

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

**March 18, 2010**

**COUNCIL MEMBERS AND VILLAGE REPRESENTATIVES PRESENT:** Council Members: Richard Krajeck, Noell Sottile, and Chris Mueller. **Village Manager:** Jean Sperling; **Attorney:** Ron Bolt; **Building Permit Administrator:** Alan Beal

**Residents:** Hanne and Frank Correl, Bill Catherwood, Keith Allen, Ed King.

**7:30 PM CALL TO ORDER by Chairman Krajeck.** The Chairman reminded those in attendance that the meeting was being recorded.

**POLICE REPORT: Sgt Dasilva, Chevy Chase Village Police.**

There were three incidents in Martin's Additions that the Chevy Chase Village Police responded to: (1) A request for assistance at a residence on Delfield Street, 2) wires down on Summit Ave. and 3) a call from the Village Office to check a residence on Taylor Street where the front door was open. The County police were called in to assist with this last incident. A robbery had occurred at that location. The pattern was similar to other robberies in the area—multiple areas ransacked. A rear basement window had been kicked in. The time of day of these robberies seems to be a bit unusual—between 5 pm and 9 pm. The police have a suspect and a warrant for his arrest. Since the suspect has been identified the burglaries have stopped. There have been 10 burglaries in the area—the closest one is Taylor Street. There was also one on Rosemary Street and one on Oliver Street. There may be some gang affiliation. The homeowner who was robbed, Mr. Ed King, was in attendance and expressed an interest in the Neighborhood Watch Program. Manager Sperling provided him with information on the program.

**ACTION ON MINUTES:** February 18, 2009 Meeting

Council member Sottile noted that a clarification was needed in a section of the budget discussion. Sperling made note of the needed changes.

**Motion to approve the minutes:** Mueller; 2<sup>nd</sup>: Sottile; Vote: All in favor (Krajeck, Sottile, Mueller)

**ELECTIONS AND ETHICS COMMITTEE UPDATE: Frank Correl**

**Saturday Roundtable:** The Chairman of the Elections and Ethics Committee reported on the very successful first Community Roundtable held on Saturday March 6<sup>th</sup>. There was a wonderful turnout and the crowd seemed to really enjoy the food, the company and the discussion. Krajeck added his complements to Mr. Correl, remarking that it was a great event with a wonderful turnout.

**Election Nomination Update:** To date, one incumbent has made it known that he will run again and the Elections and Ethics Committee has received three nominations for this candidate (Krajeck); one incumbent will not run again (Sottile). There are four other nominations and they will be contacted over the weekend. Correl reminded that group that the nominations close on April 6 and that the candidates forum is scheduled at the next Saturday Roundtable on April 24<sup>th</sup> from 10:30 – noon.

**RESIDENTS' COMMENTS AND CONTRIBUTIONS**

(See comments by residents under police report)

**FINANCIAL MATTERS**

**Initial Budget Review:** Councilmember Mueller reported that he and Councilmember Krajeck and Manager Sperling met with the Village Accountant Dan Baden to take a preliminary look at the current year budget information and begin to build the base for the FY 2011 budget. A working session needs to be scheduled for budget development.

Resident Frank Correl (Turner Lane) asked where the budget problems were expected. Mueller replied that the income numbers are the most problematic. In most categories we are running under budget except in building administration and snow removal.

**Financial Report for the Month of February:** Christoph Mueller, Treasurer

Income for the month of February was about \$77,100. Of that, approximately \$ 76,900 was from a State income tax distribution. Expenses for the month totaled \$44,800, generally reflecting typical expenses for the month of February; however this report does not include snow removal which will contribute to expenses by an estimated \$47,000.

For the fiscal year, July through February, expenses are estimated to be \$191,000 more than income. Anticipated shortfalls in income for the entire fiscal year are anticipated to be about \$190,000. In other words, remaining projected income will match remaining projected expenses. There is not likely to be further bad news.

