

**Village of Martin's Additions  
7013 Brookville Road, Suite B  
Chevy Chase, MD 20815**

**Council Meeting Minutes**

**May 12, 2022**

VIA ZOOM CONFERENCE CALL AND IN-PERSON

**Council Members Present:** Andrew Kauders; Susan Fattig; Arthur Alexander; Katie Filipczyk Howard; Jeff Blander; Village Manager: Niles Anderegg; Manager Assistant: Martha Fessenden; Building Administrator: Doug Lohmeyer; Village Attorney: Ron Bolt

**Residents and other Attendees:** Keith Allen (Turner Ln.); Marty Langelan (Chestnut St.); George McAleese (Melville Pl.); Lynn Welle (Oxford St.); Steve Howard (Taylor St.); John Sharrow (Chestnut St.); Suzanne Wright (Bradley Ln.); Marge Wasson (Delfield St.); Monty Boland (Turner Ln.); Lorie Mitchell (Cummings Ln.); Tiffany Cissna (Bradley Ln.); Eric Shaw (Bradley Ln.)

**7:31 PM Call to Order: Kauders**

Keith Allen gave the weather report: rain overnight and then springtime will be at its very best.

**7:33 PM Building Administrator's Report: Lohmeyer**

The Village Council received Building Administrator Lohmeyer's report on ongoing building projects in the Village (see attached).

**7:36 PM Opportunity for Council to Hear Residents' Comments: Kauders**

Andrew Kauders thanked the Election Committee for their hard work in response to the lack of pre-paid postage on the mail-in ballot envelopes.

John Sharrow (Chestnut St.) asked about the personal property tax line in the Village budget. Arthur Alexander explained that the tax is levied on business-related personal property such as inventory and collected by the county and state. Ron Bolt clarified that under State law, personal property means property owned by a business, not an individual. The State requires that businesses file an annual return providing the valuation of the tangible property owned by the business and based on that valuation, businesses must pay taxes on that property. The Village can impose that tax or not impose that tax. Arthur indicated that the Council will consider this in the future.

Marty Langelan (Chestnut St.) thanked the Election Committee and Niles Anderegg for their careful work to figure out how to handle the lack of paid postage on the ballot envelopes. She also expressed appreciation for the open and productive May 9<sup>th</sup> meeting that was held to address this issue. She noted that the post office is delivering the envelopes even without postage, that Electec has provided a QR code to track ballots, and that at the meeting Andrew indicated a willingness to consider postponing the vote

count should there be missing or in transit ballots on May 23. Susan Fattig commented that that would depend on whether ballots had been mailed within the time frame indicated in the election plan. Jeff Blander asked if residents could get a receipt when their ballot was received by the vendor. Niles noted that some residents had asked if their ballots had been received and, in checking with the vendor, he determined that each one had been. Andrew reported that several ballots without postage had been delivered and thanked Niles for his hard work on the election.

## **7:45 PM Committee Updates: Kauders**

### **Community Engagement Committee**

Chair Keith Allen reported that the Committee has been working with the street captains on defining their role: the street captains identify new residents and distribute welcome bags and event flyers, but they are not involved in public safety. He also reported that the 2022 resident directory will be available in August and invited new residents to attend the Committee and the Council meetings. Niles read the list of street captains, which is also available on the Village website.

### **Ethics Committee**

Chair Lorie Mitchell updated the Council about the Ethics Committee's work on developing SOPs and on reviewing forms. The Committee revised the conflict-of-interest form to make the questions clearer. Lorie also reported on the recently conducted ethics training which went well and thanked Niles for his critical support. Revised forms are available on the Village's website. Ron Bolt noted that, according to the Village code, the revised forms must be formally approved by the Council. Jeff Blander suggested that the Council postpone a vote until the next Council meeting so that Council members have more time to review the modified form.

### **Election Committee**

Chair George McAleese reported on the ballot drop-off event at which 65 ballots were cast. So far, 230 votes have been received by Electec, and all are conforming. The rate of ballots returned to Electec is similar to last year. He apologized for the mishaps with postage paid envelopes and QR codes replacing ballot numbers on envelopes last year. He also encouraged everyone to be sure their ballots have postage on them, even though envelopes without postage have been received by Electec and added that ballots must be received by 5 pm on May 23. At a public Zoom session on May 25, ballots will be counted, and each candidate can have a designated observer who will be allowed to raise objections. In addition, a session will be held on May 23 if any ballot curing is needed, as laid out in the election plan. Arthur Alexander asked if a ballot envelope would be cured if a false name were signed on the envelope. George responded that the Committee would consult with Ron in that eventuality. Ballots might be cured if the envelope was ripped or in some other way damaged so that the voter might need to verify that the contents had not been tampered with. Jeff Blander thanked the Election Committee for

their work and asked how the Committee would know if ballots were still in transit on May 23 and how the Committee would respond if those ballots might affect the outcome of the election. Niles confirmed that the Village can track ballots that are in transit. George pointed out that residents who might have sent in a ballot without postage can ask if that ballot has been received and if not, request a replacement ballot. Marty Langelan noted that the deadline for requesting a replacement ballot in the election plan is May 10.

