



VILLAGE OF MARTIN'S ADDITIONS

7013 Brookville Road (Second Floor, Suite B)

Chevy Chase, MD 20815-3263

Phone (301) 656-4112

www.martinsadditions.org

Agenda for Council Meeting

Thursday, April 16, 2020, 7:30 PM

The Council may entertain a motion in open session to enter into a closed session, in accordance with Section 3-305(b) of the Open Meetings Act (Maryland Code, General Provisions Article).

- 7:00 PM The Council will entertain a motion to enter closed session under Maryland Code, General Provisions Article, Section 3-305(b)(1) to: (i) discuss personnel matters that affect one or more specific individual appointee.
- 7:30 PM Call to Order: Cissna
- 7:31 PM Opportunity for Council to hear residents' comments: Cissna
- 7:41 PM Police update: Officer Picerno
- 7:46 PM Committee Update(s): Committee Chairpersons or their representatives
- 7:55 PM Building Administrator's Report: Lohmeyer
- 8:05 PM Action on Emergency Charter Amendment No. 2020-1 to allow the Village of Martin's addition to conduct elections by mail and other technical changes.
- 8:15 PM Action on an Emergency Ordinance No. 2020-4-1 to adopt emergency election procedures for the 2020 Village of Martin's Additions election.
- 8:25 PM Financial Matters: Alexander
- 8:30 PM Manager's Report: Anderegg
- 8:35 PM Opportunity for Council to hear residents' comments: Cissna
- 8:40 PM Adjournment: Cissna

*Please Note: Listed times are approximate.



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Virtual Meeting Information

Below is the information for those residents who would prefer to dial in remotely or video in to the Council meeting.

1. Dial-In Option

Call: 1 301 715 8592

When prompted, enter the Meeting ID: 826 8911 6838# (you must enter the "#")

Password: 807976 (you must enter the "#")

2. Web/Video Option:

- a. Go to the Zoom meeting link: <https://us02web.zoom.us/j/82689116838?>
- b. It will take you to Zoom to download, which is free. Then the meeting will launch. You can view the meeting or just listen in and talk when prompted.

Meeting ID: 826 8911 6838

Password: 807976

Topic: April 16 Village Council Meeting

Time: April 16, 2020 07:30 PM Eastern Time (US and Canada)

TO: The Council at the Village of Martin's Additions

FROM: Doug Lohmeyer

DATE OF MEMO: April 17, 2020

SUBJECT: Building Administrator's Report

3506 Bradley Lane.

A demolition and building permit application was submitted to the Village office. The staff is reviewing the information. Waiting for MCDPS approval. The resident's information meeting is on hold.

7204 Chestnut St.

The Village issued the building permit on April 3, 2019. The construction of the additions is ongoing. The staff has requested a certified "Wall Check" that indicate the setbacks for the additions at the front and right side of the house. A variance was previously granted for those additions. The Village building permit expired on April 3, 2020. Th applicants have requested a Village Building Permit extension, which extends the permit until July 4, 2020.

A "Stop Work Order" was issued on Monday, March 9th. The Wall Check survey indicates the new addition at the rear encroaches into the "additional side yard setback" by approximately 4-inches. The staff has conveyed that information to the applicant. The applicant has indicated they will be applying of a Variance, but as of this date that application has not been submitted.

7210 Chestnut St.

The Village issued their building permit on Oct. 11, 2018. The applicant estimates the project will be completed in 2 to 3 months. The Village building permit has been extended.

The County has closed their building permit but the sediment control permit is still open. Once they close that permit, we will do a final inspection and if everything is acceptable, the Village Building Permit can be closed.

3521 Cummings La.

The property owner is looking into the possibility of removing the apron close to Brookville Rd. and installing another fence in the Village right of way.

7200 Delfield St.

The property owners (a partnership) has applied for a Village demolition and building permit for a new house. The MCDPS is reviewing their application. The Village staff has completed the initial review of the application and submitted their comments of the applicant. A resident information meeting has not been scheduled.

3412 Taylor St.

The Village original building permit was issued on Feb. 4, 2019. The house construction is ongoing. The applicant has raised the elevation of the house because of a high ground water condition. The height survey indicated the new roof peak is 6 inches higher than what the Village Code permits.

The Village Building Permit has been extended. The contractor expects to receive the final inspection from MCDPS in the next couple of weeks

3407 Thornapple St.

The Village issued their building permit on May 30, 2019. Work has begun on the new house construction. The applicant has submitted a "Wall Check", which indicated the new house is in conformance with the approved site plan and the Village Code.

The applicant has been advised that their building permit will expire in May and they are preparing a request for the extension.

