

**Village of Martin's Additions
Council Meeting
7013 B Brookville Road, Chevy Chase, MD 20815
Minutes April 23, 2015**

Council Members Present: Arthur Alexander, Bill Lebovich, Josh Bowers, Jon Fleming

Village Attorney: Ron Bolt; **Village Manager:** Jean Sperling

Residents Present: John Hill, Richard Krajeck, Keith Allen, Dick and Linda Kirschten, Elizabeth Goldberg, Jeffrey Goldberg, Katya Hill, Anita Difanis, Sally Maran, Susan Fattig, Nancy and Jorge Solis, Roberta Liebman, Maria Woodson, Peter Ross, Althea Harlin, Diane Everts, Ernst Liebman, Marty Langelon, Lynn and Natalie Welle, Cris Fleming, Molly Ruhl, Kirsten Gardener, Ilene Hoskins, Dalmer Hoskins, John MacDonald, Pat Pendergast, Pam Sacks, John Sharrow, Elissa Bean, Alex Weiner, Bernice Duvall, Judy and Mike Zielinski, Ted Stoddard, Steve Trowern, Frank Correl, Katie Howard, Mark Weiner.

7:00 PM CALL TO ORDER

7:00 PM COUNCIL CANDIDATES INTRODUCTION & DISCUSSION

- **Jonathan Fleming**
- **Katya Hill**
- **Katie Filipczyk Howard**
- **Richard Krajeck**
- **Bill Lebovich**
- **Mark Weiner**

Record: A Candidate's Forum was held featuring remarks and a question and answer period with the six residents running for the 3 council seats.

**8:30 PM CALL TO ORDER APRIL COUNCIL MEETING.
ELECTION'S COMMITTEE REPORT**

Election Committee Chairman Ted Stoddard welcomed Residents and encouraged learning about the candidates. Steve Trowern (Raymond St, member of Elections and Ethics Committee) – Suggested process should be easy to get absentee ballot. Frank Correl (Turner Ln, Elections and Ethics Committee) – read a copy of the Absentee Ballots direction from the VMA website and it was deemed satisfactory to Council.

Attorney Bolt reminded Council that the Elections and Ethics Committee makes recommendations for elections procedures which must be approved by the Council. He recommended a motion to adopt the policies. Motion made by Councilmember Lebovich, seconded by Councilmember Bowers. All voted in favor.

8:40 PM FY 2016 BUDGET:

- **Discussion of Revenues, tax rates. (Resolution 4-15-1)**
Public Comment - None
No discussion by Council
- **Discussion of Expenditures (Ordinance 4-15-2)**
Public Comment - None
No discussion by Council

INTRODUCTION OF ORDINANCE NO.: 04-15-3. To provide flexibility in determining the size of the Elections and Ethics committee, as provided in the Village Charter.

Chairman Alexander explained that the goal of Ordinance No. 4-15-3 is to bring Village Code and Charter in line. The Code specifies that there shall be exactly three members of the Elections and Ethics Committee, where the Charter allows for "at least three." Wording introduced into Code are "a minimum of," which is consistent with the wording of Charter.

Councilmember Alexander - Allows more people to participate if desired, no requirement to have more than three members. Introduction at this Council Meeting, more time for discussion will be available. Public hearing at June Meeting. No further Council discussion

Motion to Introduce: Bowers; 2nd: Lebovich; **Vote:** All

TREE COMMITTEE REPORT: Alexander

Chairman Alexander summarized the goal of the work of the tree committee at this time. They hope to make the report/recommendations less onerous to buildings, to streamline them. As such, report is being re-written by resident Mike Zielinski. Goal is to have report finalized by the end of the fiscal year. Change were made both to procedure and to the burden on builders.

BUILDING ADMINISTRATOR’S REPORT

New Permit Requests/Information/Action

- **3507 Raymond Street.** Rear Addition planned. Decision made to avoid need for variance request according to Architect. No further action to date.
- **7315 Delfield-** sports court/fire pit area. New trees in the ROW contemplated. Plan has been reviewed by Beal and concern related to front yard non-vegetative coverage identified. (no conformance issues- just concern)
- **3514 Bradley Lane.** Expressed desire to alter front loaded garage to create more living space. Awaiting opinion by Beal.
- **7209 Delfield-** Inquiry re: rear addition. Question about non-conforming structure and side setbacks

Permitting Process Underway:

- **3506 Taylor-** new drawings proposed to conform to setback requirements. County has reviewed and approved. Waiting for final action from applicant.
- **207 Oxford-** Connection to County Storm drain system. Permit to work in the ROW okay. Waiting for County approval.

Permits Ready/ Issued:

- **3519 Turner Lane.** Rear Deck. Cleared by Beal. County permit issued. Village permit to be issued.
- **3414 Cummings Lane.** Plans received for garage, swimming pool; pool house and more. Cleared by Beal. Just cleared by County. Sediment control is major issue since more than 15,000 sq. feet is expected to be disturbed.

