

Village of Martin's Additions
7013 Brookville Road (Suite B, 2nd floor)
Chevy Chase, MD 20815-3263

**Agenda for
Council Meeting
January 17, 2019**

The Village Council may entertain a motion during the open meeting to close a portion of the meeting, in accordance with Section 3-305(b) of the Open Meetings Act (Maryland Code, General Provisions Article)

- 7:30 PM Call to Order: Krajeck
- 7:31 PM Safety Update: Officers Picerno and Pratt
- 7:45 PM Opportunity for Council to Hear Resident Comments: Krajeck
- 7:55 PM Committee Updates
- 8:00 PM Action on Meeting Minutes of December 6, 2018: Krajeck
- 8:05 PM Building Administrator's Report: Lohmeyer
- 8:15 PM Financial Matters: Alexander
- 8:20 PM Small Cell Tower Legislation & Background: Bolt
- 8:30 PM Discussion and possible introduction of Small Cell Legislation: Krajeck
- 8:45 PM Manager's Report: Trollinger
- 8:55 PM Opportunity for Council to hear residents' comments: Krajeck
- 9:05 PM Adjournment: Krajeck*

* After the adjournment of the open meeting, the Council will enter into a closed executive session, in accordance with Section 3-305(b) of the Open Meetings Act (Maryland Code, General Provisions Article), to discuss personnel matters.

Village of Martin's Additions
7013 Brookville Road, Suite B, Chevy Chase, MD 20815
Minutes for Council Meeting on
December 6, 2018

Council Members Present: Richard Krajeck; Arthur Alexander; Susan Fattig; Katya Hill; Tiffany Cissna (arrived at 8:25pm); **Village Manager:** Matthew Trollinger; **Assistant Village Manager:** Tina Lurie; **Attorney:** Ron Bolt; Doug Lohmeyer, Building Administrator; **Residents and other attendees:** Keith Allen (Turner Ln.); David Bjorklund (Turner Ln.); Elissa Bean (Turner Ln); Lynn Welle (Oxford St.); Marty Langelan (Chestnut St.); Eva Webb (LSWG Certified Public Accountants)

7:30PM Call to Order: Krajeck

Council member Krajeck called on Keith Allen (Turner Ln.) to give the weather. Mr. Allen predicted that we will have a mild winter and that it could get up to 60 degrees on Christmas day.

7:32PM Presentation of FY2017 Audit: Eva Webb, LSWG Certified Public Accountants.

Ms. Webb reviewed the audit report, a copy of which is included below. She reported the Village had a clean audit without any irregularities.

VILLAGE OF MARTIN'S ADDITIONS
Presentation of Audit Report
Fiscal Year Ended June 30, 2018

C. Eva Webb, CPA
Linton Shafer Warfield & Garrett, P.A.

I. INDEPENDENT AUDITORS' REPORT:

The report indicates that we have conducted our audit in accordance with auditing standards generally accepted in the United States of America, and we found that the financial statements present fairly, in all material respects, the financial position and the results of operations for the years ended June 30, 2018 and 2017 in conformity with U.S. generally accepted accounting principles.

Basic Financial Statements - Include:

Management Discussion and Analysis - Prepared by the Village to summarize the year's results. Exhibit A-1, A-2 & A-3 presented under full accrual, to include fixed assets and depreciation.

(Presentation similar to business reporting.)

Exhibit A-4 & A-5 - Modified accrual basis. Fixed assets and depreciation not included.

(Presentation using budget basis)

See reconciliations between the two methods on Exhibit A-4 and A-6.
 Notes to financial statements - Provide additional explanatory information.
 Exhibit B-1 - Detail of budgetary comparisons.

II. SEPARATE LETTER - Dated October 23, 2018

Our responsibility under U.S. Generally Accepted Auditing Standards

Significant Accounting Policies are included in Note 1 to financial statements
 Significant Estimate includes the Wynne liability to the State. The amount owed at June 30, 2018 is \$196,571. (Note 5)

Audit adjustments - No significant impact on revenue or expenditures.

Disagreements with management - none

Consultation with other independent accountants - none known

Difficulties encountered in performing the audit - none

III. COMPARISON OF BUDGET TO ACTUAL:

GENERAL FUND - Exhibit B-1

	Final Budget	2018 Actual	Over (Under)
	\$	\$	\$
Revenues (15% over budget)	959,100	1,106,278	147,178
Expenditures (71% under budget)	<u>2,241,500</u>	<u>654,199</u>	<u>(1,587,301)</u>
	\$	\$	\$
Revenues Over (Under) Expenditures	<u>(1,282,400)</u>	<u>452,079</u>	<u>1,734,479</u>

Expenditures under budget primarily attributable to street, sidewalk and street light repairs budgeted for \$1,500,000 with none expended in 2018.

IV. SIGNIFICANT BUDGET VARIANCES:

GENERAL FUND - Exhibit B-1

Revenues:

	Budget	Actual	Over (Under) Budget
	\$	\$	\$
Income taxes	700,000	811,748	111,748

Interest income	5,000	33,158	28,158
Local real and property tax	168,300	181,582	13,282
Permit fees	20,000	9,716	(10,284)
All other accounts	65,800	70,074	4,274
	\$	\$	\$
Total Revenues	959,100	1,106,278	147,178
Expenditures:			
General Government:			
	\$		\$
Financial administration	346,100	315,166	(30,934)
Other general government	80,359	74,058	(6,301)
Public Works			
Designated - streets, sidewalks & lighting	1,500,000	-	(1,500,000)
Highway and streets	148,041	111,992	(36,049)
Sanitation and waste removal	102,000	100,498	(1,502)
Public Safety	40,000	37,247	(2,753)
Recreation	25,000	15,238	(9,762)
	\$	\$	\$
Total Expenditures	2,241,500	654,199	(1,587,301)

V. COMPARISON TO PRIOR YEAR:

Revenues (Budget Basis) - Exhibit A-5

	Year 2017	Year 2018	Increase (Decrease)
	\$		
Property taxes	175,398	181,582	6,184
Income taxes	717,755	811,748	93,993
Interest	15,666	33,158	17,492
Reimbursement from WSSC	72,898	-	(72,898)
All other accounts	81,668	79,790	(1,878)
	\$	\$	
Total Revenues	1,063,385	1,106,278	42,893

General Government	\$ 352,598	\$ 389,224	\$ 36,626
Public Works	1,022,878	212,490	(810,388)
Public Safety	40,276	37,247	(3,029)
Parks and Recreation	20,447	15,238	(5,209)
	\$	\$	\$
Total Expenditures	1,436,199	654,199	(782,000)
	\$	\$	\$
Revenue Over (Under) Expenditures	(372,814)	452,079	824,893

Income tax revenues as percent of total revenue is 67% in 2017 and 73% in 2018.

