

**Village of Martin's Additions  
Council Meeting  
7013 B Brookville Road, Chevy Chase, MD 20815  
Meeting Minutes, January 21, 2010**

**COUNCIL MEMBERS AND VILLAGE REPRESENTATIVES PRESENT:** Council Members: Richard Krajeck, Noell Sottile, Mike Zielinski, Chris Mueller, and Larry Wasson. **Village Manager:** Jean Sperling; **Attorney:** Ron Bolt  
**Residents:** Keith Allen, Hanne and Frank Correl, Bill Catherwood, Deb and Steve Schmal, Tim Schaffer, Ted Stoddard, Michael Goldman, Karen Huizinga, Sharon Hadary, Ian Yeomans, Lynn and Natalie Welle.  
**7:30PM CALL TO ORDER.** Chairman Krajeck noted for the benefit of the record and those in attendance that the meeting is recorded by the Village for use in preparation of the minutes of the meeting. Council member Larry Wasson noted that he was also recording the meeting separately.

**POLICE REPORT:** Officer Hrnjak of the Chevy Chase Village Police reported that there were no incidents in VMA that required the response of the CCV police, other than traffic violations. There were two vehicles stolen in Chevy Chase Village. Undercover police officers have been working the area. Manager Sperling reported that there has been vandalism reported on vehicles parked on Summit Avenue. She asked the officer to please ask the Chevy Chase Village police to pay particular attention to that area at night when they are on duty here.

**ACTION ON MINUTES** of December 17, 2009 Meeting

**Motion to Accept the Minutes:** Councilmember Zielinski; 2<sup>nd</sup> Council member Wasson. Vote: All in favor.

**ELECTIONS AND ETHICS COMMITTEE REPORT**

Chairman of the Village Elections and Ethics Committee Frank Correl noted that the majority of the Council is up for election. He presented the following time table for the 2010 elections, consistent with the requirements of the Charter of the Village of Martin's Additions: **Nominations open:** Monday, March 1; **Nominations close:** Tuesday, April 6; **Statements from nominees due to Village office:** Wednesday, April 14; **Candidates' Forum:** Saturday, April 24; **Election:** Thursday, May 13 (**Charter deadline for election is May 15**).

Mr. Correl also explained that on Saturday, March 6, 2010 the Committee proposes holding a meeting for Village residents who might be interested in running for the Council to learn more about duties, responsibilities and time commitments for Council members. Mr. Correl hopes that current Council members will participate in this event, as well as some former members. He also felt that the celebration of our 25<sup>th</sup> Anniversary of incorporation on February 14<sup>th</sup> Sunday, will be a good opportunity to promote the election.

**STREET LIGHTING REPORT –Scott Watson**

Mr. Watson, a lighting engineer under contract with the Village of Martin's Additions to help develop a new street lighting plan, attended the meeting to present new lighting options for the Council to consider. He summarized action to date: an analysis was prepared of the current lighting situation, a field trip was conducted to other jurisdictions to evaluate the different types of light and a lighting fixture was settled on. There is general agreement that Induction Lighting was the preferred choice for Martin's Additions. It doesn't have the sharp cut off lines or unpleasant light of sodium vapor. An esplanade tear drop style light fixture was selected. Section 3 has just installed a sample of this on Georgia Street just north of the intersection with Bradley Lane. Mr. Watson urged each Council member to look at the fixture and light type.

Analysis and development of two options available for improvements to VMA lighting were presented. Lighting standards recommend that 1/10<sup>th</sup> of a foot candle of light are produced within the dispersal area of the light on the street, with higher levels at intersections. Many areas of Martin's Additions are at 1/100<sup>th</sup> of a foot candle. Any plan presents a challenge because of the particularly bad spacing of the light poles in VMA. Ideal spacing of poles is no more than 200 ft. In some cases VMA poles are as much as 400 ft apart and as few as 100 ft. apart. New poles can be installed to help balance out this disparity.