Miscellaneous Items

The staff is presently working with the following properties:

1. The MSHA has responded to the Village's letter regarding water ponding at the Village street intersections along Brookville Rd. They plan on making improvements to the intersections at Bradley, Quincy, and Cummings this summer.

Charter Amendment Res. No.: 2020-1
Adopted: April 16, 2020
Effective Date: April 16, 2020

VILLAGE COUNCIL OF THE VILLAGE OF MARTIN'S ADDITIONS

A RESOLUTION TO AMEND SECTION 602 OF THE CHARTER OF THE VILLAGE OF MARTIN'S ADDITIONS

This Resolution of the Council of the Village of Martin's Additions (the "Council") is adopted pursuant to the Constitution of Maryland, Article XI-E, the Maryland Code, Local Government Article, Section 4-301, *et seq.*, and the Charter of the Village of Martin's Additions (the "Charter"), to amend Section 602 of the Charter to allow election methods and procedures to be altered in a state of emergency, to allow nominations to be made by means other than "in writing", and to clarify existing provisions.

Section 1. BE IT RESOLVED BY THE VILLAGE COUNCIL, that Section 602 of the Charter is amended to read as follows:

Section 602. Elections.

The election of Council members, which shall be by secret ballot, shall take place between March 1 and May 15 each year. Except for the transition election provided for in Section 409, Council members shall be elected to terms of two (2) years.

All elections shall be managed by [an] the Election Committee or a qualified election service provider, as determined by the Council. The Committee shall consist of a minimum of three (3) people appointed by the Council from qualified voter volunteers openly and fairly solicited. The Council shall appoint the Committee upon taking office. The Committee shall serve through the succeeding election of Council members. The Committee shall operate according to rules and procedures adopted by the Council [[and set out in the Village by-laws]]. Exceptions to these provisions may be made for the transition election as provided for in Section 409.

(a) Not less than sixty (60) days prior to the election, the Election Committee shall request that [written] nominations be submitted to the Election Committee according to the election rules and procedures. Any individuals who qualify under Section 402 may declare their candidacy or be nominated by another qualified voter according to the election rules and procedures. Nominations and related candidate submissions must be received [in writing] by the deadlines set forth in the election rules and procedures.

(b) At least two (2) weeks prior to the election, the Election Committee shall give [written] notice of the nominations together with related candidate statements [submissions] and designate the [date of the election, the] voting method, conduct, or system of the election and any associated date(s) and time(s). [polling place and time].

(c) Each qualified voter may cast a ballot [on the day and at the time] as designated in the election rules and procedures. Qualified voters unable to vote in person may vote by absentee ballot unless a mail-in only election. The Council shall determine the rules for any absentee voting based upon the recommendation of the Election Committee.

(d) In the event that two (2) or more candidates receive the same number of votes where only one can be elected, there shall be a runoff election within two (2) weeks of the original election. The [Council may choose to hold the] runoff election [by mail ballot] shall be held according to the election rules and procedures.

(e) Those persons elected to new Councils shall take office on July 1 following the election. The term of former Councils shall expire simultaneously with the taking of office by the new Council member(s).

(f) The Council is authorized to pass other regulations governing elections deemed necessary and consistent with this Section.

(g) Notwithstanding anything to the contrary contained in this Charter, if a state of emergency has been declared by the Governor of Maryland, within the corporate limits of Martin's Additions, the Council shall be authorized to pass an ordinance to implement such emergency election procedures as may be deemed necessary as a result of the state of emergency, including but not limited to changing the election date; amending nomination and notification deadlines and mechanisms; altering the method, conduct, or voting system of the election; altering the manner of balloting; canceling an uncontested election; and eliminating the use of polling stations. If the election date is changed according to this subparagraph (g), those persons elected to the Council shall take office at the next regularly scheduled or special Council meeting following the election

NOTE: Underlining indicates language added to the Charter

[Boldface Brackets] denote language deleted from the Charter

Section 2. AND BE IT FURTHER RESOLVED, that the date of the adoption of this Resolution is April 16, 2020 and that the amendment to the Charter hereby provided by this enactment shall be and become effective immediately, the notice, publication, timing, hearing, effective date, and referendum requirements of the Maryland Code, Local Government Article, Title 4, Subtitle 3, being hereby suspended according to the Governor of Maryland's Executive Order No. 20-03-30-03, enabling municipalities to amend the date, method, conduct, or voting system of an election to help control and prevent the spread of COVID-19.

Section 3. AND BE IT FURTHER RESOLVED, that the Chair shall send, by certified mail, return receipt requested, bearing a postmark from the United States Postal Service, to the Department of Legislative Services, the following information concerning the amendment: (i) the complete text of the amendment as hereby enacted; (ii) the number of votes cast for and against the amendment by the Village Council; and (iii) the effective date of the amendment.