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Significant Changes in Expenses:	Fiscal Year 2017	Fiscal Year 2018	Change
	\$	\$	\$
General government - managerial & office salaries	103,585	119,878	16,293
General government - office furniture & equipment	11,177	27,665	16,488
Public works - Street maintenance - other	804	14,299	13,495
Public works - designated	865,205	-	(865,205)
Public works - snow removal	10,801	26,940	16,139
Public works - tree maintenance	5,693	24,082	18,389
All other expenditures	438,934	441,335	2,401
	\$	\$	\$
Total Expenditures	1,436,199	654,199	(782,000)

V. BALANCE SHEET (Exhibit A-4)

Fiscal Year 2017	Fiscal Year 2018	Change
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Cash and cash equivalents	\$ 317,220	\$ 302,641	\$ (14,579)
Investments	2,154,564	2,655,688	501,124
Other assets	20,241	20,870	629
Total Assets	<u>2,492,025</u>	<u>2,979,199</u>	<u>487,174</u>
Liabilities	27,154	62,249	35,095
Fund balances			
Nonspendable	5,213	7,595	2,382
Assigned	584,795	1,696,571	1,111,776
Unassigned	1,874,863	1,212,784	(662,079)
Total Fund balances	<u>\$ 2,464,871</u>	<u>\$ 2,916,950</u>	<u>\$ 452,079</u>

Cash, cash equivalents and investments represent 99% of total assets in FY17 and FY18.

7:46PM Opportunity for Council to hear resident comments:

Marty Langelan (Chestnut St.) congratulated the Village on the clean audit. She mentioned the streetlight at 7215 Chestnut is dark, and suggested that area needs additional street light.

7:47PM Committee Updates:

Marty Langelan (Chestnut St.) reported that the Election Committee meeting on November 27th was productive – Committee members introduced themselves and went over procedures. She asked if there was a typo on the Rules and Regulations of the election materials relating to whether candidate nominations be submitted 30 or 45 days prior to the

election. The Council had discussed changing notice to 45 days, and updated the Charter to reflect the change, but the election policy was never changed, and continues to say 30 days. Ms. Langelan encouraged residents to run for the Council. She asks the Council to consider moving the January Council meeting to a Sunday in order to get better attendance and to get more residents to run for a seat Council. She said some residents want to come to meetings, but can't attend on Thursday nights because they want to be with their family. Council member Krajeck stated that he spoke to a number of residents, and none of them had issues with attending meetings on Thursday nights. Council member Hill noted that if someone can't attend a meeting on a Thursday, it would be difficult to run for and serve on the Council, since meetings are typically held on Thursday evenings.

Elissa Bean (Turner Ln) spoke on behalf of the Community Engagement Committee. She said Lynn Welle (Oxford St.) had some suggestions for the Welcome Bags, and she asked Lynn to describe them.

Mr. Welle suggested we include additional items in the welcome bags, including a map of VMA, with boundaries, trash and recycling schedule, listing agent information on the website for properties on sale in the Village, and election districts.

8:01PM Action on Meeting Minutes of October 18, 2018

Council member Hill moved to approve, Council member Fattig seconded, all in favor.

8:03PM Building Administrator's Report: Lohmeyer

TO: The Council at the Village of Martin's Additions
FROM: Doug Lohmeyer
DATE OF MEMO: December 6, 2018
SUBJECT: Building Administrator's Report

3520 Bradley La.

The applicant has submitted a building permit to the County and the Village. The neighborhood information meeting has been held and the County and Village building permits have been issued. The handicapped ramp on the west side of the house was not included in the Village permit. A variance for the ramp may be applied for later.

7204 Chestnut St.

The applicant has submitted a building permit package to the County and the Village. The application is undergoing the initial Village review. The Village is waiting for more information from the applicant's engineer. The applicant has applied for a variance, which is scheduled for Thursday, Dec. 20th.

7210 Chestnut St.

The Village has received an application for a new house to be built on the vacant lot. The information meeting with the residents was held on Monday Sept. 17th.

The County issued their building permit on Oct. 1, 2018 and the Village issued their building permit on Oct. 11, 2018. Work begun at the site on Oct. 11th.

3421 Cummings La.

The applicant has submitted a building permit to the County and the Village. The staff has completed the initial review. The applicant may apply for a variance for the EBL setback along Cummings La. for the house addition and the detached garage. They may also apply for a variance of the 30% non-vegetative surface, so they can install a circular driveway.

7208 Delfield St.

A dumpster permit has been issued for interior kitchen improvements in the ex. house. A performance bond has been posted to cover any damage to the Village right of way. The applicant recently amended the MCDPS permit for additional interior improvements. A Village building permit is pending for enclosing the existing screened porch.

7213 Delfield St.

The property owners have submitted a permit to replace with ex. driveway. The existing concrete driveway apron will remain. The Village permit is being processed.

3404 Shepherd St.

The proposed improvements were not completed prior to the original building permit expiration date. The Village has extended the applicant's building permit until May 16, 2019.

3501 Shepherd St.

The applicant has submitted a building permit application to make several improvements to the existing house. The County and Village has issued building permits and the work is proceeding.

3508 Shepherd St.

The applicants have submitted at building permit package to the County and the Village. The neighborhood information meeting was held on Nov. 7th and the Village permit has been issued. The applicant is preparing the documents abandoning the existing shared driveway and creating an easement for the neighbor.

3412 Taylor St.

An application for a County and Village building permit has been submitted. A resident's information meeting was held on Tuesday, June 19th. A Village right of way permit will required for this connect, since the proposed 6" pipe will pass through the Village right of way. The Village building permit has been issued. The contractor stated work will begin soon.

3512 Taylor Street

The staff noticed that when the retaining wall was re-built, the contractor left a 2-inch-wide depressed area between the existing Village sidewalk and the base of the new wall, which may cause a pedestrian to trip and fall. The staff is attempting to contact the homeowner to correct the situation.

3405 Thornapple St.

The house construction is completed. However, several sections of ex. curb in front of the house have chips and cracks and I recommend they be replaced. MCDPS has release their building permit and the staff recommends releasing the Village’s building permit.

MCDPS will not release the sediment control permit until the applicant removes the excess dirt that was placed on the lot at 3407. The additional grading was not approved by MCDPS. The owner has removed the stockpiled material at the rear of the lot but has not re-graded to the lot to comply with the County approved sediment control plans. I recommend the Village retain the performance bond until the grading has been completed, the MCDPS has released their sediment control permit, the old driveway apron has been removed, and the damaged section of curb are replaced.

3407 Thornapple St.

The applicant has submitted a building permit application to the County and the Village. The plans have received the initial Village review and a neighborhood information meeting will be scheduled.

Miscellaneous Items

The staff is presently working with the following properties:
6701 Brookville Rd.- concept plan for improvements to house and lot
7209 Delfield St. - concept plan for improvements to house and lot
MSHA Brookville Rd. and Quincy intersection ponding rainwater

8:05PM Public Hearing & Action on Code Amendments introduced on 9/2/18: Bolt

Mr. Bolt noted that the Code Amendments are primarily technical corrections. Council member Fattig moved to adopt Ordinance 9-18-1, an Ordinance to amend the Code of Ordinances to correct typographical errors in diagrams relating to building height; amend the definition of wall plane height; clarify the required additional side setback; define “maintain” and “repair” with respect to developmental nonconformities; and otherwise clarify the Code. Council member Alexander seconded, all in favor.

