

**Village of Martin's Additions  
Council Meeting  
7013 B Brookville Road, Chevy Chase, MD 20815  
Minutes Outline for Meeting of  
Draft February 16, 2012**

**COUNCIL MEMBERS AND VILLAGE REPRESENTATIVES PRESENT:** Council Members: Chris Mueller, Jill Filipczyk, Arthur Alexander and Mike Zielinski. Village Manager: Jean Sperling. Assistant Manager Deb Schmal. Attorney: Ron Bolt. Building Administrator: Alan Beal

**RESIDENTS PRESENT:** Keith Allen, Steve Schmal, Frank Correl, Bill Catherwood, Tiffany Cissna, Bert Liebman, Laura Thornton, ( CC Patch),

**7:30 PM CALL TO ORDER: Chris Mueller, Vice Chairman**

**RESIDENTS' CONCERNS AND CONTRIBUTIONS**

Resident Keith Allen of Turner Lane (and former Verizon weatherman) reported that there will be no snow storm this coming Sunday and that in fact it is very unlikely that we will see any snow this winter!

**STATE ETHICS COMMISSION EXEMPTION GRANTED**

The Village attorney Ron Bolt confirmed that the State Ethics Commission has granted Martin's Additions a full exemption from the local government requirements of Subtitle 8 of the Maryland Public Ethics Law. The Village of Martin's Additions is not required to adopt conflict of interest, financial disclosure or lobbying provisions contained in that Subtitle. The Commission considers the population of the municipality and other factors related to the size of government, such as the number of public employees, the type and number of government function performed by the municipality and the size of the municipal budget. The State Ethics Commission determined that, based on current information regarding the relevant factors listed above, the Village of Martin's Additions is currently exempt from the requirements of adopting an ethics law in compliance with Subtitle 8. The Commission reserves the right to review the exemption status again after future censuses are conducted.

Councilman Zielinski noted the Village Code covers Conflict of Interest requirements.

**BUDGET DEVELOPMENT SCHEDULE APPROVAL**

Manager Sperling presented a schedule for the development of the FY 2013 budget for the Council's review. The Council agreed with the schedule. Planning will begin with a meeting of the Treasurer, Chairman and, Manager and Accountant Dan Baden on February 27, 2012. All planning meetings will be posted on the website, bulletin board and in the newsletter.

**PUBLIC HEARING ON RESOLUTION 1-12-1: A resolution to amend the Village Building Permit Fee Schedule.**

This proposal to change the Village's building fee structure and schedule was introduced on January 12, 2012 at the Council meeting. Information about this plan was published in the January and February Newsletter. Tonight's meeting serves as an opportunity to take public comment on the changes. Mueller opened the floor to comments:

*Tiffany Cissna* (Bradley La) asked if Condition A [which describes the size of total floor area increase of the exterior alteration] and Condition B [which describes exterior wall changes] have to both be present for the new fee structure to apply. She felt that some clarification should be made,

The Village building administrator Alan Beal explained that each is independent of the other but can work together up to a ceiling limit of \$4,000 in permit fees, the fee for all new construction.

No further comments were received. Attorney Bolt noted that the Council will take action on this resolution at the March Meeting.

**BUILDING ADMINISTRATOR'S REPORT: Beal**

**Construction Update**

Bond Return in Process

*3503 Bradley Lane:* Construction Complete. Clearance given for bond return.

Bond Return on Hold

3401 Thornapple Street (Legarreta): ROW needs restoration.

**Bond Return Pending**

7404 Summit Ave: Construction completed; final patch from Washington Gas needed to release bond.

**Construction Completed:**

3414 Bradley (2 sections) and 3501 Bradley Sidewalk: Construction to extend the sidewalk from the property line of 3503 Bradley to the corner of Bradley and Melville is complete. Repairs were made to the section by 3414 that was damaged previously. Final bill has been received; costs will be predominantly offset by the insurance payment received for damage to the sidewalk in front of 3414 Bradley.

**Ongoing Construction Projects:**

7318 Delfield Street- (demo and new construction) All permits granted. Salvage of recyclable materials is underway. Pre-construction meeting held with all parties, including Montgomery County Permitting & Code Enforcement inspector and contractor.

7315 Delfield Street- Garage and addition application completed, all fees paid and all notices to Council and neighbors sent; all county permits received. VMA permits issued. Construction underway.

3518 Bradley Lane- Garage demo and re-build; county permit received; VMA notice provided; Fees received; VMA permit issued. Demo completed. New construction has begun.

3401 Thornapple Street- Sketches received for rear steps; potential variance addendum.

3502 Cummings Lane- Fence placement dispute continues between neighboring property owners (3502 and 3418 Cummings Lane). Martin's Additions stands by its permit issuance authority. The matter should be resolved between the private parties.