**Option A-** calls for adding about another 15 lights to existing utility poles or so from current levels, for a total of 76 street lights. Two new types of lights would be used, one has a longer light distribution (type 5) and the other has more of a concentrated light dispersal pattern (type 4) and would be used at intersections. Because of the irregular light pole locations some of the spacing results in less than ideal lighting patterns.

**Option B** –calls for installation of about 7 new utility poles. Each new pole might cost as much as \$7,000. Five fewer lights would be needed under option B because new pole location would result in the need for fewer light fixtures and therefore in somewhat lesser costs. The light fixtures can cost in the area of \$2,800 each.

**COST COMPARISONS FOR STREET LIGHT PROPOSALS:**

**Present Lighting Configurations, annual maintenance costs at PEPCO's Proposed rates.**

11HPS fixtures at \$6.71 per month = \$886 per year  
38 INC globes at \$11.79 per month = \$5376 per year  
16 INC (open) at \$5.78 per month = \$1,110  
65 fixtures at \$7,372 per year of \$184,300 for 25 years

**Proposed New Installations, annual maintenance costs at PEPCO'S proposed rates.**

### **Option A: No New Poles**

76 Esplanades at \$4.45 per month = \$4,058 per year of \$101,460 for 25 years

### **Option B, 7 new poles**

71 Esplanades at \$4.45 per month= \$3,791 per year or \$94,775 for 25 years

### **Installation Costs:**

Option A: 76 fixtures and brackets at \$2,800=\$212,800

Option B: 71 fixtures and brackets at \$2,800=\$198,800

7 new poles at \$4,000=\$28,000

7 new poles at \$7,000=\$49,000

Total Installation at \$4,000 per new pole= \$226,800

Total installation at \$7,000 per new pole= \$247,800

### **Installation and Maintenance for 25 years in 2010 dollars:**

Option A: 76 fixtures = \$314,260

Option B: 71 fixtures with 7-\$4,000 poles = \$321,575 (\$293 per year more than Option A)

71 fixtures with 7-\$7,000 poles = \$342,575 (\$1,133 per year more than Option A)

The Council agreed to schedule a working session to discuss the various options in more detail.

## **MANAGER'S REPORT**

### **• December Storm**

Overall Assessment. The Village had to mount a massive snow removal operation within a very short period of time to address the almost 2 feet of snow that fell on December 19/20, 2009. Despite almost 2 feet of snow, we received no complaints about snow removal. When faced with such an enormous challenge, our goal is to open up and keep open one lane at all times during a storm, to assure access for emergency vehicles. We absolutely met that goal. Kudos to our street plowing contractor, Mark Peyton. He was tireless in his continual plowing of the Village streets, resulting in roads that were passable at all times. Even though our streets were open, Brookville Road was impassable for a very long time-- a new plow operator thought that the local towns were responsible for their sections of Brookville Road. The Village Office developed a small list of businesses that could pitch in, and their names were quickly sent throughout the Village on the list serv, over the phone and on our website. Once we were essentially "dug out" we faced numerous new problems that changed almost on a daily basis.

Challenge of icing in several locations: Icing was reported at the following locations:(1) Melville Street at Raymond Street, (2) Taylor Street in select locations, (3) Oxford Street, and (4 ) Quincy Street. The ice build- up and spread on Quincy Street in particular, presented a real challenge, long after the snow plows had been put aside. Over the period of several days in early January, water discharge from several of the homes on Quincy Street accumulated into ice in the gutters and driveway aprons. A very aggressive approach was taken to try to contain the situation since it was so bad and apparently rapidly getting worse. [Jean shared several photographs of the Quincy Street location that presented the problem quite clearly].

### Action taken to address icing issue.

Numerous service providers were called in to attack the problems at the various locations. Verges Services was called in numerous times; they sanded, salted, applied saw dust, and broke up ice. Peyton was called in with his large truck, to apply salt and sand. He cut a path for the water through the ice to direct it into the storm drain on Quincy. Verges re-salted and sanded again and again. Taylor Street was salted and sanded and the ice was manually broken up. A broken water main on Taylor exacerbated the problems already occurring on that street. WSSC sanded and salted that area while we awaited the repair crews.