8:08PM Financial Matters, including possible introduction of Budget Amendments:
Alexander

**Village of Martin’s Additions
Financial Report for Nov. 2018
Arthur Alexander, Treasurer
Dec. 6, 2018**

July 2018 through November 2018

	<u>Actual</u>	<u>Budgeted</u>
Revenues	\$ 364,393	389,715

Expenses (excluding capital projects)	303,034	303,575
Net Income (revenues minus expenses)	61,359	86,140

Capital expenditures	\$0
Allocated capital improvements funds	\$ 1,000,000

Reserve account (current assets less designated allocations): \$ 1,996,698

The first large income tax distribution arrived at the end of November, \$282,000, 10% below the average of the last five years, suggesting that the full year amount will also be smaller. Our conservative budgeting is based on a estimate income, so the actual payment is not a concern, yet.

Although total expenses are running just about as budgeted, specific accounts have jumped above budget because of unanticipated price increases, timing issues, and more work than originally anticipated. Some of the items that will require budget amendments are noted below:

- Waste Management, our contractor for trash pickup and recycling service, had been miscalculating the price for some years and just recently discovered its internal error.
- We added police patrols to monitor vehicular safety beyond regular policing activity.
- The geographic information system (GIS) had been scheduled for last year, but slipped into the current fiscal calendar.
- Building reviews and enforcement is more intense because of several larger construction projects and pre-construction reviews.

Proposed budget amendments

<u>Budget item</u>	<u>Account</u>	<u>Current</u>	<u>Proposed</u>	<u>Increase</u>
5030	Insurance	6,000	6,500	500
5222	Building review & permits	30,000	40,000	10,000
5224	Enforcement & oversight	12,000	18,000	6,000
5226	Municipal operations	12,000	18,000	6,000
5240	Police	31,000	37,000	6,000
5247	GIS update	5,000	30,000	25,000
5410	Waste collection & recycling	85,000	153,600	68,600
	Total			122,100

Council member Fattig moved to approve the budget report and the proposed budget amendments, Council member Hill seconded, all in favor.

8:11PM Discussion of Small Cell Towers: Bolt

Mr. Bolt discussed small cell towers, which involves equipment for 5G (5th generation) wireless service. He recommended that the Village legislation with the other nearby municipalities to set uniform standards for telecom companies to place small cell towers in the right-of-way.

8:25PM Council member Cissna arrives.

8:28PM Manager's Report: Trollinger

Manager Trollinger went over his report (below). He stated that there is an opportunity for municipalities to opt in to a dockless bicycle program. However, given that it is still in an early phase, the Village may opt to let others municipalities try it out first to see how it works. The main concern is that bikes will be left anywhere, including on people's property, and we don't know when they will get picked up.

Mr. Trollinger met with the Dan Baden, the Village accountant, to discuss taking on accounting function in the office. He also notes that five residents are taking part in the tree subsidy program this season, and that the Village got approval from the State to remove five right of way trees. Mr. Trollinger also mentioned that the Village now has an ADA compatibility button on our website and is developing intranet capabilities for access to an online directory for Village residents.

WSSC work should finish in March, at which point the Village will begin repaving the streets. The handicapped sign has been re-installed at the Brookville Market, but it may need moving or we may do some marking on the street to make it more visible. Since we are not able to move forward with street repaving due to the weather and cold temperatures, AB Viers will patch pot holes. Mr. Trollinger talked about the possibility of installing sidewalks in areas of the Village that currently do not have any. Council member Krajeck suggested reaching out to Chris Jakubiak.

Manager's Report December 5, 2018

Administrative Matters:

- ***Holiday Fund:*** The Village has begun its 2018 holiday fund. Residents are asked to donate by Thursday December 13 so that the Village will be able to present checks and cards to the Waste Management workers before the holidays.
- ***Small Cell Towers:*** A meeting was held on November 29 to discuss uniform legislation with the other “down-County” municipalities. The Village was represented by attorney Ron Bolt, Council member Arthur Alexander, and Assistant Village Manager Tina Lurie.
- ***Dockless and e-Bicycles and Scooters:*** Montgomery County is looking to extend its current pilot program for dockless bikes into other parts of the County, including Martin's Additions and nearby municipalities. Municipalities can either opt in or out.
- ***Audit:*** The Village has retained LSWG for its annual audit. The audit has been completed.
- ***Accounting:*** The Village is currently in discussions with its accountant to set up a new access to Quickbooks software so Village staff will be able to create reports and more closely handle day-to-day bookkeeping records.
- ***Online Payments:*** Village staff is looking into options that would allow residents to make online payments for permits.
- ***Leaf Bags:*** Leaf bags were delivered throughout the Village on November 8.

- **Leaf Vacuuming:** Leaf Vacuuming has begun in Martin’s Additions – the first two pickups were on the weeks on November 5 and November 12 by Lee’s Tree Service. The Village has switched to Rolling Acres for the rest of the season. One pickup was completed in November, and another the week of December 3. A final leaf vacuuming pickup is scheduled for the week of December 17.
- **Tree City USA:** Village staff is finalizing the Village’s Tree City application so the Village is re-certified for 2019.
- **Tree Planting:** The Village is waiting for confirmation from the State on tree removal. Tree plantings will begin at the same time as removals.
- **Tree Maintenance:** Pepco will be doing regular tree maintenance in the Village within the next couple of weeks. Village staff is working to get a list of addresses where Pepco will do pruning.
- **Village Website:** The Village has added a new ADA compatibility button to the website.
- **Community Events:**
 - **Halloween:** The Village held its annual Halloween party on Sunday, October 28 from 3:00 – 5:30 p.m. Pizza was provided by Ledo Pizza, magic from WonderBunny, pumpkin painting, and residents brought homemade cookies for a “cookie potluck.” There was also be a costume parade and music. Roughly 175 attended. Special thanks to Kristi Tampio and Lacie Holway-Wooten of the Community Engagement Committee for their hard work in planning and putting on the event; and to Keith Allen and Riley Markham for help setting up on the day of the event.
 - **Playground Equipment:** Chevy Chase Village, Section 3, and Rollingwood all signed onto a letter asking for an upgrade to the Shepherd Park playground. We have not received any response yet. With a new Council, Executive, and delegates being just elected, it may have gotten lost in the transition. A follow up email was sent to the Parks and Planning Chair and the new Council on December 5, 2018 after their inauguration.
- **Contractors and Contracts:**
 - **GIS:** The Village has access to online software, and has been meeting with E.N.E. to tweak various aspects of the layout. E.N.E. will be able to input new data, including update tree sizes, locations, and type; new streetlights; speed bumps; changes to fronts of houses; utility pipes; and traffic data. E.N.E. will perform a survey to get some of the new information.
 - **Street Maintenance:** The Village may be interested in hiring a contractor for general street maintenance after all streets have been repaved to fill large potholes and make repairs as necessary between now and the next major repaving.
 - **Leaf Vacuuming:** We have had two pickups, one the week of 11/5 and 11/12. The Village terminated its contract with Lee’s Tree Service, and Rolling Acres is finishing out the season. Rolling Acres did one pickup in November, and a second pickup, combined with a curb-to-curb street cleaning, the week of December 3. The Village will have one final leaf vacuuming the week of December 17.
 - **Landscaping/Lawn Service (Abraham’s):** Village staff is putting together a new RFP for the contract, which runs out at the end of the calendar year.