**New Permit Inquiries/Pending Building Issue:**

3414 Cummings Lane: Bruno property. Cafritz Builders purchased lot at 3414 Cummings Lane. Building project currently under review and discussion with Village Building Administrator (Beal).

3410 Cummings Lane: Swann Property. Unknown builder/realtor has inquired about this home/lot.

163 Quincy St: Andrew Saul Property. Lot at the dead end of Quincy Street, left side facing east. Property includes ownership of small parcel of neighboring lot that is outside of the corporate boundaries of Martin's Additions. One piece of lot is in unincorporated area and balance in Martin's Additions.

**Other projects supported by Mid-Atlantic:**

- Icing Problems (Shepherd resolved; 7203 Delfield and Taylor unresolved; 3416 Thornapple potential problem);
- Moving assistance with No Parking signs;
- Assistance in resolving sewage back-up near property line at 7310 Delfield Street. MAI working w/ resident & WSSC's Brandon Stewart to resolve;
- WSSC Core Testing on all Village Streets;
- Repair of VMA sign;
- Monitoring condition of a property on Taylor St. (trash/recycling containers & debris left in right-of-way for extended periods.);
- Office support in Manager's absence.

**FINANCIAL MATTERS: Alexander; REPORT FOR THE MONTH OF JANUARY, 2012**

July 2011-Jan 2012

	<u>Actual</u>	<u>Budgeted</u>
Revenues	\$450,896	376,816
Expenses	257,966	286,618
Net Income	192,930	90,198

Reserve account: \$1,282,278

Note: Budgeted Expenses and Budgeted Net Income do not include \$100,000 in budgeted capital improvements. Income tax revenues are running somewhat higher than expected. Expenses have been below the pro-rated annual budget amounts. However, street maintenance is being deferred until water main replacement is completed and snow removal costs have been zero, so far. The reserve account is roughly 2.0 times the average annual expenditures over the current fiscal year and past two years, giving the Village a cushion against unexpected occurrences and a source for needed capital investments.

**Action on Financial Reports: Motion to Approve: Zielinski; 2<sup>nd</sup> Filipczyk; All in favor**

### **CONSIDERATION OF NEW INVESTMENTS OF VILLAGE FUNDS: Alexander**

Council Treasurer Alexander has been investigating the possibility of investing the Village's reserves to obtain higher returns than the 0.08% rate we received last month. Currently, the Village reserve is invested in the Maryland Local Government Investment Pool (MLGIP), managed by PNC Bank for the state. Its investments in short-term U.S. Treasury bills earn very low returns because of current interest rate policies. For example, 90-day Treasuries currently yield 0.1%. Neither MLGIP officials nor anyone else expects these rates to increase in the next two years. MLGIP staff suggested that PNC Bank CD's, structured over various maturities, might produce more revenues to take account of the Villages needs over time.

The Village's accountant, Dan Baden, also treasurer of University Park, informed Alexander that municipalities are required by the state to have an investment policy -- one that meets certain state legal requirements. VMA does not currently have such a policy. The closest guidelines are found in the Village charter, which states simply, "The Treasurer shall be the custodian of all funds which are received to the credit of Martin's Additions and shall deposit or invest all such funds in insured accounts or investments as may be permitted by the laws of the State of Maryland. All such accounts and investments shall be approved by the Council." (Section 403, c). Alexander recommends that the Village should ascertain the requirement for an explicit investment policy, and draw one up if necessary.

A conversation with the finance officer of Chevy Chase Village resulted in a wealth of information; by chance, he had just contacted 24 banks the previous week seeking higher returns. Many banks were uninterested in new deposits. However, several small ones offered more attractive rates in fully FDIC-insured CDs up to \$250,000, the current maximum insured amount. Alexander contacted two of the banks with current rates from around 0.65% to 1.2% on maturities from 12 to 24 months. If VMA placed \$500,000 in CDs yielding 1%, we would receive \$5,000 rather than the under \$500 we are currently getting.

#### **Further Discussion of Banking Investments**

Attorney Bolt explained that an Investment Policy is simply put in place by Resolution—it is not added to the Code. The Council agreed to direct Bolt to draft an investment policy that can be reviewed via email, introduced at the March meeting and adopted in April. Bolt warned that a lot of banks don't have the proper forms for municipalities—make sure you get the right forms.