Construction Underway:

- **3513 Raymond Street.** Well underway. Some parking issues.
- **3521 Raymond Street.** Exterior roof lift. New front porch underway. Additional permit will be needed for driveway.
- **3510 Bradley Ln** –Still underway. Completion soon.
- **3514 Bradley Ln-** Completed. Bond returned underway. WGL street patch completed. Possible desire to re-do front.
- **7309 Delfield-** Construction continues to be a challenge; complaints continue.

Discussion: Manager stated the emails forwarded to Council about building issues are meant to keep Council informed. Councilmember Alexander agreed they were helpful. 101 Quincy St hosts issue of driveway made wider than allowed. Manager will report back to the Council after investigation into location of owners who have been difficult to find. Otherwise notice of nonconformity considered.

- **3219 Thornapple Street-** Construction wrapping up. No issues. retaining wall County permit requested in rear.
- **7218 Chestnut Street-**Coming to conclusion. Still awaiting water line connection. Tree-fee still needed.
- **3511 Raymond Street-**Renovations. Construction underway. Inside work continues
- **3529 Raymond Street.** Patio structure construction continues.

On Hold:

- **3505 Raymond** Rear addition. Plans seen but not confirmed. No further action.

Completed: Processing still needed

- **3509 Shepherd St** –Rear addition should be ready for final clearance.
- **3515 Shepherd St** - Completed. Bond needs to be returned
- **3514 Turner Ln.**– ROW License needed for Fence.
- **3518 Bradley Ln** –Bond still held. Possible additional work.

Project Closed:

- Fence at 7200 Chestnut Street. Row License prepared; Needs signatures and submission to attorney.
- 3415 Turner. License to use ROW has been processed. To be submitted to Attorney

Problems:

- **101 Quincy Street-** Unpermitted driveway work

Other Municipal Support: Project Specific:

- Street light review
- Dual pole list provided to PEPCO that resulted in 9 duplicate poles removal.

Other Municipal Support: General Supervision

- Ongoing supervision and progress reporting of construction projects.
- Records of compliance with VMA requirements. (e.g. tree protection) County follow up
- Responses to resident issues • Site visits • Monitoring of MC DPS Reports
- Traffic management -move in/out, heavy equipment and construction supplies
- Field Observations

FINANCIAL MATTERS: FLEMING, Treasurer: Report for March 2015

	Actual	Budget	July- March	Budget to Date	Annual Budget
Revenues	\$3,233.96	62,916.00	737,860.85	675,844.00	839,700.00
Expense	69,919.47	68,809.00	379,947.88	546,035.00	685,500.00
Prior Year's Surplus				1,910,049.00	1,910,049
Total Income	-66,685.51	-5,893.00	357,912.97		
Designated Street/sidewalk				500,000.00	500,000.00
Designated Street Lighting				500,000.00	500,000.00
Undesignated Fund				1,064,249.00	1,064,249.00
				2,593,278.00	2,749,749.00

Comment: The Village's finances continue on course. Expenditures are within budget limits.

Discussion: None

Action on Financial Reports: Motion to accept: Alexander; **2nd:** Lebovich; **Vote:** All in favor

MINUTES OF APRIL 13th, FEBRUARY 19TH , MARCH 19, 2015

April 13th -

Motion to accept: Lebovich; **2nd:** Alexander; **Vote:** All in favor.

March 19th -

Discussion: Council Members discussed amendment proposed by Cissna and Bowers. Alexander found the amended minutes acceptable, but no Motion or second was offered. The Council agreed to hold over vote to allow Bowers to review the audio.

February 19th (action not completed at March meeting) –

Motion: Lebovich; **2nd:** Alexander; **Vote:** All in favor

MANAGER'S REPORT

Community Policing: Assistance provided in response to resident's concerns on Raymond Street (parking issues) and Quincy Street; Other resident concerns were provided police follow up. Traffic surveillance continues at Brookville and Taylor and through-streets.

Sanitation Services: No major issues. Contact to be re-bid for services to be provided beginning 7/1/15.

Snow Plowing Services & Sidewalk Shoveling: Rolling Acres did an excellent job-many compliments received. Additional County bill received for salt totaling close to \$2,000. Partial reimbursement needed from Section 5 and confirmation of bills by contractor.

Utility Services:

WSSC-WATER: Working with Paul Gray WSSC about Spring renewal project for south end--Bradley, Quincy, Melville, Raymond. Connection to Pinehurst Circle has been eliminated. Trying to negotiate sewer replacement at the same time also.

SEWER: No problems reported with completion of issue on Quincy Street

WASHINGTON GAS: Gas line hit on Raymond Street by contractor. Fire department, police and Washington Gas responded quickly. Gas line was allegedly unmarked

PEPCO: Nine duplicate poles removed.

PERMITTING ISSUANCES: Utility permit requests processed for new construction.