Section 4. AND BE IT FURTHER RESOLVED, that the said Chair be and is hereby specifically instructed to carry out the provisions of this Resolution. As evidence of compliance herewith, the said Chair shall cause to be placed in the official files the return receipt of the mailing referred to in Section 3, and shall further complete and execute the Certificate of Effect attached hereto, and provide notice to the Governor according to Order No. 20-03-30-03.

Tiffany Cissna, Chair

Arthur Alexander

Susan Fattig

Katya Hill

Todd Mann

ATTEST:

Niles Anderegg, Village Manager

**The Village of Martin's Additions
(2020 Election)**

Ordinance No.: 2020-4-1
Introduced: April 16, 2020
Adopted: April 16, 2020
Effective Date: April 16, 2020

**DECLARATION OF A STATE OF EMERGENCY AND
ORDINANCE TO ACTIVATE AN EMERGENCY PLAN
FOR THE VILLAGE ELECTION**

WHEREAS, on March 5, 2020, in an effort to control and prevent the spread of COVID-19, a state of emergency and catastrophic health emergency was proclaimed by the Governor within the entire State of Maryland, pursuant to Maryland Code, Public Safety Article, Title 14, and the Maryland Constitution; and

WHEREAS, on March 17, 2020, the Governor declared that the state of emergency continues and ordered that the Primary Election of April 28, 2020 be postponed to June 2, 2020, and that the State Board of Elections prepare a Comprehensive Plan for the conduct of the Primary Election, to implement measures to reasonably assure, among other things, that the public health, safety, and welfare not be endangered by the election; and

WHEREAS, on March 30, 2020, the Governor issued an Executive Order compelling all persons to stay-at-home (Order No. 20-03-30-01) and an Executive Order enabling municipalities to postpone elections and/or alter the method, conduct, or voting system of an election (Order No. 20-03-30-03), in order to help control and prevent the spread of COVID-19; and

WHEREAS, Maryland Code, Local Government Article, Sec. 5-202, as amended, authorizes the legislative body of each municipal corporation in the State of Maryland to pass ordinances that such legislative body deems necessary to assure the good government of the municipality, to protect and preserve the municipality's rights, property and privileges, to preserve peace and good order, to secure persons and property from danger and destruction, and to protect the health, comfort, and convenience of the citizens of the municipality;

WHEREAS, the Maryland Emergency Management Agency Act (Md. Code, Public Safety Art., Sec. 14-101, *et seq.*) provides that local governments, including municipal governments, may declare a local state of emergency and so doing activates the local state of emergency plan, per Sec. 14-111; and

WHEREAS, per Sec. 14-102(a) of said Act, the legislative purposes and intents of the law include to confer on the Governor and on the executive heads or governing bodies of the political subdivisions the emergency powers provided in the Act, and per Sec. 14-107(d)(1), after a state of emergency is declared the effect of any statute or rule or regulation of an agency of the

State or a political subdivision may be suspended in order to protect the public health, safety, or welfare; and

WHEREAS, Section 501 of the Charter of the Village of Martin's Additions authorizes the Village Council to pass such ordinances as it may deem necessary for the preservation of the property, rights, and privileges of the Village and its residents;

WHEREAS, Section 502(a) of the Charter provides that in cases deemed to be of an emergency nature, the requirement that ordinance not be passed at the meeting at which it is introduced may be suspended by the affirmative votes of three members of the Council, and emergency actions shall expire at the end of 60 days from their effective date; and

WHEREAS, Section 602 of the Charter provides that if a state of emergency has been declared by the Governor of Maryland, within the corporate limits of the Village, the Council shall be authorized to pass an ordinance to implement such emergency election procedures as may be deemed necessary as a result of the state of emergency, including but not limited to changing the election date and nomination deadlines; altering the method, conduct, or voting system of the election; altering the manner of balloting; canceling an uncontested election; and eliminating the use of polling stations; and

WHEREAS, after proper notice to the public, the Council introduced and considered this Ordinance in public session assembled on the 16th day of April, 2020; and

WHEREAS, the Council hereby declares that a state of emergency exists, as declared by the Governor of Maryland; and

WHEREAS, as a result of the state of emergency, the Council finds that the temporary amendment, on an emergency basis, of the election rules and regulations would help control and prevent the spread of COVID-19 and that the ordinance as hereinafter set forth would assure the good government of the municipality, protect and preserve the municipality's rights, property, and privileges, preserve peace and good order, secure persons and property from danger and destruction, and protect the health, comfort and convenience of the citizens of the Village of Martin's Additions, and is necessary for the preservation of the property, rights, and privileges of the Village and its residents.