**Motion: Susan Fattig moved to extend the date from May 10 to May 18 for requesting a replacement ballot; seconded by Arthur Alexander. Motion passed unanimously.**

Marty also expressed support for giving the Election Committee the authority to extend the deadline for receipt of ballots should they verify that ballots are still in transit on May 23. Andrew spoke against the idea of extending the date. Ron Bolt suggested that a sentence be added to the vote-counting procedures clarifying that any resident can attend the open session. Jeff asked how write-in votes will be handled. Niles clarified that the Committee would verify that the name referred to a Village resident.

**Motion: Arthur Alexander moved that the Council approve the Election Committee's vote-counting procedures as amended by Ron Bolt; seconded by Katie Filipczyk Howard. Motion passed unanimously.**

### **8:45 PM Financial Matters, including Public Hearing and Action on FY 2023 Budget Ordinance (No. 2022-3-1) and Tax Rate Resolution (No. 2020-3-2): Alexander**

Arthur Alexander noted that residents have had two months to review the budget. Susan Fattig asked for clarification on expenditures for two new items, snow shoveling and Chevy Chase at Home memberships, which have been proposed but not specifically approved by the Council as new programs. Andrew Kauders raised a similar concern about inserting these items in the budget without conclusive support from the Council. Jeff Blander described the programs as pilot projects and asked if the funds must be expended if they are appropriated in the budget. Ron Bolt noted that the budget could be amended to include an asterisk next to those items with a footnote to the effect that the money is being appropriated but is subject to Council approval of the programs and procedures.

Tiffany Cissna (Bradley Ln.) described the budget as authorizing new programs and noted that there is no cover note characterizing them as pilot programs. She added that in the past when new programs were under consideration, the Council used resident feedback from surveys to inform their votes. She called for a white paper that gave residents specifics on the programs being funded and for the next Council to put questions into the next survey to get resident feedback. Jeff Blander reminded everyone that the Public Safety Task Force survey revealed that residents want services for certain residents. Susan Fattig noted that the Public Safety Task Force asked only if there was support for services, not if the Village should pay for those services. Suzanne Wright

(Bradley Ln.) commented that she is confused about the programs being suggested and does not understand what the Village has to do in terms of appropriating the money versus approving a specific program. Andrew called for additional review of the proposals and Arthur agreed that further surveys and public input was needed. Arthur also clarified that the Chevy Chase At Home proposal was not a donation but funding for individuals to purchase memberships. Andrew asked if a future survey indicated support for snow shoveling, that funding could be inserted into the budget for FY 2023 and Arthur confirmed that this could be done. Jeff commented that many communities have a stand-alone budget forum to solicit resident feedback. Andrew called for a stronger correlation of survey results with the budget. Katie Filipczyk Howard expressed support for the proposals but agreed that more feedback would be useful. She also suggested that the Council discuss the personal property tax as suggested earlier in the meeting. Marty Langelan expressed support for both proposals as pilot projects but asked if the snow shoveling funds would be used for clearing public sidewalks or private driveways and steps. Arthur clarified that the funds would be used for the public rights-of-way.

**Motion: Susan Fattig moved that the FY 2023 budget be approved with line item 5349 and non-line-item Aging in Place removed for later consideration; seconded by Arthur Alexander. Motion passed unanimously but with a caveat from Jeff Blander that he would have preferred the removed items to remain in the budget, a position shared by Arthur and Katie.**

**Motion: Susan Fattig moved to approve the FY 2023 tax resolution; seconded by Arthur Alexander. Motion passed unanimously.**

### **9:22 PM Manager's Report: Anderegg**

The Village Council received the Manager's report (see attached). Niles provided updates on Village operations, including traffic improvements and utility work taking place in the Village. The Village is reviewing the Brookville Road sidewalk in preparation for presenting a concept to the state to improve it while WSSC (Washington Suburban Sanitary Commission) is doing their water main replacement project.

### **9:30 PM Opportunity for Council to Hear Residents' Comments: Kauders**

Andrew Kauders noted that the potholes next to Brookville Market were not adequately repaired.

Jeff Blander asked if there would be a celebration for volunteers in June. Andrew will work with Keith Allen to coordinate an event.

Niles reported that Chevy Chase Arts Academy would like to add a buzzer with a video camera downstairs in the building they share with the Office, primarily for use after

hours. Ron Bolt stated that he did not think that would create any legal issues for the Village.

Marty Langelan also commented on the poor patching of potholes next to Brookville Market. Niles will contact the property owner of the building. She asked about the line item in the budget for Pepco, which Niles explained was the cost of electricity for streetlights.

**9:31 PM Adjournment: Kauders**

**Motion: Susan Fattig moved to adjourn the meeting; Arthur Alexander seconded. Motion passed unanimously.**