- *Rolling Acres*: Contract runs out this year. They have recommended incorporating brine into snow removal strategy for this upcoming winter.
- *Arborist*: The Village arborist contract is up and the Village may want to add new provisions to the contract.
- *Office Utilities*: The Village is looking to renegotiate Ricoh and Verizon contracts in the office to save money on internet/phone and copying bills.

Utilities: WSSC

- WSSC has finished sewer repairs on Quincy and Raymond Streets, and are now underway on Thornapple.
- Additional streets that will need sewer work: Chestnut, Taylor, and Thornapple, along with a section of Brookville Road near Cummings Lane. All the streets should be completed by mid-May 2019, and we will finish with repaving at that point as well.
- The Village has put up a new parking sign reserved for persons with disabilities in front of the Brookville Market. The space was removed when State Highway re-did the intersection earlier this year.

Utilities: Road Repairs

- A.B. Veirs began concrete repairs on Raymond Street the week following Thanksgiving. Originally the Village had planned to finish Raymond Street and Quincy Street before the winter, but a wet fall and low temperatures in late November-early December have led the Village to make the difficult decision to postpone re-paving until the spring. This decision was made on the advice of AB Veirs, and the Village's two contracted engineers – Joe Cutro and Doug Lohmeyer – who have all cautioned that repaving and pouring concrete now runs a risk of a compromised final product. The concrete would be in danger of chipping, spalling, and cracking; and the streets would not compact right, causing cracking, chipping, and potholes. Asphalt plants close during the winter, so the Village will begin work once the plans re-open in the spring. By that time Chestnut Street and Thornapple Street are scheduled to have been finished by WSSC, and the entirety of Martin's Additions will (finally) be repaved.

Utilities: Sidewalks

- The Village has reached out to nearby municipalities to learn about their processes for deciding to install new sidewalks; and to get a list of contractors they have used for surveying for new sidewalks.

Sanitation:

- The last bulk pickup occurred on November 9. The next pickup will be on January 11, with a Wider Circle pickup on January 10. Martin's Additions has confirmed bulk pickup dates and Wider Circle pickups for 2019.

Building Administration:

- Please see report from Doug Lohmeyer, attached.

8:59PM Opportunity for Council to hear residents' comments: Krajeck
Lynn Welle (Oxford St) stated that he has further comments and wants to speak. He asks about the dockless bike program, and reiterated some of the Council's stated concerns.

9:08PM Adjournment: Krajeck

Council member Fattig makes a motion, Council member Hill seconds, all in favor.
The meeting is adjourned.

DRAFT

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

FROM: Doug Lohmeyer

DATE OF MEMO: January 15, 2019

SUBJECT: Building Administrator's Report

3520 Bradley La.

The applicant has submitted a building permit to the County and the Village. The neighborhood information meeting has been held and the County and Village building permits have been issued. The handicapped ramp on the west side of the house was not included in the Village permit. A variance for the ramp may be applied for later.

7204 Chestnut St.

The applicant has submitted a building permit package to the County and the Village. The application is undergoing the initial Village review. The Village is waiting for more information from the applicant's engineer. The applicant has applied for a variance, which was held on Thursday, Dec. 20, 2018. A second variance hearing is scheduled for Jan. 30, 2019.

7210 Chestnut St.

The Village has received an application for a new house to be built on the vacant lot. The information meeting with the residents was held on Monday Sept. 17th.

The County issued their building permit on Oct. 1, 2018 and the Village issued their building permit on Oct. 11, 2018. Work begun at the site on Oct. 11th.

7208 Delfield St.

A dumpster permit has been issued for interior kitchen improvements in the ex. house. A performance bond has been posted to cover any damage to the Village right of way. The applicant recently amended the MCDPS permit for additional interior improvements. A Village building permit has been issued for the enclosing of the existing screened porch.

7213 Delfield St.

The property owners have submitted a permit to replace with ex. driveway. The existing concrete driveway apron will remain. The Village permit is being processed.

3404 Shepherd St.

The proposed improvements were not completed prior to the original building permit expiration date. The Village has extended the applicant's building permit until May 16, 2019. According to the MCDPS web-site, the County closed their building permit on Nov. 30, 2018. The staff will make a final site visits, prior to the Village releasing the building permit and returning the performance bond.

3501 Shepherd St.

The applicant has submitted a building permit application to make several improvements to the existing house. The County and Village has issued building permits and the work is proceeding.

3508 Shepherd St.

The applicants have submitted at building permit package to the County and the Village. The neighborhood information meeting was held on Nov. 7th and the Village permit has been issued. The applicant is preparing the documents abandoning the existing shared driveway and creating an easement for the neighbor. The documents need to be reviewed by the Village attorney before they are recorded.

3521 Cummings La.

The applicant has submitted a building permit to the County and the Village. The staff has completed the initial review. The applicant has applied for a variance for the EBL setback along Cummings La. for the house addition and the detached garage. They also applied for a variance of the 30% non-vegetative surface, so they can install a circular driveway. A variance hearing will be scheduled.

3412 Taylor St.

An application for a County and Village building permit has been submitted. A resident's information meeting was held on Tuesday, June 19th. A Village right of way permit will required for this connect, since the proposed 6" pipe will pass through the Village right of way. The Village building permit has been issued. Work has not begun.

3512 Taylor Street

The staff noticed that when the retaining wall was re-built, the contractor left a 2-inch-wide depressed area between the existing Village sidewalk and the base of the new wall, which may cause a pedestrian to trip and fall. The staff is attempting to contact the homeowner to correct the situation.

3405 Thornapple St.

The house construction is completed. However, several sections of ex. curb in front of the house have chips and cracks and I recommend they be replaced. MCDPS has release their building permit and the staff recommends releasing the Village's building permit.

MCDPS will not release the sediment control permit until the applicant removes the excess dirt that was placed on the lot at 3407. The additional grading was not approved by MCDPS. The owner has removed the stockpiled material at the rear of the lot but has not re-graded to the lot to comply with the County approved sediment control plans. I recommend the Village retain the performance bond until the grading has been completed, the MCDPS has released their sediment control permit, the old driveway apron has been removed, and the damaged section of curb are replaced.