NOW, THEREFORE, BE IT ORDAINED AND ORDERED, this 16th day of April, 2020, by virtue of the authority given to it by the Maryland Code and the Village Charter, the Council does hereby adopt the following ordinance.

SECTION 1. BE IT ORDAINED AND ORDERED, by the Council of the Village of Martin's Additions, acting under and by virtue of the aforementioned authority, that the election to be conducted on May 15, 2020 shall proceed according to the **Emergency Plan for Village Election** attached hereto, and according to the following:

- (1) If an election shall be uncontested, and the number of nominees having been reported shall be the same number of positions to be filled by the election, the nominee(s) so

reported shall be deemed elected as of election day, May 15, 2020, and no balloting shall take place. Balloting shall not take place in order to avoid the risk of spreading COVID-19.

- (2) Any election rule or regulation set forth in the Charter, Code of Ordinances, or election rules and regulations that is inconsistent with the provisions of the attached Emergency Plan for Village Election is hereby suspended. The Emergency Plan for Village Election shall be implemented for the 2020 election, only.

SECTION 2. AND BE IT FURTHER ORDAINED AND ORDERED, by the Council of the Village of Martin's Additions, acting under and by virtue of the aforementioned authority, that:

- (1) If any part or provision of this ordinance is declared by a court of competent jurisdiction to be invalid, the part or provision held to be invalid shall not affect the validity of the ordinance as a whole or any remaining part thereof; and

- (2) This ordinance shall take effect upon adoption, this 16th day of April, 2020.

ATTEST:

THE VILLAGE OF MARTIN'S ADDITIONS

Susan Fattig, Secretary

Tiffany Cissna, Chair
Village Council

Underline indicates new material
~~Strikethrough~~ indicates material deleted
* * * indicates material unchanged



Village of Martin's Additions
7013 B Brookville Road
Chevy Chase, MD 20815
301-656-4112 (Phone)

Emergency Plan for Village Election (2020)

Village Council Election Process

The Election shall take place on May 15, 2020. Balloting will be undertaken by mail only. Polling stations will not be used; no in-person voting will be afforded.

The following rules and procedures apply:

Nominations

The nominations deadline expired on March 30, 2020.

1. Any qualified voter may run for office. Residents may have nominated themselves or have been nominated by another qualified voter. Nominations may have been made only by verified qualified voters; anonymous nominations are not permitted. Residents who nominated someone other than themselves must have included an email or signed written statement from the proposed candidate expressing his/her consent to be nominated.
2. All nominated candidates shall submit (a) a statement of interest and qualifications and (b) a conflicts of interest disclosure statement in a form provided by the Ethics Committee. The Election Committee may specify any standard questions to which all candidates are requested to respond.
3. Nominations and required candidate submissions must have been received in writing or by e-mail at least forty-five (45) days prior to the election, in order for the candidate to be placed on the official ballot. Blank lines will be placed on the ballot for the purpose of adding write-in candidates at the time of the election. A successful write-in candidate shall be required to submit a conflicts of interest disclosure statement no later than seven (7) business days following the election.
4. Pursuant to Charter Section 602(b), no later than two (2) weeks prior to the election, the Committee shall give public notice of the candidates for office and provide, or provide access to, the written statements of interest and qualifications and shall designate the date of the election, the polling place, and time.

Candidates Forum

5. The Committee scheduled a public forum, to be conducted by video/audio conference, for April 23, 2020 at 7:30 PM for residents to hear from candidates

Join Zoom Meeting

<https://us02web.zoom.us/j/85936353305>

Meeting ID: 859 3635 3305

Password: 254088

Call-in Number: 1 301 715 8592

Meeting ID: 859 3635 3305#

Password: 254088#

The forum shall be moderated by the Committee at its sole discretion.

Election Procedure

6. Pursuant to the Charter and these rules and procedures, each qualified voter may cast a ballot, according to the following vote by mail procedures:

- The election service provider will mail a ballot and return envelope to each qualified voter.
- Village staff will prepare and maintain a list of qualified voters and will provide that list to the election service provider to assist with the conduct of the election.
- The Village's election service provider shall affix first class postage to all balloting materials, including the ballot return envelopes.
- Voters shall mail completed ballots to the Village's election service provider. Ballot envelopes must be post-marked no later than Election Day, May 15, 2020 and must be received by the Village's election service provider by May 22, 2020 in order for the ballots to be counted. In the event an envelope is not post-marked, the ballot shall be counted so long as it is received by the Village's election service provider by May 22, 2020.
- Ballot envelopes shall contain a service provider-issued control number and an affidavit requiring the voter to attest to the voter's eligibility. Ballots shall be returned in the service provider-issued return envelope.
- Voters shall write their full legal name and address on the issued return envelope and sign the affirmation. Ballots enclosed in an incomplete, illegible, or unsigned return envelope shall not be counted. The Village will not accept copies of ballots or ballot envelopes.
- If a voter desires their ballot to be mailed to an address that is different than the qualified voter's address in the Village, the voter should inform the Village by e-mail manager@martinsadditions.org of the address to which the ballot should be mailed. In order to allow sufficient time for a replacement ballot to be issued and voted, any such

