



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, June 15, 2023, 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).

- Call to Order: Kauders
- Opportunity for Council to Hear Residents' Comments: TBD
- Building Administrator's Report: Lohmeyer
- Discuss 153 Quincy new driveway proposal
- Approve May Meeting Minutes: Kauders
- Committee Updates: Kauders
 - Community Engagement
 - Election
 - Ethics
- Discussion of FY24 standing and ad hoc committees.
- Treasurer's Report: Alexander
- Manager's Report: Silliman
- Opportunity for Council to Hear Residents' Comments: TBD
- The council may entertain a motion in open session to enter into a closed session.
- Adjournment: Kauders

Join Zoom Meeting

<https://us02web.zoom.us/j/88331175094?pwd=OFNvZkFzbnA4coovdWI4KzA1Q2JjUT09>

Meeting ID: 883 3117 5094

Passcode: 525784

Dial-in: (301) 715-8592

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

FROM: Doug Lohmeyer

DATE OF MEMO: June 13, 2023

SUBJECT: Building Administrator's Report

3506 Bradley La.

Demolition and building permit applications were submitted to the Village office. The Village issued the building permit on Dec. 9, 2021. The building permit expired May 31, 2023. The County has closed their permit and the Village was ready to close theirs. However, the contractor has recently added a parking space in the front yard, next to the driveway. The staff has requested a revised Site Plan and a non-vegetative analysis.

3508 Bradley La.

The property owner has submitted a building permit application to add a two story addition at the rear of the ex. house. The Village issued the permits on Nov. 25, 2022. Work has begun.

3417 Cummings La.

The owner submitted an application to demolish the existing house and to construct a new home on Nov. 22, 2022. The property is two lots, 6 and 7, recorded in 1919. The resident information meeting was held on Tuesday, Mar. 14th. The MCDPS issued their permits and the Village permit was issued on May 30, 2023.

3419 Cummings La.

The owner submitted an application to demolish the existing house and to construct a new home on Nov. 22, 2022. The property is two lots, 6 and 7, recorded in 1919. The resident information meeting was held on Tuesday, Mar. 14th. The MCDPS issued their permits and the Village issued their permits on May 11, 2023. There is a question about the SWM Bio-Retention box location next to the left side of the house. MCDPS is investigating the situation and the staff is waiting for their response.

203 Oxford St.

The applicant has submitted an application to add a two story addition and a deck at the rear of the house. The Village issued the building permit on May 23, 2023. A residents information meeting was not required, since the proposed addition is under 500 S.F.

151 Quincy St.

The property owner submitted a building permit application to remove the ex. house and to construct a new house. A zoom residents information meeting was held on Tues. Oct. 25th. The Village issued the permits on Nov. 23, 2022. The old house has been removed and the new house construction is underway. The Council held a public listening session on May 30, 2023, regarding the on-site water concerns. The adjacent property owners were invited to attend a site visit on June 9, 2023.

153 Quincy St.

The property owner is considering re-align their existing driveway. They have proposed a new driveway apron close to the existing apron at 151 Quincy. The Village provided the property owner with a couple of new apron concepts. The property owners design to have a stand-alone driveway apron has been rejected by the Village for not meeting the Mont. County driveway apron standards. A shared driveway apron design with 151 Quincy was rejected by the owner at 151 Quincy St.

155 Quincy St.

The homeowner has submitted an application to remove the existing deck and construct a new deck and screened porch at the rear of the house. The Village building permit was issued on Mar. 8, 2023.

162 Quincy St.

The new homeowner is making interior improvements to the existing house and has said the existing house footprint will not increase. The homeowner has built a 10 inch high retaining wall along the front of the property on Quincy, next to the public sidewalk. A Village right of way license agreement has been prepared and is pending signatures.

3500 Raymond St.

The property owner has applied for a Village permit to make several additions to the existing house. The Village issued their permits on Jan. 6, 2023. The work is ongoing. The Wall Check survey indicates the addition complies with the Village setbacks. The Village has requested a certified height survey of the new roof.

3504 Shepherd St.

The homeowner plans to construct an addition at the rear of the ex. house. The Village issued their permits on Dec. 8, 2022. Work has begun.