**Motion to approve financial report for the month of February:** Sottile; 2<sup>nd</sup> Krajeck; Vote: All in favor (Krajeck, Sottile, and Mueller)

**BUDGET AMENDMENT**

Council Treasurer Mueller noted the following budget amendments that are needed to balance the current year (FY 2010) operating budget. These adjustments total \$65,200.

**Adjustment Increases that require a budget amendment:**

Printing and Mailing: +\$3,000 for total \$18,000  
 Office Lease: +\$1,000  
 Snow Shoveling: +\$31,000 to \$61,000  
 Snow Plowing: +\$15,000 to \$25,000  
 Leaf bags: +\$1,200 (just a budget adjustment- in and out

of two different accounts)  
 Recycling bins: +\$9,000 to \$16,000  
 Street Light study: +\$5,000 to \$20,000

**Discussion of Budget Items:**

**Recycling Bins.** Krajeck asked for an expanded discussion of recycling bin costs. Sperling explained that the original budget estimate was not firm—both the number of bins to be ordered and the price of the bins. Once the bin type was selected, firmer estimates could be made, which is where we are right now. Bins runs about \$40 - \$45 a household (fuel costs affect bin cost and thus the cost is volatile); add shipping and assembly and distribution costs and the numbers continue to rise.

In response to the question about whether this is the least expensive source, Sperling explained that the cost was not easily comparable. Costs are more dependent on the availability of bin size--the 48 gal size is a proprietary size, only made by Toters Inc. The County contractor does not make this medium size. Sperling felt the size the County offered (64 gal; and 96 gal) were too big for Martin’s Additions. She added that the Village no longer has a source for the blue recycling bins. (Bins had been purchased from the County, but VMA is not able to do that any more). Since the Village is completely out of extra bins, we are unable to accommodate any additional demand for recycling bins from our residents.

Sperling reminded the Council that when Waste Management went to Single Stream Recycling it was an opportunity to increase recycling and reduce trash costs--the more the residents recycle the lower the household trash costs are, because of the reduced dumping fees. Sperling also remarked that the purchase of bins are a one-time cost and that the Village is going to look a lot better with these new bins. Krajeck ask that the final price be shared with the Council.

**Street Lights:** Sperling noted that original budget figures for street light consultant services were based on the first phase of a street light feasibility study; it had been anticipated that additional phases would be required to get the Village to the point that new street light configurations could be recommended by a lighting expert. The additional monies identified should complete the design configuration which will provide the Village with a final product that will provide the information the Council needs to move forward with a plan of its choosing.

**Note of Reduction in Budget Spending by Categories:** Mueller noted budget adjustments identified in the meeting with the Village accountant that reflect reduced expenditures. Making these adjustments allows for budget base adjustments before the construction of a new budget for FY 2011. These adjustments total -\$62,500. No council action is needed. This is provided for informational purposes, rather than action:

**Adjustment Decreases:**

Telephone:	-\$500	Waste Collection:	-\$6,000
Payroll Taxes:	-\$2,000	Tree Maintenance:	-\$5,000
Legal Fees:	-\$13,000	Tree Replacement:	-\$2,500
Police:	-\$8,000	ROW Maintenance:	-\$2,000
Street Maintenance:	-\$6,500	Urban Planner:	-\$17,000

Mueller noted that despite these adjustments, the Village is still going to experience a \$190,000 short fall and that a working session needs to be scheduled to discuss additional budget balancing action.

**Motion to amend the budget as outlined:** Mueller; 2<sup>nd</sup>: Sottile; Vote: All in favor (Krajeck, Mueller, Sottile)

**Schedule of Work Session:** Possibly Wednesday March 24, 2010. Council members will confirm.

**MAJOR FY 2011 BUDGET DEVELOPMENT ISSUES** Chairman Krajeck asked the Council to consider other possible service reductions for the upcoming budget development. The following areas were suggested as possible reductions:

- **Snow Shoveling Program for 65 plus and the disabled residents.** Krajeck noted the expense of this program, as well as the concern that some residents feel that it is an unfair subsidy by the general taxpayer, and administrative time required for the management of the program open it up to serious consideration for service redesign reconsideration. Krajeck noted that these are the kind of issues that should be discussed at the working session.
- **Other items in the budget that could be considered**
  - Reduce social events from 4 to 2; retaining the Halloween party and the Election Party.
  - Delay or reduce tree planting program
  - Reduce or delay street lighting implementation or consider small phases
  - Reconsider other construction projects