Emergency Plan for Village Election (2020)
Village of Martin's Additions

- request shall be made no later than 5:00 PM on May 8, 2020. Upon receipt of such request, any previously issued ballot and return envelope for that voter will be voided.
- In the event an issued ballot is lost or missing, a voter may request by e-mail to manager@martinsadditions.org that the Village's election service provider cancel the previously issued ballot and return envelope and issue a new ballot and return envelope. In order to allow sufficient time for a replacement ballot to be issued and voted, any such request shall be made no later than 5:00 PM on May 8, 2020. Upon receipt of such request, any previously issued ballot and return envelope for that voter will be voided.
 - If a resident did not receive a ballot because the resident's name did not appear on the qualified voter roll, the resident may request a provisional ballot by emailing manager@martinsadditions.org. In order to allow sufficient time for a ballot to be issued and voted, any request for a provisional ballot shall be made no later than 5:00 PM on May 8, 2020. In order for the provisional ballot to be counted, the voter's registration must be reflected on the Village's qualified voter roll no later than May 8, 2020.
 - In order to register to vote, a qualified voter may request to be added to the voter roll by emailing manager@martinsadditions.org no later than 5:00 PM on May 8, 2020. The email must include your full name, address and an image of your driver's license, a utility bill with your Village of Martin's Additions address on it or other documentation acceptable to the committee in its sole discretion. If you are unable to email or prefer to provide such documentation in person you must contact the Village Office (301) 656-4112 to schedule a time to provide said documentation.
 - The election service provider will keep a list of any voided or cancelled ballots and corresponding envelopes and will ensure that voided/spoiled ballots are not counted. The election service provider will provide this list to the Village upon request.
 - The Village's election service provider will review each returned ballot envelope for the following to ensure a proper ballot is enclosed:
 - That the ballot return envelope was properly completed.
 - That the ballot return envelope is unopened.
 - That the control number on the ballot envelope matches the control number assigned to the voter by the election service provider.
 - That the person who signed the envelope is the person who was issued the ballot.
 - That the person who voted the ballot is a qualified voter in the Village.
 - That the ballot envelope has not been cancelled or spoiled.
 - That the ballot envelope is postmarked no later than May 15, 2020 and/or it is received by May 22, 2020.
 - If it is determined that a ballot is proper, the return envelope will be opened, and the ballot will be preserved. The register will be updated to indicate that the voter cast a ballot.
 - Any ballot that is found to be improper will not be opened. Improper ballots will not be counted provisionally.

Emergency Plan for Village Election (2020)
Village of Martin's Additions

- Within 14 days after Election Day, the Village's election service provider shall tally all votes cast and shall complete and certify an Official Count of Ballot Report. Write-in votes for uncertified candidates will be reported as well. The Election Committee shall review and certify the results on the Report as soon as practicable.
 - The Village's election service provider shall provide all counted ballots, ballot return envelopes, and spoiled ballots to the Village for preservation according to the Village's State-approved Retention Schedule.
8. In the event that two or more candidates receive the same number of votes where only one can be elected, there shall be a runoff election within two weeks of the original election. Any runoff election will be conducted by mail ballot.

Who Can Vote?

Pursuant to the Charter, a qualified voter is "any person who owns property or any resident of Martin's Additions who is eighteen (18) years of age or over." In the case of students, such as college or boarding school students, a student who resides elsewhere during the school year but who maintains a permanent address in Martin's Additions, is deemed a resident and entitled to vote in the Village Council election. Voters in Martin's Additions need not be registered to vote in Montgomery County or in the State of Maryland. The Village's election service provider will utilize the most recent available Village qualified voter contact information to verify residents' names and addresses. Questions regarding eligibility to vote should be directed to the Chair of the Committee, who will refer the matter to the Committee for determination.

Records

All election records, including nominations, replacement ballot requests, and ballots, shall be maintained at the Village Office, in accordance with the Village's Document Retention Schedule. Ballots shall be securely stored until such time as they may be destroyed in accordance with the Document Retention Schedule.