3412 Taylor St.

The homeowner has submitted plans to enclose and remove the existing below street garage and to remove and raise the driveway, so it will slope towards the street and away from the house. The staff has sent comments to the property owner. The applicant recently stated they have a new design team and they are working on new plans.

3502 Taylor St.

The property owner submitted an application to construct a two story addition at the rear of the house and to make interior improvements. The Village permit was issued on May 24, 2023.

3508 Taylor St.

The property owner began construction of an addition at the rear of the house without obtaining County or Village permits. A Village “Stop Work Order” has been issued and construction has stopped. The property owner has not applied for a permit from MCDPS or the Village.

3515 Taylor St.

The new homeowner plans to construct a shed at the left rear of the lot. The property owner has received the MCDPS permit and has submitted a permit application to the Village. The Village issued the shed permit on May 11, 2023.

Council Meeting Minutes – May 11, 2023

VIA ZOOM CONFERENCE CALL AND IN-PERSON

Council Members Present: Andrew Kauders; Susan Fattig; Arthur Alexander; Katie Howard; Jeff Blander

Residents and other Attendees: Jared Solomon; Emily Shetty; Jeff Waldstreicher; Aaron Kaufman; Village Manager: Michael Silliman; Building Administrator: Doug Lohmeyer; Village Attorney: Ron Bolt; Keith Allen (Turner Ln.); Paul Connor; Marty Langelan (Chestnut St.); Joel Kliksberg (Quincy St.); George McAleese (Melville Pl.); Lorie Mitchell (Cummings Ln.); Liz Vorrasi (Chestnut St.); Doug Grob (Cummings Ln.); Susan Kahn (Bradley Ln.); Peter Kahn (Bradley Ln.); and Lynn Welle (Oxford St.).

7:32 PM Call to Order: Kauders

Keith Allan delivered his weather report, noting the beautiful day we had for the celebration on the sidewalk and the smoke from wildfires in Canada.

Visit from State Senator Jeffrey D. Waldstreicher and Delegates Kaufman, Shetty, and Solomon

State representatives reported to the Village what has been happening at the state level.

Opportunity for Council to Hear Residents' Comments

Marty Langelan thanks the state representatives for all their work.

Susan Kahn commented that in addition to the sidewalk along Brookville, there is need for a crosswalk and other traffic calming measures at Brookville and Bradley. Susan also asked how residents can respond to allegations, misperceptions, or incorrect comments made at open meetings.

Liz Vorrasi reported an accident that occurred between her and an illegally parked car on Taylor St. and the Brookville Market parking lot. A discussion followed about parking enforcement in the Village. Lynne Welle added examples of other parking violations and related concerns, and Susan Kahn added that this could be something a public safety committee investigates.

8:31 PM Approve March Meeting Minutes: Kauders

Jeff moved to pass the minutes as written. Arthur seconded. Susan voted against, and the other four Council members voted in favor. The March meeting minutes passed. Lorie Mitchell asked if we could make the audio recordings searchable.

Approve April Meeting Minutes: Kauders

Arthur moved, Susan seconded, and the April minutes passed unanimously.

8:39 PM Building Administrator's Report: Lohmeyer

Doug Lohmeyer delivered his report.

8:40 PM Committee Updates: Kauders

Community Engagement

Keith Allen reported a successful Celebration on the Sidewalk. Planning for the 4th of July Party which will be held on July 2nd is underway.

Election

George McAleese likewise reported a successful election day event. 108 ballots were dropped off in person and additional ballots are arriving at the election service provider until 5PM on the 23rd. Susan moved to pass the vote counting procedures, jeff seconded. The vote counting procedures passed unanimously.

Ethics

Lorie Mitchell said there is not an Ethics Committee report tonight, but reminded the Council that the committee asked several questions and is waiting for the answers. The Committee will be working on their end-of-year report in the coming weeks.

Doug Grob of Cummings Ln. asked a clarifying question of the Buildings Administrator report and commented on concerns regarding development at 3419 Cummings impacting a tree on his adjacent property.

9:14 PM Discussion and adoption of Fiscal Year (FY) 2024 Budget Ordinance (No. 2023-2) and Tax Rates Resolution (No. 2023-3).

The Council voted on additional services added to this budget individually.