### **DISCUSSION OF CROSSWALK ON CONNECTICUT AVENUE: Alexander**

Council member Alexander reported that he attended a meeting at Chevy Chase Village Hall with the State Highway Representatives to discuss the possibility of the construction of a crosswalk across Connecticut Ave. State Highway Regulations require that 100 pedestrians per hour have to be present in order for a pedestrian-activated crosswalk light to be even considered. It's a bit of a Catch 22 because people don't cross because it's not safe. Chevy Chase Village would like to see it near Village Hall because of activities there as well as the Post Office. There was discussion of other ways to possibly measure potential usage but nothing really stood out as a good idea. Alexander felt that the upshot is SHA doesn't want a crosswalk without a light and it is highly unlikely that CCV's desire would prevail.

*Bert Liebman* (Thornapple) commented that CC@ Home also has meeting in CCVH.

CCV Police Chief Fitzgerald said his major concern is the traffic around the circle—there are more accidents there than any other place and he would like to have an integrated solution for pedestrians and traffic. The problem is complicated by the number of entities that have jurisdiction in the area—the Center of the Circle is the responsibility of the National Park Service and there is the DC side of the circle, the State of MD and CCV. *Frank Correl* (Turner Lane) expressed the opinion that VMA has two interests in this matter. (1) There are people in this Village who walk outside the confines of the Village and, (2) if CCV were to take up the case with the state it would be good for other municipalities to lend support; it would be the neighborly thing to do.

### **REPORT OF CC LAND COMPANY MEETING ON TRAFFIC REPORT**

Council member Filipczyk reported that she and Zielinski attended a presentation of the Chevy Chase Land Company's traffic study of Connecticut Avenue and adjoining streets. The conclusion was no surprise: the authors are of the opinion that we have no a big traffic problem. Zielinski said that the next step is the Planning Board presentation of their traffic studies that will include a comparison with CC Land Company study.

### **ACTION ON MINUTES OF JANUARY 19, 2012**

**Motion to Accept: Filipczyk; 2<sup>nd</sup>Alexander; Vote: All in favor.**

### **MANAGER'S REPORT February 2012: Sperling**

**In summary: Month was heavy with administrative matters.**

**Street and/or Utility Services:**

- **WSSC Water Line Core samples drilled** for water line replacement project completed and report of street drilling has been received. Huge disparity in make-up of our streets. Many want to seek advice of professionals about how to best move forward after the water project,
- **PEPCO** continues to work on the Brookville Road Lines.

**Trees:**

- **Tree pruning** continues through into February
- **Tree in front of 7318 Delfield a concern.** Paul to look at it and determine if it should come down.

**Traffic:**

- Joe Cutro review of parking on the dead end of Quincy Street was communicated to residents who requested that the restriction be lifted. Cutro recommended that the no parking restrictions should remain. There are parking limitations caused by the lack of driveways but even when the “legal” side of the street has no cars parked on it, the residents continue to park on the “illegal side.”
- Construction project at 163 is going to be very challenging for construction and residential parking.

**Streets/Sidewalks**

- **Core drilling leaves** a hole in the street that has been repaired with cold asphalt patch. We will have to keep our eye on them to add patch as they sink.
- May consider some **modest sidewalk repairs** (tripping hazards) this spring, once we have looked at the current budget status.

**Maintenance and Services**

- We may consider start up yard waste collection sooner because of the warm weather and apparent lack of the need for our snow removal budget. Jean will get cost estimate.

• **Community Activities and Issues**

- **Fire Board representative** needs to be found; Paul Mackell has just been appointed to the BCC Rescue Squad board and will no longer be able to serve as our representative. We will have to find another resident to serv.
- **John MacDonald** our rep from MML confirmed that he was no longer going to serve as our rep. Resident Molly Ruhl has agreed to take over. Molly, a resident of Delfield Street, had a long career as the Clerk of the District Court and should be a great person to step into John’s shoes.

**Administrative Work/ Broader Issues**

- Met with **SHA Representatives** at Chevy Chase Village Hall. Our state liaison is Maria Bhatti
- Arthur attended a meeting about a crosswalk on Connecticut Ave. that evolved from that meeting.
- Operational Office manuals have been developed to help when other personnel step into the office.
- **Pre-construction meeting** on 7318 Delfield Street went well. Only 1 resident attended.
- Likely that **3 pre-construction meetings will need to be scheduled: 163 Quincy, 3412 and 3410 Cummings Lane.**
- **Fence dispute** continues between 3502 and 3418 Cummings Lane continues. The Village managed to correctly extract itself from the debate.
- Election process kicked off in February newsletter.
- **Hope to get to directory soon.**
- **New computer set up;** computer clean up, information transfer and linking performed on all computers. Some training required on new system. Betsy Berlin, aka Miss Pixel, was employed. Bill Catherwood was also a big help at no charge
- **LGIT Conference** on March 13<sup>th</sup> for mid-morning. Discussion of next year’s rates. Manager will attend.

**8:40 PM          Adjournment**