3407 Thornapple St.

The applicant has submitted a building permit application to the County and the Village. The plans need to be revised to comply with the Village's "secondary setback" requirement. The plans have received the initial Village review and a neighborhood information meeting was held on Monday, Jan.14, 2019. The County has not issued their building and sediment control permits.

Miscellaneous Items

The staff is presently working with the following properties:
MSHA Brookville Rd. and Quincy intersection ponding rainwater

**Village of Martin's Additions
Treasurer's Report
December 2018**

	<u>Dec 18</u>	<u>Budget</u>	<u>Jul - Dec 18</u>	<u>YTD Budget</u>	<u>Annual Budget</u>
Income					
4000 · Revenue					
4010 · Permit Fees	0.00	1,250.00	13,783.64	7,500.00	15,000.00
4020 · Cable TV Franchise Fees	0.00	0.00	3,129.56	2,000.00	8,000.00
4040 · County Revenue Sharing	0.00	0.00	26,832.00	26,800.00	26,800.00
4050 · Highway Users Fees	1,054.92	1,920.00	19,958.65	11,520.00	23,000.00
4060 · Income Tax	0.00	0.00	282,652.97	327,000.00	700,000.00
4080 · Personal Property Tax	94.30	3,900.00	275.85	5,620.00	6,000.00
4090 · Real Property Tax	224.58	600.00	10,687.89	8,500.00	15,000.00
4095 · Utility Property Tax	0.00	0.00	0.00	0.00	15,000.00
4100 · Holiday Fund	8,290.08	7,000.00	8,290.08	7,000.00	8,000.00
4110 · Interest	0.00	1,665.00	17,087.12	10,010.00	20,000.00
4136 · WSSC - Street Work	0.00	0.00	0.00	100.00	100.00
Total 4000 · Revenue	<u>9,663.88</u>	<u>16,335.00</u>	<u>382,697.76</u>	<u>406,050.00</u>	<u>836,900.00</u>
4200 · Prior Years Surplus	0.00	0.00	0.00	2,690,671.00	2,690,671.00
Total Income	<u>9,663.88</u>	<u>16,335.00</u>	<u>382,697.76</u>	<u>3,096,721.00</u>	<u>3,527,571.00</u>
Expense					
5000 · General Government					
5010 · Office Expenses	1,280.33	1,250.00	7,987.55	7,500.00	15,000.00
5025 · Office Furniture & Equipment	0.00	2,100.00	5,679.76	12,600.00	25,000.00
5030 · Insurance	0.00	0.00	6,527.00	6,500.00	6,500.00
5040 · Printing & Mailing	0.00	425.00	2,183.09	2,550.00	5,000.00
5050 · Dues & Subscriptions/Conference	0.00	500.00	5,077.95	2,500.00	10,000.00
5055 · Storage Rental	316.00	333.00	1,580.00	1,998.00	4,000.00
5060 · Office Lease	2,190.67	2,667.00	16,262.88	16,002.00	32,000.00
5065 · Telephone	310.10	333.00	1,858.22	1,998.00	4,000.00
5080 · Holiday Fund	8,290.08	7,000.00	8,290.08	7,000.00	8,000.00
Total 5000 · General Government	<u>12,387.18</u>	<u>14,608.00</u>	<u>55,446.53</u>	<u>58,648.00</u>	<u>109,500.00</u>

**Village of Martin's Additions
Treasurer's Report
December 2018**

	Dec 18	Budget	Jul - Dec 18	YTD Budget	Annual Budget
5100 - Salaries & Benefits					
5110 - Managerial & Office Salaries	10,660.96	11,000.00	59,889.39	66,000.00	132,000.00
5120 - Payroll Taxes & Benefits	987.70	1,916.00	8,599.30	11,496.00	23,000.00
Total 5100 - Salaries & Benefits	11,648.66	12,916.00	68,488.69	77,496.00	155,000.00
5200 - Professional Fees					
5210 - Accounting & Auditing	2,700.00	2,700.00	22,200.00	22,800.00	39,000.00
5220 - Building & Permitting					
5222 - Building Review & Permits	3,100.00	2,500.00	19,500.00	20,000.00	40,000.00
5224 - Enforcement & Oversight	1,190.00	1,000.00	6,300.00	9,000.00	18,000.00
5226 - Municipal Operations	595.00	1,000.00	4,760.00	9,000.00	18,000.00
Total 5220 - Building & Permitting	4,885.00	4,500.00	30,560.00	38,000.00	76,000.00
5230 - Legal	6,556.00	3,333.00	14,220.05	19,998.00	40,000.00
5240 - Police	2,583.60	2,583.00	20,472.71	18,500.00	37,000.00
5244 - Traffic Engineering	512.00	833.00	1,120.00	4,998.00	10,000.00
5246 - Records Retention & Disposal	0.00	0.00	0.00	600.00	1,500.00
5247 - GIS Update	2,335.75	416.00	14,872.75	15,000.00	30,000.00
Total 5200 - Professional Fees	19,572.35	14,365.00	103,445.51	119,896.00	233,500.00
5300 - Streets					
5305 - Streets - General					
5310 - Street Lighting - PEPCO	212.25	1,333.00	385.39	7,998.00	16,000.00
5322 - Street Cleaning - Fall/Spring	0.00	0.00	0.00	7,500.00	15,000.00
5324 - Street Maintenance - Other	316.95	1,250.00	438.19	7,500.00	15,000.00
5326 - Leaf Vacuuming	13,777.50	2,500.00	15,277.50	5,000.00	15,000.00
Total 5305 - Streets - General	14,306.70	5,083.00	16,101.08	27,998.00	61,000.00
5349 - Snow Removal Services					
5350 - Snow Removal - Shovel Bvl. Rd.	0.00	1,000.00	0.00	1,000.00	5,000.00
5351 - Snow Removal - Plowing	0.00	5,000.00	0.00	5,000.00	20,000.00
Total 5349 - Snow Removal Services	0.00	6,000.00	0.00	6,000.00	25,000.00
Total 5300 - Streets	14,306.70	11,083.00	16,101.08	33,998.00	86,000.00