- Managerial support staffing capabilities. Arthur moved. Jeff seconded. This passed unanimously.
- Composting for all that want it. Susan moved. Katie seconded. This passed unanimously.
- Sidewalk snow shoveling for those that need it. Katie moved. Jeff seconded. This passed unanimously.
- Support for aging in place. Jeff moved. Katie seconded. Susan opposed and the other four council members voted in favor. This measure passed.

Arthur moved to adopt budget ordinance No. 2023-2. Jeff seconded. The FY24 budget passed unanimously.

Arthur moved to adopt tax rates resolution No. 2023-3. Susan seconded. This passed unanimously.

Manager's Report: Silliman

Michael Silliman delivered his report.

Opportunity for Council to Hear Residents' Comments: TBD

Joel Kliksberg thanked Michael for all his work.

George McAleese clarified that the deadline to be added to the voter roll was election day, May 10.

Lynn Welle asked that the snow plowing contracts in the future include clearing snow from around the fire hydrants. He also said he wants to have input on future RFPs and contracts related to leaf removal, street cleaning, and snow removal.

10:13 PM The council may entertain a motion in open session to enter into a closed session.

In open session, Jeff motioned to enter closed session pursuant to the Open Meetings Act, Maryland Code, General Provisions Article, Section 3-305(b)(1) to discuss a personnel matter regarding one or more employees over whom the Village has jurisdiction, and (7) to obtain legal advice regarding parking enforcement. Arthur seconded. The motion passed unanimously. Present for the closed session were all Council members, Mr. Silliman, and Mr. Bolt. The Council discussed the personnel matter and obtained legal advice on parking enforcement. No action was taken.

10:57 PM Adjournment: Kauders

Susan motioned and Arthur seconded. Meeting adjourned unanimously at 10:57PM.

Ethics Committee 2022/2023 Annual Report

Overview

The Ethics Committee met four times during the 2022/2023 term. All meetings complied with the MD Open Meeting Act, with agendas published before each meeting in the Village Weekly Wrap-up and posted on the Village calendar. Detailed minutes were prepared soon after each meeting and are available for review on the Ethics page of the VMA website.

This report is divided into five categories, consistent with the Committee's core responsibilities:

Ethics Complaints

- The Committee did not receive any ethics complaints.

Review of Conflict Interest (COI) Questionnaires and Oaths of Office

- Consistent with the Village Ethics Code, the Committee reviewed COI questionnaires and Oath of Offices from all members of the Council, Election Committee, Ethics Committee, the Village Tree Supervisor, and all Village employees. In 2022, the Committee also reviewed COI questionnaires and Oaths submitted by the Community Engagement Committee, which are required by Village policy but not covered under the Village Ethics Code.
- One potential conflict of interest was self-reported by a Village Official. The Committee reported the potential conflict to the Council chair.

Advisory Opinions

- The Committee did not receive any formal requests for advisory opinions.

Ethics Training

- The Ethics Committee conducted Fall and Spring sessions of ethics training. All members of the Village Council, Election Committee, Community Engagement Committee, Village staff, and the Tree Supervisor were invited to attend the training sessions.
- The Committee updated the ethics training slides, adding one additional informational slide and an appendix with copies of all ethics-related forms.

Review the Existing Ethics Ordinance and Committee Policies and Make Recommendations to the Village Council to Ensure Adherence to Best Practices.

- After identifying a conflict between Village policy, which requires all Committees to complete a COI questionnaire and Oath of Office form, and the Village Ethics Code, which limits its applicability to the Council, Village employees, and statutory Committees, the Committee recommended that the Council consider amending the Village Code. Based on the Committee's recommendation, the Council instructed the Village attorney to draft an amendment to the Village Code to resolve the inconsistency. Following multiple public meetings, a resident listening session, and a public hearing, the Council voted against adopting the amendment. In response to the vote, the Committee

submitted a list of questions during the April Council requesting clarification of the Committee's role. The Council did not address the questions, which means that the 2023/2024 Ethics Committee may have to deal with the issues raised by the questions. The questions are attached.*

- Noting that a number of the Village-mandated ethics forms were submitted late due in part to a turnover in Village management, the Committee recommended that the Council consider removing the notarization requirement on the Oath of Office form. At the Council's request, the Village attorney drafted a revised policy to remove the notarization requirement from all Oaths except those of Council members, which the State of Maryland requires to be notarized. The Council voted to adopt the revised policy.
- The Committee updated its SOP for reviewing COI questionnaires and Oath of Offices.

