

**Village of Martin's Additions  
Council Meeting  
7013 B Brookville Road, Chevy Chase, MD 20815  
July 15, 2010 Minutes**

**COUNCIL MEMBERS AND VILLAGE REPRESENTATIVES PRESENT:** Council Members Present: Richard Krajeck, Chris Mueller, Arthur Alexander, Jill Filipczyk, Mike Zielinski.

**Village Manager:** Jean Sperling. **Attorney:** Ron Bolt. **Building Permit Administrator:** Alan Beal.

**Residents:** Bill Catherwood, Hanne and Frank Correl, Keith Allen, Holly Worthington, Natalie and Lynn Welle.

**6:30 PM ADMINISTRATIVE TRAINING SESSION FOR COUNCIL MEMBERS: PRESENTER, ATTORNEY RON BOLT**

**7:30PM CALL TO ORDER-GENERAL MEETING**

Councilmember Krajeck called the meeting to order and noted that the meeting is being recorded by the Village for the purposes of preparing the minutes. No one else indicated that they were recording the meeting.

**POLICE REPORT**

Sgt. Dasilva was not able to attend the meeting but provided the following report:

In addition to the traffic stops made in Martin's Additions as reported by the Chevy Chase Village Police report, an Officer responded to a residential alarm at 3505 Shepherd Street that had been set off by the construction workers at the house. There was a hit & run traffic accident in Chevy Chase Village, at Connecticut Ave. and Quincy St. The County police reported a Residential burglary attempt at 4107 Bradley Lane on Tuesday 6/29 at 9:18 p.m.; the victim returned home and heard glass break. Glass in the rear door had been broken, but no entry was made. The K9 track led to 4111 Bradley Lane, a vacant home, where a pair of gloves was located.

**COUNCIL SWEARING-IN**

The three newly elected Council members, Richard Krajeck, Jill Filipczyk, and Arthur Alexander were sworn into office by the Village Manager, who then notarized each oath of office.

**ELECTION OF OFFICERS**

Council officers were nominated and approved as follows:

**Chairman:** Motion to Nominate Richard Krajeck for Chairman of the Village Council was made by Chris Mueller; 2<sup>nd</sup>: Mike Zielinski; Vote: All in favor.

**Vice Chairman:** Motion to Nominate Chris Mueller for Vice Chairman was made by Arthur Alexander; 2<sup>nd</sup>: Jill Filipczyk; Vote: All in favor.

**Treasurer:** Motion to Nominate Arthur Alexander for Treasurer was made by Jill Filipczyk; 2<sup>nd</sup>: Mike Zielinski; Vote: All in favor.

**Secretary:** Motion to Nominate Jill Filipczyk for Secretary was made by Mike Zielinski; 2<sup>nd</sup>: Chris Mueller; Vote: All in favor.

**RESIDENTS COMMENTS, CONCERNS AND CONTRIBUTIONS**

**Holly Worthington, Turner Lane** stated that she had worked on the July 4<sup>th</sup> Picnic and felt that the team that works on it next year (which she volunteered for) should consider holding the event earlier since so many children and families seem to go away for July 4<sup>th</sup>.

**Keith Allen, Turner Lane** introduced Barbara, a resident of Brookville Road (not in Martin's Additions) whose small dog was mauled to death on Brookville Road by two dogs who broke away from their owner. Barbara explained that her dog was on a leash. The entire incident was a horror and Barbara had come to the Village meeting, hoping to voice a warning to the greater community. One of the dogs is a pit bull and the other some sort of mixed large breed. Her little dog was destroyed before her eyes; people stopped and tried to help but there was nothing that could be done. A child could have easily been killed by these out-of-control dogs. Both Keith and Chairman Krajeck expressed their sympathy for the horror Barbara described. Krajeck said that the Village would share this information with the residents through the publication of the meeting minutes and urge residents to be cautious.

**Bill Catherwood, Shepherd Street** thanked Keith Allen, Maura Gordy and Holly Worthington for the wonderful picnic they threw and especially for financing the event.

**Lynn Welle, Oxford Street** asked if the Village knew when the homes that are pumping the water into Quincy Street will hook themselves up to the new auxiliary storm sewer lines. Krajeck said that residents will soon be provided with the instructions needed for them to access the new lines. He noted that the Village policy prohibiting the discharge of water from a residents' property into the street became effective on July 8, 2010.