**Village of Martin's Additions
Financial Report for March 2020
Arthur Alexander, Treasurer
April 16, 2020**

March 2020

	<u>Actual</u>	<u>Budgeted</u>
Revenues	\$ 637,392	576,197
Expenses (excluding capital projects)	574,223	636,178
Net Income (revenues minus expenses)	63,169	-59,981
Capital investment expenses	\$ 0	
Investment reserves (less expenditures)	1,500,000	
Emergency reserves	1,000,000	

Current assets less designated reserves \$432,112

Because of the uneven receipt of Village revenues and expenditures over time, we are running a small surplus while having budgeted a small deficit as of this time of the year.

The state comptroller has reported a 22% reduction of state tax withholding, "a decline never seen before in the history of our state." Village revenues from the portion of state income tax that flows to municipalities likely will not fall as much in the near term because our taxpayers seem to report most of their income when they file their returns at the end of the tax year. Moreover, the variation of Village revenues appears to follow financial markets more than jobs and wages. If the past is an indicator, we can expect a significant fall of income about 9-12 months after the stock market decline, which delays the hit until next fiscal year beginning July 1, 2021.

The Village emergency reserves were explicitly designed to cope with such contingencies. At this time, we do not expect any fiscal emergencies.

From: Niles Anderegg, Village Manager
To: Village Council
Subject: Village Office Update

The last month has been a busy one for the Village Office. In that time, I have been getting up to speed on the various policies and procedures. We've had movement on several of the contracts the Village has recently initiated, including cybersecurity, the GIS update, and the Financial Control Study. In addition, the Village Office has been working diligently to prepare for the Village's first vote-by-mail election and with our partners such as Waste Management to adjust to the current reality of COVID-19. On the topic of Waste Management, I'd like to thank the residents for their patience with the ever-evolving guidelines from Waste Management as well as their flexibility in adapting to our current situation.

Cybersecurity

The Village entered into a contract this month with Wildcard Corporation to do a cybersecurity assessment. The kick-off call for this project is this week and we look forward to working with them in the coming weeks.

GIS Update

The Village has been working with Wallace Montgomery to update its GIS data, and this week the contractor provided us with some of the deliverables, including a set back table and the map package which I have been adding to our GIS system.

Financial Control Study

The Village has been working with WCS to update the Office's Financial Control procedures. Last week I spoke with Mr. Farquharson from WCS and it is anticipated that WCS will give their report to the Village within the next couple of weeks.

Landscaping

This week the Village's landscaping contractor, Greensweep, undertook two projects: planting a community garden at Cummings Lane and Brookville Road and planting the Raymond Street dead end.

Building Administration RFP

The next contract that needs to be put out for bid for the Village is the Building Administration Contract. The RFP has been will be on The Village's website, the MML website, and the State of Maryland's procurement website.

Ordinance No.: 2020-3-2
Introduced: March 19, 2020
Adopted:
Effective Date: July 1, 2020

THE VILLAGE OF MARTIN'S ADDITIONS

SUBJECT: AN ORDINANCE TO ADOPT A BUDGET FOR FISCAL YEAR
JULY 1, 2020 TO JUNE 30, 2021.

WHEREAS, Local Government Article, Section 5-202 of the Maryland Code grants to the legislative body of every incorporated municipality in Maryland, including the Village of Martin's Additions, general power to pass such ordinances not contrary to the Constitution of Maryland, or public general law, as they may deem necessary in order to assure the good government of the municipality, to protect and preserve the municipality's rights, property, and privileges, to preserve peace and good order, to secure persons and property from danger and destruction, and to protect the health, comfort and convenience of the citizens of the municipality;

WHEREAS, Maryland Code, Local Government Article, Section 5-205, as amended, authorizes the legislative body of each municipal corporation in the State of Maryland to spend money for any public purpose and to affect the safety, health, and general welfare of the municipality and its occupants;

WHEREAS, Section 501 of the Charter of the Village of Martin's Additions authorizes the Village Council to pass such ordinances as it may deem necessary for the preservation of the property, rights, and privileges of the Village and its residents;

WHEREAS, the Village Council introduced the following Ordinance in public session assembled on the 19th day of March, 2020;

WHEREAS, the Village Council, after proper notice to the public, considered the following Ordinance at a public hearing held on the 7th day of May, 2020;

WHEREAS, prior to adopting this Ordinance, the Village Council held a public meeting on the 7th day of May, 2020 to adopt tax rates for the forthcoming fiscal year and, by the attached Resolution, adopted the tax rates for the forthcoming fiscal year; and

WHEREAS, the Village Council finds that the foregoing Ordinance would assure the good government of the municipality, protect and preserve the municipality's rights, property, and privileges, preserve peace and good order, secure persons and property from danger and destruction, and protect the health, comfort and convenience of the citizens of the Village of Martin's Additions, and is necessary for the preservation of the property, rights, and privileges of the Village and its residents.