Conclusion

The issuance of this year-end Summary is intended to reinforce public confidence that Village Officials and Village staff are executing their official duties with impartiality and an absence of conflict of interest. It also should help assure a smooth transition from the 2022/2023 Ethics Committee to the 2023/2024 Committee.

Of note, since the adoption of the expanded ethics ordinance in 2021, no ethics complaints have been received by the Committee.

***Ethics Questions to Village Council, April 2023**

- 1.) Who monitors the completion of the COI and Oath of Office forms for members of committees not specified in the Code, i.e., not “Officials” under the Code? (Note: the Ethics Committee is excluded from this responsibility in the Code.)
- 2.) Who enforces the ethical considerations of the Code for these committee members?
 - a.) Can committee members who are not “Officials” under the Code ask for advisory opinions from the Ethics Committee? (Note: the Code dictates that these opinions be provided to “Officials,” which excludes members of committees not specified in the Code.)
 - b.) How does a resident file a complaint against one of these non-“Official” committee members, and what rules apply to the filing and resolution of any such complaints? (Note: the Code specifies the rules regarding ethics complaints, including due process, confidentiality, and burden of proof requirements, but these apply only to “Officials,” which does not include members of committees not specified in the Code.)
- 3.) Who is offered training on the ethics provisions in the Code? Training had previously been limited to specific/identified committee members that are explicitly subject to the ethics provisions in the Code.
- 4.) As a matter of good governance and to close the holes in the Village’s ethics provisions, should the Council address and fix the inconsistency between the Code and the Village’s regulation requiring all committee members, not just those specified in the Code and defined as “Officials,” to complete COI questionnaires and take Oaths of Office?”

**Village of Martin's Additions
Financial Report for May 2022
Arthur Alexander, Treasurer
June 15, 2023**

	<u>Actual</u>	<u>Budgeted</u>
July 2022-May 2023		
Revenues (regular)	\$1,082,084	770,819
Expenses (excluding capital projects)	711,053	707,392
Net Income (regular revenues minus current expenses)	371,031	63,427
Capital investment expenses	\$57,600	
Federal grant: American Rescue Plan	489,181	0
Investment reserves (less expenditures)	1,442,400	
Emergency reserves	1,000,000	
Current assets less reserves shown above:	\$ 2,858,163	

The Village office and its accountants are in the process of moving accounts to a new online bookkeeping service. The figures shown here do not reflect final, end-of-month entries; any changes will be minor.

In May 2023, we transferred \$55,000 from the Village's savings account in the Maryland Local Government Investment Pool (MLGIP) to the checking account to cover expenses. We plan to transfer \$55,000 in June 2022.

The Village fiscal year ends June 30, just a few weeks from now; it is time for budget revisions. The Village code stipulates: "No expenditure may be made unless funds therefore have been properly appropriated." Almost all the individual budget accounts are spending below the budgeted amounts. The one exception is the item "Community events," which includes social functions as well as elections. Both items were higher than originally budgeted 15 months ago. I propose adding \$8,000 to bring the combined total to \$43,000 from the originally budgeted \$35,000. These funds can be transferred from the under-used "Snow removal" account.

Income is considerably higher than originally contemplated, largely because of the Village's share of residents' state income tax payments

From: Michael Silliman, Village Manager
To: Village Council
Subject: Village Manager's Report
Date: 6/15/23

Administration:

- The Village office will be closed next Monday in celebration of the Federal Holiday, Juneteenth.
- I have created a single email for the Village Council: VMACouncil@martinsadditions.org. This email address is currently posted on the website. This email works as an email list, so every email sent to this address will be automatically sent to all five of the Council members and myself. To avoid Open Meetings Act violations, replies will be from the individual Council member to the original sender and not the entire Council.
- Our contracts with Rolling Acres are up. We will need to post RFPs for both leaf vacuuming/street cleanings and snow plowing in the coming months. These will be competitive bids.
- Over the next month I will be conducting annual reviews of my part-time staff.
- QuickBooks has been updated. The new online version should save the Village \$2,536 annually.
- I have taken a deep dive into the Village's insurance coverage. We have three different types of insurance: 1) general liability, which I just renewed for FY24; 2) insurance for Public officials, including the five council members, who are bonded, according to the Village Charter. I am currently renewing these; and 3) Workers' compensation insurance, which I am renewing, as well.
- We agreed to hold a listening session regarding Charter Amendment No. 2023-1 that was introduced at the April Council meeting. If June 20 works for everyone, I will schedule that listening session and send out an invite to all residents.
- I will be attending the Maryland Municipal League's summer conference from June 25-28.
- In previous years the Village has held a volunteer appreciation reception, does the Council wish to schedule something similar this year for all the Village committee members and the staff?

Buildings:

- I have issued 44 permits in my 6 months in this position. I want to thank the hard work of our Village Engineer Doug Lohmeyer, Operations contractor Wayne Fowler, and Village Attorney Ron Bolt.
- I issued a Stop Work Order on unpermitted work that began at 3508 Taylor Street. The owner still has not applied to the Village or County for building permits.
- The residents informational meeting for 3502 Taylor was held and permits were issued. Unfortunately, one adjacent neighbor was not invited to that meeting, as their emails were not in the directory. I will hand-deliver invitations in the future if emails are not available. I have provided the site plan and the developers' contact information to everyone who has asked for it.

- We have ordered a wall check for 3419 Cummings. We are determining whether three items in the side yard setback are allowed, including a window well that is a County required emergency exit, a fireplace, and a County-required water management system.
- We have closed permits and returned performance bonds for completed construction sites at 3517 Cummings and 7301 Summit.

Maintenance:

- Tree Supervisor Paula Goldberg provided this report:
“During the past month, I have received messages from residents about damaged right-of-way (ROW) tree branches and ROW trees that need elevation and trimming. All concerns have been promptly referred to the Village Office and on to Mulheron for resolution. In one unfortunate instance, a limb from a ROW tree, a Bradford pear, fell and broke the rear window of parked car. Mulheron responded the day the problem was reported and cleared the limb and debris. Our Village Manager and the Mulheron office are regularly in touch and did a drive-through inspection of our ROW trees this past week. A work list is in development for the summer season.”
- I have started issuing warnings to residents that have overgrown vegetation in the public right-of-way. Safety issues include obstructions to the sight lines for cars, plants encroaching on the sidewalk, and plants that are over 12 inches in height along the public right-of-way, especially around fire hydrants.
- We have frequent reports of missed recycling collections. We ask residents to report missed collections as soon as possible and to leave the recycling bin at the street, as we ask the Waste Management crew to return to collect the recycling.
- WSSC Water Main replacement along Brookville Rd. is underway. The pipe currently lining the side of the street will be the temporary water source until the upgrades have been made. This is expected to take about one month.
- Repairs to the sidewalk on Raymond St. were hopefully completed today. We had some issues with scheduling, as there was a car parked at that location and the owner was out of the County.
- I met with Larry Wasson at 7223 Delfield St. this week to discuss the reported issue of water flowing down his driveway from Thornapple St. The street was repaved and his driveway apron now too low. An agreed to solution would be for the Village to repave the driveway apron to keep the water flowing down the street to the County storm drain.

Special Projects:

- Widening Dead-End Quincy: We received five proposals for widening the dead end of Quincy St. Village Engineer, Doug Lohmeyer and I met to discuss the five proposals and today. I am recommending we go with A.B. Veirs and Sons, Inc. A.B. Veirs is a known contractor, as they work in the Village already, and their bid was well below what was expected.
- Brookville Rd. Sidewalk: The State Highway Administration provided their response to our draft sidewalk plan. The next step is to order a traffic study of traffic at Brookville

Rd. and Bradley La. to justify the proposed Brookville Rd. crosswalk at that intersection and to provide the edits to the Traffic Group to prepare the final plan. We will have a public comment period at that point.