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

Mr. Beal noted the ongoing projects underway in the Village. They are:

**7404 Summit** (Brotman Family) Demo is almost complete. All fees have been paid. Our building permit will be issued soon.

**7300 Summit** (Lazare Family)

**7316 Delfield Street** (Groeschel Family)

New projects include:

**7315 Delfield** (Kirsch Family). This will be a big project, comparable to tear down. Alan and Jean meet with the builder and architect to review some of the plans that are under consideration.

**7215 Delfield** (Bhargava Family). This potential project will require a meeting with the owners and their architect, Beal and Sperling.

An inquiry has been made about a possible tear down and new construction property on **Chestnut Street**.

#### **Issues:**

**3502 Cummings Lane**: The Village received notice that a County fence permit (and Building permit) is being appealed to the County by the neighbor at 3418 Cummings. VMA been notified by the appellant's attorney that there will be a preliminary hearing on July 28<sup>th</sup> at the Board of Appeals in Rockville. The Village has issued a building permit for a mud room but has not issued fence permit. We are awaiting further documentation on the appeal from the owners of 3418 Cummings Lane.

**Review of Village Procedures related to appeals**. Beal suggested that the Village review its ordinance related to an appeal of a building permit to consider establishing more concrete procedures.

**ACTION ON MINUTES**: The Council voted to approve the minutes for the month of June by email. Manager Sperling asked for a formal motion for the record.

**Motion to approve the minutes of the June 17, 2010 meeting was made by Filipczyk; 2<sup>nd</sup>: Alexander; Vote: All in favor (Zielinski was not present at the June meeting).**

#### **FINANCIAL REPORT- Month of June, Christoph Mueller**

Income for the month of June was \$ 62,800, including \$856 in permit fees, \$1,186 Cable franchise fees, \$60,200 in income tax and \$570 combined in interest income, real and personal property tax and code infractions. Expenses for the month totaled \$ 46,380.

Unusual expenses included \$7,600 in payments to the Village Manager's 457(b) retirement fund where the Village made a two year catch up payment for FY 2009 and 2010. The Village was finally able to establish the plan with a municipal retirement management company about a month ago. Another 3 month catch up payment is needed and then we will be debiting on a payroll by payroll basis going forward.

Pre-audit expenses for the fiscal year 2010 have drawn down prior years' surpluses by about \$256,000, slightly less than earlier projections. Continued fiscal controls and a FEMA reimbursement for expenses associated with one of our past winter storms have helped in this reduction. We will receive one more FEMA reimbursement for FY 2010 of about \$10,000. Additional employee benefit funds will need to be appropriated to cover the costs of paying its contractual commitment over the past two years.

#### **Discussion:**

Council member Krajeck said it was his understanding that the 2009 payment wasn't made because the plan hadn't been set up and that we couldn't go back and make it. Mueller explained that according to the retirement administrator there was no issue about paying into the fund so long as the maximum contribution is not exceeded. The contribution was about \$7600 for two plan years 2009 and 2010 and is way below the maximum allowed. Krajeck said that he would contact the Village Attorney and get clarification about the concerns.

Councilmember Alexander asked for an explanation of the FEMA storm reimbursements. Sperling explained that FEMA declared the second state of emergency this past winter in February. There are many limitations on acceptable expenses within the 48 hour window that can be used to request reimbursement. Sperling explained that she selected the period where the skid loaders and dump truck were brought in to widen the streets because that was the most expensive 48 hours of service. None of the sidewalk shoveling was considered an allowable expense. There is an additional category that the Village was able to claim--post-storm clean up costs that don't get restricted to 48 hours. That category included debris clean-up of all the trees that came down, taking out resident debris, clearing of fire hydrants, and storm drains and some administrative costs.

*A Motion to accept the June Financial report was made by Arthur Alexander; 2<sup>nd</sup> by Zielinski; All voted in favor.*

## **BUDGET WORK SESSION**

Krajeck noted that a budget work session has been set up for Tuesday, July 20 beginning at 6 PM. Dan Baden the Village Accountant will attend. Krajeck explained that one of the purposes of the session is to replay the budget development process that the Village goes through in March and review every budget category. The focus will be on a review of the change in the Village budget, items that are included in the budget expense categories, review of revenue sources and the consideration of a plan for further budget discussions at the September meeting.