UTILITY ROAD REPAIRS: Up to date with individual construction projects as best we can determine.

Trees Service:

Annual Spring Assessment and review of trees completed by our arborist. No requests reported for additional assessment at this time based on his observation. Will add the usual assessment of the State Forester which will be scheduled as he is available later this spring.

- Continued winter clean up includes removal of dead tree on Cummings, stump removal, continued dead branch removal, mulching of new trees, review of all "budding out" of trees for signs of additional pruning and care.
- Lifting of trees from around street lights (in June)
- Watering bags (June)

Streets Road repairs/ traffic issues:

- **Brookville Road & Taylor Street:** Evaluation Report of Brookville and Taylor Intersection received from the SHA. Somewhat of a disappointment. Focused on accident rate (which is negligible) and not pedestrian safety. Recommendation made to re-locate stop sign. Our police officers also equality disappointed. Will continue to monitor and put additional pressure on issue of primary concern.

- **Street sign inventory update and repair evaluation** and proposal provided by Joe Cutro, PE. Detail provided in Council member packets. Work envisioned for late spring. Opportunity to piggyback on Montgomery County contract. Less than \$10,000. Council supports
- **Sidewalk Repairs:** Attempt to find comparable contractors to provide bids has been disappointing so far. Additional research will be needed to find providers. (see below)

Street light update:

- Progress being made with new street light sample. Pepco letter has estimated the cost of installation at slightly more than \$600. Expected to be delivered mid May (change from mid April). Permit request for installation has been processed with PEPCO. (see below)

Water Issues

Meeting at with UMD storm water management experts put on at Chevy Chase Village on 3/24 was informative. Will require follow up if we are to make use of available resources.

Community Events and Wellbeing:

Celebration on the Sidewalk is next major event to take place on May 14th as a setting for the election. Wayne Fowler will be providing the heavy lifting. Volunteers are welcome and needed. All shop keepers are "in" (except dry cleaner). Will be gathering artists. Everyone is required to keep fingers crossed for nice weather.

Administrative Matters

- *Constant Contact* is up and being tested and available tools are being explored. MOST impressive information tool that has been very well received. We are seeing terrific analytics--the "open" rate on the emails is well above the norm.
- Moving to finalize link from website to *Facebook and Twitter*, ability that our website designer is helping us with.
- Attended a *conference at MCCMA on April 16th and 17th* in Gaithersburg that was excellent. Classes in improving communication with residents (hence the move to get Facebook and Twitter up), employment regulations, handling public crisis and more. Many other City managers in attendance.
- Attended the *LGIT Regional Work Shop* Thursday April 2. Don't expect too big an increase this year in insurance rates, but recent action by the state legislature on tort claims will have an impact.
- *Meeting recordings* have been posted to the website using YouTube. Still in the development stage, but so far so good. Quality of recording seems to be okay. Need to put more formal guidelines in place for meeting protocol to see if we can improve the ability to follow the audio.
- *Monthly EOC* drill completed.

ADDITIONAL NOTES FOR MANAGER'S REPORT 4/23/2015:

Garbage Contract: Must be re-bid. Have three sources for bid requests. July 1 decision deadline.

Street Repairs: (potholes) Expect contract tomorrow. Chamberlain Contractors, Inc., our usual street repair contractor is preparing a job estimate. They are very good with traffic control and our narrow streets contractor. Can be done next week. Receiving a lot of complaints. I like to use the same contractor where possible so if I get failure of repairs I know where to look. Expected to be less than the Charter Limit of \$10,000 for non-personal services contracts

Sidewalk Tripping Hazards: Have contacted 5 other companies--Ron helped. One said they didn't do the kind of repair project that were described, 2nd one wants to talk and no replies were received from the other two companies. Further follow up is needed.

Street lights: prototype scheduled to arrive on May 15th. Working with Pepco's Engineering division, Installation costs and readjustment of existing light billed to us by PEPCO at \$605.00 Permit signed.

WSSC South end waterlines: Former project manager moved onto another project. Have been in touch with Property Acquisition rep Paul Gray at WSSC. He is following up on the scheduling. The Pinehurst Circle water lines have been completely removed from the project, much to WSSC's disappointment. Paul is checking into whether sewer work can be also done at the same time.

RESIDENT CONCERNS AND CONTRIBUTIONS

Frank Correl – little guidance in Code/Charter regarding election issues, for example, how to handle unexpected vacancies in Village Council. Advocates for a careful review of the Charter as a whole and clarification/updates to unclear issues. Concerned about \$10,000 limit to take contracts to bid. Supports appointing a contracts committee to investigate contract details.

Manager Sperling reminded Council of agreement at March meeting to hold a Work Session on these contracts issues. Encouraged this session be held first before any type of investigatory committee is formed.

ADJOURNMENT

Motion to Adjourn: Fleming; 2nd: Bowers; **Vote:** All in favor.