Additional sand and salt cans were placed. Some sand cans were moved as the problems seemed to appear worse in certain locations. E.g., as Melville and Raymond iced over, a sand can was moved to that location.

Water engineer called in and Mid-Atlantic Inspections was asked to assist. Bill Bissell, an engineer with expertise in water management that the Village has used previously was asked to examine the situation on Quincy Street. Mid-Atlantic Inspections (MAI) was asked to join in problem solving. Attempts were made to contact the home owners that seemed to be having the biggest problem. Wayne Fowler of MAI photographed the ice build up over the entire period for future reference.

Consultation with neighboring jurisdictions were made via our Manager's list serv to see if other towns were experiencing similar water problem and if they had any solutions. Section 3 and Chevy Chase Village reported having similar problems that were worse than before. Chevy Chase Village suggested getting the County to assist us. Mid-Atlantic contacted the County code enforcement office to ask for a review of the situation. Costs associated with ice control were substantial. More than \$2,000, almost half again as much as it cost us to plow the entire town, was spent on ice control.

Storm Follow Up- All Village streets have been re-cleaned to remove leaves in the gutters that came down in the storm and to clean up the rights-of-way. Reminders were sent to owners of unoccupied homes that they needed to shovel their sidewalks. FEMA is offering some reimbursement for an undetermined amount of our snow removal costs since the Governor declared us a disaster area we are eligible. The initial bills have been filed as required. The sidewalk shoveling bill was extraordinary, almost \$16,000 for that one storm.

### **• Tree Report**

Removal: A very large tree was removed at 114 Quincy Street. Another one is waiting for removal at 107 Quincy Street but needs PEPCO to take it down to the wires. A large tree was also removed at 3411 Turner Lane. All required state and local clearance requirements were met. Four cherry trees will be removed soon. All of the wood was removed by residents who were notified of its availability on the list serv. This saved the Village a nice amount of money.

### **• Street and/or Utility Issues:**

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Water main break on Taylor bubbled for quite some time. WSSC was delayed because of other more serious breaks in the region. It did make a mess of the street which Peyton cleaned up.

Water main breaks at Summit and Woodbine resulted in loss of water for some houses at the northern end of the Village.

Oxford Street waterline replacement. Chevy Chase Village will be holding a presentation on Feb. 8<sup>th</sup> on this project. We may piggy back on this presentation.

- **Administrative Matters**

Conference: The Office staff will be attending conference on 1/22/2010 on Records Retention Policies.

Roads Maintenance Class. Jean attended asphalt class at UMD.

Incorporation Celebration on Sunday, February 14, 2010. Planning is coming along.

Holiday Fund and Toys for Tots were a big success.

## **RESIDENTS' COMMENTS AND CONTRIBUTIONS**

Chairman Krajeck opened the comment period by asking residents to identify themselves by name and address when called upon to speak.

Karen Huizinga, 120 Quincy Street: Ms. Huizinga stated that her family members have been residents for many years. They have made improvements to their basements and have spent a lot of money on a drainage system over the past several years but that it seems as though something has changed.

Natalie Welle, 209 Oxford Street since 1969: Ms. Welle noted that there has always been a water problem on Quincy Street. The biggest problems are the sump pumps that dump into the street. She stated that she had heard that many years ago there was an open creek between Chevy Chase Village and Quincy Street, although it was before her time. It has been covered by yards and houses.

Michael Goldman, 118 Quincy Street. Mr. Goldman stated that he believes that this is a community problem. He bought his house in 2001 and spent a great deal of money to handle the water problem. He has worked with his neighbors to try to deal with the problem. He pointed out that he got a permit from Martin's Additions for the curb cut. He reported some years ago there was a change in water problems in his basement and that since then his basement has constant flooding problems despite spending tens of thousands of dollars.