**Village of Martin's Additions
Treasurer's Report
December 2018**

	<u>Dec 18</u>	<u>Budget</u>	<u>Jul - Dec 18</u>	<u>YTD Budget</u>	<u>Annual Budget</u>
5400 · Waste & Recycling					
5410 · Waste Collection & Recycling	12,563.43	7,083.00	88,434.82	76,800.00	153,600.00
5420 · Leaf Bags	0.00	0.00	9,990.00	15,000.00	15,000.00
5425 · Recycling Bins	0.00	100.00	560.77	600.00	1,000.00
Total 5400 · Waste & Recycling	<u>12,563.43</u>	<u>7,183.00</u>	<u>98,985.59</u>	<u>92,400.00</u>	<u>169,600.00</u>
5500 · Other					
5510 · Tree Maintenance	190.00	3,000.00	15,822.00	18,000.00	35,000.00
5515 · Tree Replacement	0.00	0.00	0.00	3,000.00	6,000.00
5518 · Right-of-Way Landscaping	640.00	2,000.00	2,065.00	4,000.00	8,000.00
5520 · Community Events	10.00	0.00	13,506.43	20,000.00	30,000.00
5530 · Website	0.00	420.00	900.00	2,520.00	5,000.00
Total 5500 · Other	<u>840.00</u>	<u>5,420.00</u>	<u>32,293.43</u>	<u>47,520.00</u>	<u>84,000.00</u>
5600 · Initiatives					
5630 · Tree Planting Initiatives Prog.	-400.00	500.00	-400.00	1,000.00	2,000.00
Total 5600 · Initiatives	<u>-400.00</u>	<u>500.00</u>	<u>-400.00</u>	<u>1,000.00</u>	<u>2,000.00</u>
5800 · Designated Funds					
5810 · Designated - Street	0.00	0.00	0.00	500,000.00	500,000.00
5814 · Designated - Capital Projects	0.00	0.00	0.00	500,000.00	500,000.00
Total 5800 · Designated Funds	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>1,000,000.00</u>	<u>1,000,000.00</u>
5900 · Undesignated Fund Balance	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>1,810,071.00</u>	<u>1,810,071.00</u>
Total Expense	<u>70,918.32</u>	<u>66,075.00</u>	<u>374,360.83</u>	<u>3,241,029.00</u>	<u>3,649,671.00</u>
Net Income	<u>-61,254.44</u>	<u>-49,740.00</u>	<u>8,336.93</u>	<u>-144,308.00</u>	<u>-122,100.00</u>

**Village of Martin's Additions
Financial Report for December 2018
Arthur Alexander, Treasurer
January 18, 2019**

July 2018 through December 2018

	<u>Actual</u>	<u>Budgeted</u>
Revenues	\$ 382,698	418,450
Expenses (excluding capital projects)	374,361	419,800
Net Income (revenues minus expenses)	8,337	-1,350
Capital expenditures	\$0	
Allocated capital improvements funds	\$ 1,000,000	

Reserve account (current assets less designated allocations): \$ 1,949,191

For the first half of the fiscal year, both revenues and expenditures are running about as budgeted almost nine months ago. Of course, we did not have perfect foresight last May, but had to revise the budget last month to reflect unforeseen changes in operations. Nevertheless, we did not change the bottom line, but updated a few of the 35 individual budget lines.

One area that we will have to focus on in the remaining part of the fiscal year is the revenues we receive as part of the Village's share of the state income tax. The first large distribution of these revenues was below our initial first guess; the state of the economy and financial markets will determine future distributions.

Looking to the future, we will be adding funds to the capital account to cover large, one-time expenditures such as completion of the road pavement and improvements to the Village's walkability.

Village of Martin's Additions
Ordinance to Regulate Small Wireless Telecommunications Facilities in the Rights-of-Way

Resolution No.: 1-19-1
Introduced: January 17, 2019
Adopted:
Effective Date:

AN ORDINANCE TO ADD A NEW CHAPTER 9 OF THE CODE OF
ORDINANCES TO ADOPT REQUIREMENTS CONCERNING THE
INSTALLATION AND OPERATION OF SMALL WIRELESS
TELECOMMUNICATIONS FACILITIES IN THE PUBLIC RIGHTS-
OF-WAY.

WHEREAS, Maryland Code, Local Government Article, Section 5-202, as amended, grants to the legislative body of every incorporated municipality in Maryland general power to pass such ordinances not contrary to the Constitution of Maryland, or the public general law, as deemed 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, United States Code, Title 47, Section 332, provides that a local government may exercise control regarding the placement, construction, and modification of personal wireless service facilities, provided the local government does not unreasonably discriminate among providers of functionally equivalent services; and does not prohibit the provision of personal wireless services;

WHEREAS, United States Code, Title 47, Section 332, provides that a local government shall act on any request for authorization to place, construct, or modify personal wireless service facilities within a reasonable period of time after the request is duly filed with such government or instrumentality, taking into account the nature and scope of such request; and any decision by a local government to deny a request to place, construct, or modify personal wireless service facilities shall be in writing and supported by substantial evidence contained in a written record;

WHEREAS, United States Code, Title 47, Section 1455, provides that a local government may deny a facility request for a modification of an existing wireless tower or base station if it substantially changes the physical dimensions of such tower or base station, including requests for the collocation, removal, or replacement of transmission equipment;

WHEREAS, the Village of Martin's Additions holds and maintains the streets and highways within its municipal boundaries in trust for the benefit, use, and convenience of the general public;

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, after proper notice to the public, the Village Council introduced the following Ordinance in an open meeting conducted on the 17th day of January, 2019;

WHEREAS, upon consideration of the testimony and evidence presented at the public hearing, 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, BE IT ORDAINED AND ORDERED, this ____ day of _____, 2019, by the Village Council, acting under and by virtue of the authority given it by the Maryland Code and the Village Charter, the Village Council does hereby adopt the foregoing Ordinance and amend the Village Code as follows:

* * *

CHAPTER 9
SMALL WIRELESS TELECOMMUNICATIONS FACILITIES

Sec. 9-100. Intent and Purpose.

It is the intent of the Village Council to promote the Village's public health, safety, and general welfare by providing regulatory requirements for the installation and maintenance of small wireless telecommunications facilities in the public rights-of-way. The purpose of this Chapter is to regulate the same to enhance vehicular and pedestrian safety and avoid interference with motorist and pedestrian sightlines; to minimize damage to trees; to reduce visual clutter and prevent unsightly or out-of-character deployments; to preserve the value of property and the character of the neighborhood; and to otherwise protect the health, safety, and general welfare of the town and its residents, and the public at large.

Sec. 9-101. Definitions.

"Base Station" means a structure or equipment at a fixed location that enables wireless communications between user equipment and a communications network. The term does not include a Tower or any equipment associated with a Tower.

"Collocate" means to install or mount a Small Wireless Facility in the public right-of-way on an existing Support Structure, an existing Tower, or on an existing Pole to which a Small

Wireless Facility is attached at the time of the application. “Collocation” has a corresponding meaning.

“Communications Facility” means, collectively, the equipment at a fixed location or locations within the public right-of-way that enables communications services, including: (i) radio transceivers, antennas, coaxial, fiber-optic or other cabling, power supply (including backup battery), and comparable equipment, regardless of technological configuration; and (ii) all other equipment associated with any of the foregoing. The term does not include the Pole, Tower, or Support Structure to which the equipment is attached.

“Pole” means a legally constructed pole, such as a utility, lighting, traffic, or similar pole made of wood, concrete, metal or other material, located or to be located within a public right-of-way. The term does not include a Tower or Support Structure.