- **Raise real property tax rates** from \$.008, which is the current rate. [On a \$1,000,000 home that's \$80 a year] If the Village were to raise it to 2 cents—average \$120 more per household per year—it would generate about \$50,000-\$60,000 total revenues
- **Drawdown on Reserves.** It is important to note that the Village is looking at a \$200,000 draw down without doing any capital improvements this year; likewise we are looking at a \$200,000 draw down on reserves next year without any capital improvements unless we have reductions in service/tax increases. Sperling noted that our original plan was to go into our reserves by about \$190,000 for the current year. The difference now is how we are going to spend it—for capital projects or to sustain operating programs. Mueller noted that the draw down on the reserve was justified based on the capital improvement nature of the projects. Now the Village is supporting ongoing programs with those reserves--What is reasonable to draw down from reserves?
- **Next Steps**  
It was suggested that the Council consider setting up two budget work sessions. Attorney Bolt noted that under the Charter the proposed budget has to be ready at least two weeks before the annual meeting because the notice of the annual meeting has to attach the budget. Further budget changes at the April 15<sup>th</sup> meeting would be added.

#### MANAGER'S REPORT

- **Quincy Street Water Problem.** The ancillary storm water management system has been installed by the County. The next step is to hook up houses to the system. It has been a challenge, but overall the County was great to work with. Wayne Fowler with Alan Beal's firm MidAtlantic Inspections has been working with the County contractor, getting the information on how the residents hook up to the lines. This project has been 25 years in the making. The County Code Violation charge against the Goldman property has been closed at the request of the Village Manager.
- **Break-In** on Taylor Street in February required significant involvement of the Manager, the Chevy Chase Village Police and the County Police.
- **Storm clean up** performed by Integrated Plant Care (Paul Wolfe) has been completed for the Village Right of way and Village trees as well as storm debris on private property.
- **Meeting with FEMA/EMMA for January storms-** The manager attended a meeting at UMD with all other municipalities on March 4<sup>th</sup>, 2010 to get information about filing for FEMA reimbursement on the February storms. We can possibly earn 75% back for one 48 hour period.
- **Meeting with FEMA on December storms** will be held on Monday March 29<sup>th</sup> in Gaithersburg. Request for Public Assistance must be filed by April 17<sup>th</sup>.
- **Cancellation of Police Services-** CCV Police Chief and Manager informed us that contracted police services will not be extended to any municipalities in the coming fiscal year. Sperling is trying to negotiate an arrangement where services could be provided on an emergency basis and billed on a "per incident" basis.
- **La Ferme Event-** planning is almost complete. It should be a beautiful day.
- **Recycling bins**—we are still trying to negotiate the lowest price with Toters, Inc.
- **Shred It Event** - Section 3 and Section 5 would like us to do it again. Our costs would be about \$400.
- **Street lights** project is still underway. Sperling met with the lighting consultant Scott Watson to explore additional options. PEPCO has constructed an experiment with LED's in Somerset that everyone should look at.
- **Budget Meeting** with Richard, Chris and Dan completed on March 15.

#### Concerns-

- **Power north end of Village** – There have been complaints about frequent power outages in the north end of the Village. Residents have asked us to do something about it. Krajeck suggested that individual residents should handle their concerns with PEPCO.
- **Examiner Newspapers** - We received a request from a resident that the Village collect the names and addresses of residents who don't want the newspaper and communicate that the newspaper. It was agreed that this was not an appropriate problem for the Village staff.
- **Cable line complaints** – Many cable lines seem to have been affected by the snow this winter. Company response has been poor.