NOW, THEREFORE, the Village Council does hereby adopt the foregoing Ordinance.

BE IT ORDAINED AND ORDERED, this 7th day of May, 2020, by the Village Council, acting under and by virtue of the authority given it by the Maryland Code and the Village Charter, that the attached Budget be and is hereby adopted.

AND BE IT FURTHER ORDAINED AND ORDERED, by the Village Council, acting under and by virtue of the authority granted to it by the Maryland Code, and the Village Charter, that:

- (1) Pursuant Maryland Code, Local Government Article, Section 5-205(b)(4), the Village Council may spend money for a purpose different from the purpose for which the money was appropriated or spend money not appropriated in the attached Budget if approved by a two-thirds vote of the Village Council;
- (2) If any part or provision of this Ordinance is declared by a court of competent jurisdiction to be invalid, the part or provision held to be invalid shall not affect the validity of the Ordinance as a whole or any remaining part thereof; and
- (3) This Ordinance shall take effect on the 1st day of July, 2020.

ATTEST:

THE VILLAGE OF MARTIN'S ADDITIONS

Katya Hill, Secretary

Tiffany Cisna, Chair
Village Council

Discussion of Fiscal Year 2021 Budget for the Village of Martin's Additions
Arthur Alexander, Treasurer
March 19, 2020

Fiscal year (FY) 2021 for the Village of Martin's Additions begins July 1, 2020. The Village charter requires that a budget be approved by May 15 authorizing Village expenditures over the following year. At this Council meeting and through May 7 when the final budget will be adopted, we offer residents an opportunity to review the proposals, discuss changes, and generate an informed response.

Revenues: The Village share of residents' state income taxes is the largest source of Village revenues, 80% of total projected revenues. This source of income peaked in FY2018 at \$812,000. Based on recent payments from the state, we have conservatively projected \$650,000 for the coming year.

The Village's income tax receipts follow the overall economy, particularly the stock market. Analysis of the past 14 years data suggests that Village revenues lag the stock market by about 12 months. If the current market decline continues, we can expect our income also to drop. Should that occur, we have in place a reserve account designed to cover more than a year's expenditures. Therefore, even a collapse of income tax revenues could be managed at current spending levels. Over the longer run, we would have to consider selectively cutting expenditures and raising the Village property tax, now the lowest in the state at .005 per hundred dollars of assessed value (\$50 on a house assessed at \$1 million). For FY2021, Village property tax rates will remain unchanged.

Expenditures: Several items in the FY 2021 budget will be substantially below FY 2020 levels. For example, we are currently undertaking several one-time projects to solidify our operations. The information system comprising computers, software, and online accounts has been cleaned up and updated. We are currently conducting reviews of our financial procedures. A project to review the Village's cyber security is about to get under way. Just because we are small does not mean that we are immune to cyber attack. Several municipalities in Maryland and around the country have been corrupted or held up by ransom-ware attacks; we want to make sure that our procedures minimize those risks. These one-time projects should be completed in the current fiscal year.

Expected income exceeds planned spending by \$64,600 for FY 2021.

Reserves: As noted above, our auditors recommended that we formally set aside reserves to cover ordinary expenses in case of an unplanned loss of revenues such as we experienced during the last recession. Consequently, we have introduced a "rainy day" fund of \$1,000,000, equal to approximately 120% of planned annual spending (not including capital expenditures). In addition, we have set aside reserves amounting to \$1,500,000 to cover the potential capital costs of future street paving, improvements to enhance residents' pedestrian experience, and other future capital needs.