Tim Shaffer, 205 Oxford Street. Mr. Shaffer mentioned that they have constant water issues in their basement and that their rear yard is often a pond of water with prolonged or severe rains despite 207 Oxford. He suggested that landscaping changes in Chevy Chase Village has sent water their way. He stressed that the water drainage is a neighborhood problem not an individual problem.

Lynn Welle, 209 Oxford Street. Mr. Welle described the water problems he now witnesses at the corner of Quincy and Oxford Streets. He said there can be as much as 10 ft of ice spread out into the street. He maintained that there was no icing problem before residents pumped their water into the street. He reported the water often gets to two feet deep in his yard despite the yard drain in 207 Oxford. He also noted that there are some water problems on the north side of Quincy. At the conclusion of his remarks, Mr. Welle presented the Village with a collection of photographs of the corner of Oxford and Quincy Streets.

Ian Yeomans, 7216 Delfield Street. He noticed water at Delfield and Taylor Streets during the most recent storm. Manager Sperling said that it was the broken water line at Taylor and Chestnut Sts. that was flooding all of Taylor Street.

Steve Schmal, 7317 Summit Avenue. Mr. Schmal suggested that a systematic review of the situation was needed so that the Village had a complete picture.

Council comments included Councilmember Sottile recalling that the Council had previously discussed adding another storm drain on Quincy Street. Council member Wasson clarified that there was no storm drain pipes or storm drains under most all of Quincy Street and that adding more of a storm drain system does not increase the amount of water it just reduces the amount of water and ice on the streets. Chairman Krajeck directed questions to the Village Building Administrator, Alan Beal, about the regulations related to pumping water into the street. Mr. Beal explained that the Village does not regulate this aspect of building codes—the County sets the standards and they consider pumping water into the street as the last resort, although they allow it. The storm drains are the responsibility of and come under the authority of the County. Water from private property can be pumped into the street if other solutions are not available, but not if it becomes a nuisance or hazard. Councilmember Sottile wondered if an additional storm drain at the corner would solve the problem. Councilmember Mueller suggested that the Village Stormwater Management Task Force be asked to address this problem as a part of their overall charge.

Alan summarized the issue by saying that he felt this was a significant private property issue that has become a public issue. Councilman Mueller suggested that perhaps a hydrology report should be prepared and that Martin's Additions could work closely with Mid-Atlantic to look at the problem. The Council agreed to discuss the matter further as a part of the Storm Water Management task force being created to address water problem in Martin's Additions. Several residents expressed an interest in volunteering for a task force, including Tim Schaffer and Natalie Straus Welle. Councilman Wasson also volunteered to serve on the task force. Chairman Krajeck noted that he will try to appoint people to the task force that represent a fair distribution throughout the Village.

Councilman Wasson asked for a work session to be set up to discuss street maintenance requirements before, during and after snow storms and regarding snow shoveling costs and issues. Chairman Krajeck agreed that a work session could be set up.

## **FINANCIAL MATTERS**

### Report for the Month of December 2009

Income for the month of December was \$7,171. Of that, approximately \$5,500 was from Village residents for the Holiday Fund, \$50 from permit fees, and \$970 in property tax, \$300 in cable franchise fees and about \$210 in interest income. After deducting Holiday Fund receipts, our real income was about \$1,683.

Expenses for the month totaled \$48,678, generally reflecting typical expenses for the month of December. Exceptions are \$5,515 in budgeted fees for tree replacement, but this expenditure brings the Village into line with the tree replacement budget for the first half of this fiscal year.

Expenses were \$41,507 more than income in the month of December. For the fiscal year, July through December, expenses are \$142,547 more than income. This imbalance is anticipated and typical; however uncertainty related to income for the second half of this fiscal year may be cause to reduce, delay or phase-in certain spending or projects.

