tuesday, 9/20. Rain has delayed the placement of the device.

Maintenance and Services

Streets cleaned at the end of July. We may be able to forgo another cleaning and just wait for our first leaf cleaning.

Street Sign Repairs made in various locations in the Village (Wayne & Verges).

Leaf Bags received; to be delivered next week.

Extra Yard waste picked up was arranged post storm, by Waste Management on a Saturday. We avoided the chipper truck.

Administrative Work/ Broader Issues

We will be **participating in the Montgomery County's Community Service Week** in Mid October with a project titled "Operation Treat our Troops". Doug Stein, a contactor with Wexford Homes building on Chestnut Street has offered \$500 to underwrite the shipping of donated items. The Village will be kicking this off on Monday September 19th.

Customer Relations Management System installed. We are working to "perfect" our skills. It is Less than \$10 per month per computer and it has been installed on mine and Deb's as a way of keeping track of service requests and complaints. Pam Sacks and Beth Catherwood have been devoting volunteer time to **file clean up**.

Chevy Chase Village and CC View and VMA are teaming up to work on a **Records Retention Policy**.

Chevy Chase@Home has asked to use the Village Office Space one the 2nd Tuesday of the month for a special Support group for Young Adults with Aging Parents. Any special insurance rider will be filed for them if necessary.

We have adopted a **new plan for notifying people who are moving in and out** of the Village so No Parking signs can be provided to avoid some of the problems we have encountered with moving vans. Sperling was involved with a smaller group of local officials who meet with George Leventhal and Roger Berliner to discuss the project at **Chevy Chase Lake** and have met again with representatives from the Land Company.

Councilman Zielinski added that he is working on a modification to the building permit application that will allow for an explanation of water control plans. He also will draft a letter to the County requesting that they deal with the storm water drain on dead end Delfield,

The meeting was adjourned at 9:20. Motion: Alexander; 2nd Filipczyk, Vote: All in favor.