	FY2020 (amended)	FY2021 (proposed)	Change
Revenues			
4010 · Permit Fees	15,000	12,000	-3,000
4020 · Cable TV Franchise Fees	8,000	12,500	4,500
4040 · County Revenue Sharing	26,800	26,800	0
4050 · Highway Users Fees	30,000	30,000	0
4060 · Income Tax	650,000	650,000	0
4080 · Personal Property Tax	4,500	4,500	0
4090 · Real Property Tax	15,000	15,000	0
4095 · Utility Property Tax	15,000	15,000	0
4100 · Holiday Fund	8,000	9,000	1,000
4110 · Interest	50,000	40,000	-10,000
4136 · WSSC - Street Work	79,014	0	-79,014
Total Revenue	901,314	814,800	-86,514
Expenditures			
5010 · Office Expenses	17,500	12,000	-5,500
50xx · Financial processes audit	6,000	0	-6,000
50yy · Cyber-security audit	8,000	0	-8,000
5025 · Office Furniture & Equipment	2,000	2,000	0
5030 · Insurance	8,000	8,000	0
5040 · Printing & Mailing	5,000	5,000	0
5050 · Dues & Subscriptions/Conference	10,000	10,000	0
5055 · Storage Rental	4,000	4,500	500
5060 · Office Lease	32,000	32,000	0
5065 · Telephone	4,000	3,000	-1,000
5070 · IT	20,000	7,500	-12,500
5080 · Holiday Fund	8,000	9,000	1,000
5110 · Managerial & Office Salaries	135,000	111,200	-23,800
5120 · Payroll Taxes & Benefits	25,000	16,000	-9,000
5210 · Accounting & Auditing	39,000	44,000	5,000
5222 · Building Review & Permits	50,000	45,000	-5,000
5224 · Enforcement & Oversight	18,000	18,000	0
5226 · Municipal Operations	18,000	18,000	0
5230 · Legal	65,000	40,000	-25,000
5240 · Police	40,000	45,000	5,000
5244 · Traffic Engineering	7,000	7,000	0
5246 · Records Retention & Disposal	1,500	1,500	0
5247 · GIS Update	13,000	10,000	-3,000
5310 · Street Lighting - PEPCO	3,000	3,000	0
5322 · Street Cleaning - Fall/Spring	15,000	35,000	20,000
5324 · Street Maintenance - Other	7,500	7,500	0
5326 · Leaf Vacuuming	20,000	0	-20,000
5349 · Snow Removal Services	20,000	30,000	10,000
5410 · Waste Collection & Recycling	130,000	130,000	0
5420 · Leaf Bags	15,000	16,000	1,000
5425 · Recycling Bins	1,000	1,000	0
5510 · Tree Maintenance & Replacement	32,000	32,000	0
5630 · Tree Planting Initiatives	2,000	2,000	0
5518 · Right-of-Way Landscaping	23,000	10,000	-13,000
5520 · Community Events	35,000	35,000	0
5530 · Website	4,250	0	-4,250
Total current expenses	843,750	750,200	-93,550
Net (revenues – current expenses)	57,564	64,600	7,036
Designated Reserves			
5805 · Walkability	500,000	500,000	0
5810 · Streets	500,000	500,000	0
5814 · Other Capital Projects	500,000	500,000	0
5820 · Auditor Recommended Reserve	1,000,000	1,000,000	0
Total Reserves	2,500,000	2,500,000	0

Resolution No.: 2020-3-1
Introduced: March 19, 2020
Adopted:
Effective Date: July 1, 2020

THE VILLAGE OF MARTIN'S ADDITIONS

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

WHEREAS, Section 6-203 of the Tax-Property Article, of the Annotated Code of Maryland (as amended), grants authority to municipal corporations to levy a tax on personal property, land, and improvements thereon, within the municipal corporation; and

WHEREAS, the Village of Martin's Additions is a municipal corporation within the meaning of Section 6-203 of the Tax-Property Article; and

WHEREAS, pursuant to Section 703 of the Village Charter, the Village Council has the authority to levy a tax on all real property in the Village at the rate determined in accordance with Section 703 of the Village Charter; and

WHEREAS, pursuant to Section 601 of the Village Charter, the Annual Meeting of the residents of Martin's Additions was held on the 7th day of May, 2020 after due notice and advertisement of the time and place of the meeting and said notice included the proposed budget for 2020-2021 and the proposed tax rates to be levied upon real and personal property; and

WHEREAS, after due deliberation and consideration of all information and testimony presented to the Village Council, the Village Council finds that the proposed tax rates on real and personal property will serve the best interests of the Village.

NOW, THEREFORE, be it:

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 five thousandths of a cent (\$.005) per One Hundred Dollars of assessable value (fair market value) on real property subject to taxation by the Village; fifty cents (\$.50) per One Hundred Dollars of assessed value of assessable personal property subject to taxation by the Village; and one dollar and forty-five cents (\$1.45) per One Hundred Dollars of assessed value of assessable utility property subject to taxation by the Village; and be it further

RESOLVED: That the tax levied hereby be certified to the County Council for Montgomery County, Maryland, and that Montgomery County, Maryland be, and hereby is, authorized and directed to collect and pay over said tax to the Village of Martin's Additions; and be it further

RESOLVED: That the Director of Finance for Montgomery County, Maryland be advised of this resolution.

I, Katya Hill, Secretary of the Village Council of the Village of Martin's Additions, hereby certify that the foregoing resolution was adopted by the Village Council at its meeting on 7th day of May, 2020.

Katya Hill, Secretary