“Small Wireless Facility” means a Wireless Facility that meets all of the following conditions:

- (1) The structure on which antenna facilities are mounted (i) is fifty (50) feet or less in height, including existing antennas, or (ii) is no more than ten (10) percent taller than other adjacent structures, or (iii) is not extended to a height of more than fifty (50) feet or by more than ten (10) percent above its preexisting height, whichever is greater; and
- (2) Each antenna associated with the deployment, excluding the associated equipment, is no more than three (3) cubic feet in volume; and
- (3) All other wireless equipment associated with the structure, including the wireless equipment associated with the antenna and any pre-existing associated equipment on the structure, is no more than twenty-eight (28) cubic feet in volume; and
- (4) The facility does not require antenna structure registration under Federal law; and
- (5) The facility does not result in human exposure to radiofrequency radiation in excess of applicable safety standards under Federal law.

“Support Structure” means a structure in a public right-of-way other than a Pole or a Tower to which a Wireless Facility is attached at the time of the Application.

“Tower” means any structure in a public right-of-way, within or outside the boundaries of the Village, built for the sole or primary purpose of supporting a Wireless Facility. A Tower does not include a Pole or a Support Structure.

“Wireless Facility” means the equipment at a fixed location or locations in the public right-of-way that enables wireless telecommunications services. A Small Wireless Facility is a type of a Wireless Facility. The term does not include the Pole, Tower, or Support Structure on, under, or within which the equipment is located or collocated, or the coaxial, fiber-optic, or other cabling between Communications Facilities or Poles, or that is otherwise not immediately adjacent to or directly associated with a particular antenna.

“Wireless Service Provider” means a person who provides wireless services.

“Wireless Services” means any wireless services using licensed or unlicensed spectrum, whether at a fixed location or mobile, provided to the public.

Sec. 9-102. Permit and Access Agreement Required.

- (a) **No person shall construct, install, maintain, or perform any work in the public right-of-way related to a Communications Facility or any Tower, without first receiving a Permit and paying any applicable fee, as required under this Title. No permit shall be issued until the applicant has entered into a Right-of-Way Access Agreement in a form approved by the Village, according to this Title. A permit shall not be required for ordinary maintenance and repair, as determined by the Village.**
- (b) **The Right-of-Way Access Agreement shall set forth, at a minimum, the following: (a) the maximum term of the agreement and the bases for termination; (b) the scope of the authority; (c) the operator’s maintenance obligations; (d) the operator’s indemnification and insurance requirements; (e) emergency contacts and required response to emergencies related to facilities; and (f) the Village’s right to access and inspect the operator’s books and records.**

Sec. 9-103. Permit Application Requirements.

- (a) **An application for a permit under this Title must contain or be submitted with the following:**
 - (1) **The applicant’s name, address, telephone number, and e-mail address, including emergency contact information for the Applicant;**
 - (2) **The names, addresses, telephone numbers, and e-mail addresses of all consultants, if any, acting on behalf of the Applicant with respect to the filing of the Application;**
 - (3) **A description of the proposed work and the purposes and intent of the proposed facility sufficient to demonstrate compliance with the provisions of this Title;**
 - (4) **If applicable, a copy of the authorization for use of the property from the Pole, Tower, or Support Structure owner on or in which the Communications Facility will be placed or attached;**
 - (5) **Detailed construction drawings regarding the proposed facility;**
 - (6) **A structural report performed by a duly licensed engineer evidencing that the Pole, Tower or Support Structure can adequately support the Collocation (or that the Pole, Tower, or Support Structure will be modified to meet structural requirements) in accordance with applicable codes;**
 - (7) **A certification by a radiofrequency engineer that the Communications Facility will comply with the radiofrequency radiation emission standards adopted by the Federal Communications Commission; and**
 - (8) **The applicable application fee, bond, Right-of-Way Access Agreement, and right-of-way access fee, as may be adopted and amended by resolution of the Village Council.**

- (b) The Village may require the posting of a bond to guarantee the prompt and proper restoration of the public right-of-way. The bond may be in such amount as the Village Manager deems necessary, in the Village Manager's discretion.
- (c) In exchange for the privilege of non-exclusive use of the public right-of-way, the applicant shall pay the Village such access fee as may be established and amended by the Village by resolution from time to time.
- (d) Any permit issued under this Title shall be valid for a period of twelve (12) months after issuance, and may be extended by the Village Manager for up to an additional twelve (12) months upon written request of the applicant, prior to permit expiration, if the failure to complete construction is as a result of circumstances beyond the reasonable control of the applicant.
- (e) No work may be performed except in strict accordance with applicable law and the Village permit and all approved plans and specifications.
- (f) No permit shall be issued except to a wireless service provider with immediate plans for use of the subject Communications Facility. A permit issued under this Title may not be assigned or transferred.

Sec. 9-104. Standards for Deployment in the Public Right-of-Way.

- (a) *No Interference with Right-of-Way.* No person shall locate or maintain a Communications Facility, Pole, Support Structure, or any Tower, so as to interfere with the use of the public right-of-way by the Village, the general public, or other persons authorized to use or be present in or upon the public right-of-way, or otherwise hinder the ability of the Village to improve, modify, relocate, abandon or vacate a public right-of-way or any portion thereof. Unless otherwise approved by the Village, any Communications Facility must be located no closer than: (i) two (2) feet from any curb, sidewalk, or other improvement within the right-of-way; and (ii) five (5) feet from any driveway apron, and be otherwise located to avoid interference with pedestrian and motorist sightlines and use.
- (b) *Compliance with Design Standards; Unsightly or Out-of-Character Deployments.* Unless otherwise approved by the Village in order to prevent an effective prohibition of service, in violation of applicable law, no person shall locate or maintain a Communications Facility, Pole, or any Tower except in accordance with the following design standards:
 - 1. All Communications Facilities shall be located and designed so as to minimize visual impact on surrounding properties and from public rights-of-way, and so as to not interfere with motorist and pedestrian sightlines, especially at intersections.