- Taylor Street Storm Drain: Clark/Azar & Associates completed a drainage study of Taylor Street, which includes two alternative solutions. Village Engineer, Doug Lohmeyer, has prepared a cost estimate for the recommended solution, Alternative 1. The next step will be to set up a meeting with Montgomery County Department of Transit.
- Streetlights: I have reached out to our streetlight engineer, Scott Watson, and asked him to do a follow up light study this summer. We have already identified a few dark spots where we can add additional lights.
- Composting for everyone who wants it: I will prepare and post an RFP for composting for all Village households that opt into this service. That will need to be posted for a month before we can select a vendor.
- Sidewalk snow shoveling for everyone who needs it: will be included in the snow plowing contract that is up for renewal.
- Support for aging in place: I met with the Executive Director of Chevy Chase at Home, Jennifer Riesch, and discussed their programs and offerings. You can see the attached Chevy Chase at Home membership application or visit their website at <https://www.chevychaseathome.org/> to learn more. There are several possible ways we can set up a grant-like program to offer support to seniors who are aging in place in Martin's Additions. Between 20 to 25 VMA residents are currently members of Chevy Chase at Home. There are several options we could consider:
 1. We could simply pay for the full membership of a handful of residents who need access to those programs and services. Full membership is \$475 for an individual or \$625 for a household. We have \$6,000 budgeted for this, which will allow for 12 memberships. The difficulty with this approach will be determining who receives those free memberships.
 2. We could provide a discount for everyone who signs up for Chevy Chase at Home. The benefit of this approach is people are still signing up themselves instead of receiving a free membership, which they may or may not care about. This approach solves any equity concerns about who receives the discount. Note: Chevy Chase at Home offers an associate membership, which costs \$325 per household. We could afford 18 household associate memberships with the budgeted dollar amount.
 3. We could work with Chevy Chase at Home to create specialized programing for seniors who live in Martin's Additions. Essentially, we could contract out our senior programing. I have asked the director of Chevy Chase at Home what would be possible at the \$6000 mark.



Chevy Chase At Home Membership Application

Any member who joins or renews during this period will have their membership valid through March 31, 2024.

Chevy Chase At Home, a volunteer-based non-profit organization, builds a vibrant community supporting neighbors 55 years or older to age successfully and with dignity by offering services, activities, programs, and information. Residents of ten Chevy Chase neighborhoods are eligible to join.

Select Your Member Category

Associate Membership

Programming, Social Events, and Interest Groups Only

_____ Entitles all adult household members to participate in social, exercise, and educational programs. The cost is \$325 per household, \$225 of which is tax-deductible (as allowed by law.)

Full Membership – Family or Individual

All Noted Above PLUS Volunteer-Provided Services

_____ Family entitles all adult household members, 55 years or older, to use volunteer-provided services and to participate in social, exercise, and educational programs. The cost is \$625 per household.

_____ Individual entitles adults, 55 years or older, who reside alone to use volunteer-provided services and to participate in social, exercise, and educational programs. The cost is \$475.

Friend of CC&H Membership

Programming, Social Events, and Interest Groups for Those Living Outside Our Service Area

_____ Entitles all adult household members living outside the service area to participate in social, exercise, and educational programs. The cost is \$175, \$100 of which is tax-deductible (as allowed by law).

Our Service Area

Chevy Chase (CC) Village, CC Section 3, CC Section 5, CC West, Old Hamlet, Rollingwood, Town of CC, Drummond, Martin's Addition, and the Riviera of CC Condominiums.

(over)

Provide Your Information

Member

Name _____

Street Address _____

Home _____ Mobile _____

Email _____

Additional Member in Same Household (if applicable)

Name _____

Home _____ Mobile _____

Email _____

Emergency Contact Information

Name(s) _____ Relationship(s) _____

Primary Phone _____ Additional Phone _____

Email (s) _____

Member Directory

The Member Directory is only for member purposes and is not distributed outside the group, placed on our website, or sold. Your contact information will be included in the CC@H Member Directory unless you opt-out below.

___ I/We opt out of the Member Directory.

Submit Your Payment

Mail: Complete this form and mail it with a check payable to “Chevy Chase At Home” to Chevy Chase At Home, PO Box 15102, Chevy Chase, MD 20825

Call: Call the office at 301.657.3115 to pay by credit card.

Scholarships: If the membership dues are a barrier to your renewal, please contact the office to learn about the Naomi Kaminsky Scholarship program.