#### BUILDING ADMINISTRATOR'S REPORT: ALAN BEAL

- **Storm Drain work on Quincy.**  
Alan described the installation of the ancillary storm water system on Quincy Street built by the County to resolve the water discharge problem as a *miracle that fell out of the sky*--a miracle that he felt reflected the work of Manager Sperling. Wayne Fowler of MidAtlantic Inspections worked closely with Martin's Additions to contact everyone on the street who should have a connection to the new system to make sure that they got a port stubbed to the street. One property (127 Quincy Street) that appeared to have sump pumps discharging water into the

street from a non-down-spout water source did not get a port because they originally said the discharge spout was not theirs. Additionally, by the time the Village heard back from them it was too late to alter the County's plans.

- **Clarification of Resident Responsibility**

Alan has made it clear to a person who contacted him about the water in the rear yards of Oxford Street that the core problem has been addressed—ice in the street. Alan made it clear that the Village is not going to solve the problems that occur on private property.

Krajeck reiterated that water in the backyards of the homes on Quincy and/or Oxford is a private property issue. The Village has taken care of the public property issues with the installation of an ancillary storm water system by Montgomery County and the Village is not responsible for private property flooding.

Alan explained that an existing stormwater system was put in along the rear of the homes probably 80 years ago and it hasn't been maintained. Private property owners need to go back and maintain that storm water system. Alan suggested that the Village send a letter to the people on Quincy and Oxford and make it clear that it is not a Village problem and that the homeowners need to take it upon themselves to fix. Alan and Jean agreed to work together to prepare a letter. Attorney Bolt will review it.

Alan asked the Council to consider a regulation that says neither sump pumps nor down spouts can be discharged into the street. The Council agreed with this suggestion and directed Attorney Bolt to draw up a Policy Statement for review at the next meeting.

- **Projects:**

- 3508 Taylor Street project is making progress. Getting close to being finished
- 7300 Summit-contractor has gone bankrupt. Site has been cleaned up a bit
- 114 Quincy Street, Dumpster

## **OLD BUSINESS**

### **Storm Water Task Force Appointment.**

Chairman Krajeck presented background information on the appointment of a Storm Water Task Force. The following residents have been identified as willing to serve on the Task Force:

**\*#Chair: Mike Zielinski:** Turner Street, Federal Administrative law judge; also served as chair of the Land Use Task Force (LUTF).

**\*#Lynne Iadarola:** Shepherd Street, Architect.

**\*#Bill Lebovich:** Summit Avenue; Architectural Historian/Photographer

**#Anne Lieberman,** Quincy Street

**\*#Boucie Addison,** Summit Avenue, Real estate agent

**#Ian Yeomans,** Delfield Street, very English and delighted to serve

**#Michael Krachov,** Taylor Street 240 463-7081 e-mail: { HYPERLINK "mailto:mkrackov@ue.org" }

Office: 301 215-9577

\* Were on LUTF

# Are confirmed for storm water TF

**9:00 PM ADJOURNMENT:** Motion by Chris Mueller; 2<sup>nd</sup> Sottile; Vote: All in favor (Krajeck, Sottile, Mueller)

**9 PM MOTION TO ENTER INTO EXECUTIVE SESSION:** Chris Mueller; 2<sup>nd</sup> Sottile; Vote: All in favor (Krajeck, Sottile, Mueller)

### ***Executive Session to discuss Personnel Matter***

At this Council meeting on March 18, 2010, the Council met in executive session to discuss the employment, compensation, and performance of the Village Manager, an employee over whom it has jurisdiction. Present were Council members Richard Krajeck, Noell Sottile, and Chris Mueller; Jean Sperling, Village Manager; and Ron Bolt, Legal Counsel. A motion to enter executive session was made by Mr. Mueller at 9:00 pm and the motion was seconded by Ms. Sottile. All voted in favor (3-0). Ms. Sperling discussed her self-evaluation and the Council discussed Ms. Sperling's performance. Ms. Sperling was then excused from the meeting and the Council discussed her compensation. Council unanimously decided that the Village Manager's employment should be extended for another year and directed legal counsel to prepare an agreement. Richard Krajeck moved to adjourn the meeting. Noell Sottile seconded the motion. All voted in favor (3-0). The meeting adjourned at 9:55 p.m.