## **MANAGER'S REPORT**

### ***Street and/or Utility Services include***

- Reports of power outages sporadically throughout the Village are being recorded for eventual report to PEPCO's reliability Office
- A gas leak has been identified on Melville Place. Washington Gas has been alerted and they have it on their schedule for repair.
- A meeting was conducted with WSSC, residents Edelstein and Leibman and Paul Wolfe, the Village arborist to discuss the sewer line repair on Thornapple Street at the Edelstein's. WSSC will use their arborist to care for the Village tree during the excavation.
- Brookville Rd sidewalk construction project has completed the final hurdle with the Montgomery County Planning Department and construction is scheduled to be start in September.

### **Service Deliver/ Maintenance include**

- Leaf bag delivery will start earlier this year than in the past so we can clear out our supplies before we reorder. Our usual supplier can provide any additional bags at last year's prices if we need them.
- Mulheron Tree Service has agreed to write individual contracts with homeowners for snow shoveling next winter. This is a change in practice for them; they were not willing to do so in the past.
- The new contract is in effect for Waste Management for FY 2011 which includes the change in heavy trash pick up to every other month and a reduction in yard waste collection during the winter.

### **Tree Report**

- Routine summer maintenance including removal of suckers has been completed.
- Watering bags have been placed on trees and weekly watering has commenced. We've had terrific growth on our new trees and our arborist is convinced that the water program (and scheduled fertilizing) has had a big impact.
- Limb down in storm on Chestnut; nothing else reported.
- Shrubs along wall on Taylor Street were pruned to allow pedestrians to pass.
- Dead tree on Melville that we think was killed by the gas leak.

### **Administrative Work/Issues**

- Building Permits and processing as described by Beal.
- Permit for 3502 Cummings Lane has been challenged to Montgomery County by the neighboring resident. The Village has issued a dumpster and building permit. A Fence Permit has been requested but not issued. Martin's Additions has asked for supporting documentation explaining the appeal but it has not yet been received.

- A construction project is coming on line soon at 7315 Delfield- Beal and Sperling met with the builder and architect to discuss the project and review VMA building codes and the project plans.
- Alan has reviewed the building concepts for changes proposed for 7215 Delfield. A meeting will be scheduled to review the VMA codes and those proposed plans with Beal and Sperling
- Reimbursement notice received from FEMA for February storm expected to be about \$10,000 reimbursement. Expenses accepted were \$13,810.70. \$8,295.59 for loaders, hydrant clearing, administrative costs, \$5,515.14 for debris removal. The reimbursement rate is 75%
- The Village staff had begun working on Code of Ordinance for the purposes of assuring that all resolutions are properly reflected and notes in the document.

**Community-Related Activities**

- The July 4<sup>th</sup> Picnic was great fun—heat and all. Many thanks to Keith Allen and Maura Gordy, who were kind enough to plan the event, fund it and run it too!
- The office staff (and Council member Filipczyk) attended a workshop at the Bethesda Services Community Center on best practices for setting up volunteer programs. We have learned how to register as an official “Student Service Learning Program” that is requirement if high school students are interested in serving the community and receiving community service hours for their work. The Village intends to get the training and be certified for this program.
- We would like to start a “Be a Good Neighbor” program, a program that was suggested by one of the participants at the volunteer workshop.
- We have initiated our call for a Teen Volunteer program.

**Resident Concerns include:**

- Building Permit at 3502 Cummings
- Basketball hoops have been moved on Melville and Chestnut and Delfield Streets
- Complaints about speed on Cummings Lane have been received. Traffic engineer Cutro has recommended that any traffic counts should wait until the fall.
- Driveway access on Chestnut Streets is causing problems for a resident who asked if the Village could do anything to improve the situation. We will investigate the matter.

**Up and Coming Work/Project awaiting completion**

- Would like to develop a User’s Guide to Our Municipal Permitting Process like CC Village
- Complete letter to Quincy street residents on how to hook up to the ancillary sewer line.

**9:00 PM A motion for Adjournment** was made by Mueller, 2<sup>nd</sup>: Filipczyk. All voted in favor.