2. All radio transceivers, antennas, power supply (including backup battery), and comparable equipment installed on a Tower, Pole, or other Support Structure shall be installed at a height of at least fifteen (15) feet above ground level.
 3. No Tower may be located closer than one thousand (1,000) feet of another Tower.
 4. No more than five (5) antennas may be located on any single Tower, Pole, or Support Structure.
 5. All coaxial, fiber-optic, or other cabling and wires shall be contained inside the Tower, Pole, or other Support Structure or shall be flush-mounted and covered with a metal, plastic or similar material matching the color of the Tower, Pole, or other Support Structure on which it is installed.
 6. All Communications Facilities shall comply with such additional design standards as may be set forth in administrative regulations issued by the Village.
- (c) *Protection of Trees.* Unless otherwise approved by the Village in order to prevent an effective prohibition of service, in violation of applicable law, no person shall locate or maintain a Communications Facility, Pole, Support Structure, or any Tower, so as to interfere with the health of a tree.
- (d) *Location Underground.* [Reserved].
- (e) *Modification of Wireless Facilities.* The Village shall approve any request for a modification of an eligible existing Tower or base station that does not substantially change the physical dimensions of such Tower or base station, in accordance with Federal law.
- (f) *Restoration of Public Right-of-Way.* The applicant shall restore, repair, and/or replace any portion of the public right-of-way that is damaged or disturbed by the applicant's work, to the satisfaction of the Village. Such restoration work shall be completed no later than thirty (30) days following completion of the project, or termination of the Right-of-Way Access Agreement, and shall be warranted by the applicant for a period of one (1) year to be free from defects in materials and workmanship.
- (g) *Removal, Relocation, and Abandonment.* Within thirty (30) days following written notice from the Village, or such other time as the Village may require, the Village may terminate a Right-of-Way Access Agreement or require other action in connection therewith, and the owner shall, at its own cost and expense, protect, support, temporarily or permanently disconnect, remove, relocate, change or alter the position of any of its Communications Facilities, Poles, Support Structures or Towers within the public right-of-way, and restore the right-of-way as required by the Village, whenever either: (i) the terms of the Right-of-Way Access Agreement have been violated; (ii) the Communications Facility has not been used for a period of ninety (90) days, or has otherwise been abandoned or not maintained, or (iii) the Village has

determined in its sole discretion that such action is necessary for the construction, installation, repair, or maintenance of any public improvement or otherwise necessary for the public health, safety, or welfare. If the owner fails to take action as required by this section, the Village or its contractor may do so and the owner shall be responsible for all costs and expenses incurred by the Village related to such work.

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 Charter of the Village of the Village of Martin's Additions, 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 on the ____th day of _____, 2019 (20 days after adoption).

ATTEST:

THE VILLAGE OF MARTIN'S ADDITIONS

Susan Fattig, Secretary

Richard Krajeck, Chair
Village Council

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

Manager's Report January 17, 2019

Administrative Matters:

- **Holiday Fund:** Donations have been collected and distributed for the Village's 2018 Holiday Fund. This year was the largest collection to date. Village residents generously gave over \$10,000 altogether.
- **Small Cell Towers:** After multiple meetings with other local municipalities, Village attorney Ron Bolt has drafted legislation for the Council to consider. The language is also used in other municipalities' legislation. The hope is that with uniform legislation, the regulations will be easier to follow for telecom companies, and more likely to stand in the face of potential overrides at the federal, state, or county levels.
- **Dockless and e-Bicycles and Scooters:** The Village is opting out of the dock-less and e-bicycles and scooters program in Montgomery County. Riders will not be able to start or end journeys in Martin's Additions. The Village may elect to opt in at any time.
- **Accounting:** The Village is currently in discussions with its accountant to set up a new access to Quickbooks software so Village staff will be able to create reports and more closely handle day-to-day bookkeeping records, with the goal of taking on in-house book-keeping by the start of the next fiscal year. The Village's accountant long-term role and oversight is still being considered.
- **Tree City USA:** Village staff has finalized the Village's Tree City application so the Village is re-certified for 2018. In addition to Tree City, the Village has applied for, and is expected to receive the State of Maryland's equivalent Plant Award for 2018.
- **Tree Planting:** The Village has completed tree plantings for FY18. The Village had its highest participation in the tree subsidy program, with six participants.
- **Tree Maintenance:** Pepco has completed regular tree maintenance in the Village
- **Village Website:** The Village has added a new ADA compatibility button to the website.
- **Office Redesign:** The Village is getting quotes on replacement for the old and breaking bookshelves, and the window shades.
- **Winter Storms:** The Village has been using a brine solution to reduce environmental impacts of pre-treating roads. The brine proved effective in this first storm this year (on the weekend of January 12), and VMA roads were overall in as good if not better shape than surrounding streets, particularly Bradley and Brookville.
- **Community Events:**
 - **Playground Equipment:** Chevy Chase Village, Section 3, and Rollingwood all signed onto a letter asking for an upgrade to the Shepherd Park playground. A follow up email was sent to the Parks and Planning Chair and the new Council on December 5, 2018 after their inauguration. The Village is expected to meet with Parks and Planning Chairman Casey Anderson on January 25th at the park to discuss new equipment. Section 3 Manager Andy Harney is confirmed to attend as well, in addition to a representative from the Rollingwood Citizens' Association.
 - **Volunteer Reception:** The Village will host a volunteer reception brunch at La Ferme for committee members and those who have made significant volunteer contributions to the Village in the past year. Date and time are still TBD.
- **Contractors and Contracts:**
 - **GIS:** Online software is up and running. The Village is scheduling with E.N.E. to do a new survey of homes with changed fronts, new streetlights, and other changes which can then be incorporated onto the new GIS system.
 - **Street Maintenance:** The Village may be interested in hiring a contractor for general street maintenance after all streets have been repaved to fill large potholes and make repairs as necessary between now and the next major repaving.

- *Landscaping/Lawn Service/Leaf Vacuuming*): Village staff has put together a new RFP combining these two services after feedback from companies that offer them. The Village has reached out to MML about posting on their website, and is posting on the Maryland State page in addition to the VMA website.
- *Office Utilities*: The Village has renegotiated its Ricoh contract to save roughly \$500 per year on copying bills.
- *Walkability Study*: The Village is exploring a contract for a firm or company to lead a walkability assessment of the Village and any accompanying meetings and task force that may arise. The Village will put out an RFP for such work in the next month.

Utilities: WSSC

- WSSC has finished sewer repairs on Quincy and Raymond Streets, and Thornapple Street, and are now underway on Chestnut. They expect work to continue until mid-February at least, depending on weather. All the streets should be completed by mid-May 2019, and we will finish with repaving at that point as well.
- The Village has put up a new parking sign reserved for persons with disabilities in front of the Brookville Market. The space was removed when State Highway re-did the intersection earlier this year.

Utilities: Road Repairs

- A.B. Veirs began concrete repairs on Raymond Street the week following Thanksgiving. Originally the Village had planned to finish Raymond Street and Quincy Street before the winter, but a wet fall and low temperatures in late November-early December have led the Village to make the difficult decision to postpone re-paving until the spring. This decision was made on the advice of AB Veirs, and the Village's two contracted engineers – Joe Cutro and Doug Lohmeyer – who have all cautioned that repaving and pouring concrete now runs a risk of a compromised final product. The concrete would be in danger of chipping, spalling, and cracking; and the streets would not compact right, causing cracking, chipping, and potholes. Asphalt plants close during the winter, so the Village will begin work once the plants re-open in the spring. By that time, Chestnut Street and Thornapple Street should be finished by WSSC, and the entirety of Martin's Additions will (finally) be repaved.
- Several residents on Quincy Street have emailed to ask the Village to reconsider the redesign of the Quincy/Oxford corner and intersection.

Sanitation:

- The last bulk pickup occurred on January 12. The next pickup will be on March 9, with a Wider Circle pickup on Friday March 8.

Building Administration:

- Please see report from Doug Lohmeyer, attached.