A review of YTD budget and expenses shows a growing variance in several categories of income and expense. This includes data of which we have material knowledge, some of which occurred in the January, 2020 accounting period and is not reflected in the above December 2009 report:

#### Expenses

- Legal services are almost \$9,000 under budget YTD; police services almost \$8,000 under budget YTD. If this trend continues these two categories will end the year \$23,000 under budget.
- Office furniture and equipment is now \$400 over our FY budget of \$2,000. This is attributed to new furniture and a computer for additional office staff. Given additional equipment needs, an additional \$2,000 should be appropriated in this category.
- The Village has spent \$14,500 of its \$15,000 in third-party building and permitting budget. For the fiscal year, we should appropriate at least an additional \$15,000 in this category.
- Snow shoveling is currently \$1,500 over our FY budget of \$20,000. The Village will need to appropriate additional funds for snow shoveling. The Village Manager recommended adding an additional \$10,000 in snow removal budget.

#### **Revenue**

- County Revenue Sharing will be \$22,627, instead of the forecasted \$19,850.
- Highway user fees will be reduced to \$3,025, down from forecasted revenue of \$30,000, caused by state legislation designed to cover a state revenue shortfall.

#### Budget Amendment for FY 2010

\$27,000 is needed in additional appropriations to balance this year's budget. With the anticipated highway user fee shortfall of \$27,000, and likely savings in police and legal fees of \$23,000, we are currently facing a FY 2010 budget gap of \$31,000. Budget amendments are suggested above.

Council member Mueller moved to amend the budget in the amount of \$27,000 by making the following adjustments to budget categories: (1) \$2,000 in the office equipment budget, (2) \$15,000 for building permitting, and (3) \$10,000 for the snow removal budget. **2<sup>nd</sup>**: Zielinski; **Vote**: All in favor

**Motion to accept the Treasurer's report**: Councilmember Zielinski; **2<sup>nd</sup>** Sottile **Vote**: All in favor.

#### **DUMPSTER AND POD ORDINANCE 12-09-1: Public Comment /Action /Fee Setting**

Council Chairman Richard Krajeck explained that in accordance with the Village Charter, public comment is being taken on Ordinance 12-09-1 related to the prohibition of dumpsters in the streets and regulation of portable storage units, such as "PODS." Alan Beal pointed out that the development of this Ordinance was prompted by an incident at a construction site on Taylor Street where a dumpster, which had been placed in the street pursuant to a permit, resulted in a hook and ladder truck getting hung up on the dumpster when it was responding to an emergency call.

Tim Shaffer, 205 Oxford Street: Mr. Shaffer asked what the options are if residents are not allowed to place the dumpsters in the street. He wondered if residents could petition for a variance.

Attorney Bolt explained that the Council had considered whether a variance request should be an option but decided against it. If a dumpster cannot fit in the resident's driveway, they have to use a moveable vehicle to truck the debris off the construction site or find some other alternative. There were no further comments; Chairman Krajeck called for a vote:

**Motion to Adopt Ordinance 12-09-1** was made by Councilman Mueller; **2<sup>nd</sup>**: Sottile' **Vote**: 3 in favor. 1 opposed (Wasson).

**RESOLUTION 1-10-1 SETTING OF FEE FOR POD.** Consistent with the Council's authority to set a fee for the portable storage unit permit the Council agreed to a fee equivalent to that of a dumpster of \$75.

**Motion to set the portable storage unit permit at \$75** was made by Councilmember Mueller. **2<sup>nd</sup>** Zielinski. **Vote**: All in favor.

#### **BUILDING ADMINISTRATOR'S REPORT: Alan Beal**

The following business has occurred during the month:

**Bond Return: 3513 Bradley** :The project has been completed at 3513 Bradley Lane, Alliance Homes/Whitegate Estates and the right-of-way has been cleared. The bond has been returned.

**Bond Return Request: 160 Quincy**: The project has been completed and the right-of-way cleared. The request for a bond return is in process.

#### **Building Permits Issued:**

3515 Bradley Lane, for a rear one-story addition.

7003 Brookville Road, accessory structure.

**Information Request**: Related to a storage shed and whether it requires a permit. The answer is yes; particularly if the county requires a permit.

**The Chairman called for adjournment 9:40 PM.** Councilman Mueller moved; **2<sup>nd</sup>** Sottile; **Vote**: All in favor.

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