

SECTION 5 OF THE VILLAGE OF CHEVY CHASE
MINUTES OF THE COUNCIL MEETING

Date: September 19, 2006
Time: 7:30pm
Place: 5906 Connecticut Avenue, Chevy Chase Village Hall
Present: Margy Abbott; Frances L. Higgins; Farooq Hussain; Ira Rosenbaum;
Andrew Smith; 7 Section 5 residents

1. Minutes

Andrew welcomed everyone. He moved that the June 6, 2006, Council meeting minutes be approved as revised by email; Margy seconded the motion and it passed unanimously.

2. Citizens' Concerns and Suggestions

3. B-CC Rescue Squad

A Williams Lane resident said that he is an EMT volunteer at the B-CC Rescue Squad and would like the Council to donate money to help with the cost of operating the squad. He introduced Bob Kretzmer, a member of the Rescue Squad's Board of Directors, and Bob gave some background information about the operation of the squad. A large majority of the squad's personnel is made up of volunteers and thus it saves the County \$1,000,000 per year. Because of the increase in oil prices the squad has suffered a deficit this last year of \$58,000.

Margy asked how much the other Chevy Chase towns plan to give and Bob said that he did not know the amount. A resident asked Bob if the squad had a capital fund; Bob said that it did and with the deficit this last year the squad has found it necessary to borrow from this fund. Farooq said the Council will determine the degree of support in Section 5 for a donation to the squad before deciding on an amount. Farooq also said that he would contact the other Chevy Chase towns and ask about their donations. Andrew said the Council will discuss the matter of a donation at the October Council meeting and respond to the squad.

3. 7401 Brookville Rd Property

A Brookville Road resident told the Council that he supports the property owner at 7401 Brookville Road in his efforts to get a County permit to build an addition to the present house. This effort has taken two years. There was some discussion about the County requiring the property owner to install a sidewalk at his own expense along his property on Windsor Place. There was some discussion about this proposed sidewalk by the Council. The Council agreed that they would support the construction of a sidewalk along the south side of Windsor Place on the boundary of the property at 7401 Brookville Road if the County requires it.

4. Town's Web Site

A Williams Lane resident asked about keeping the web site up to date. Farooq said that the Council has been on recess for the summer and updating the web site has been suspended until the Council devises a policy concerning what items should be placed on the web site and which ones should not. Andrew said that he was surprised that Michael Shulman's letter was placed on the web site. Farooq said that matters that are discussed at Council meetings are according to the town's Charter a matter of public record and should be placed on the web site. Farooq said that no material should be posted on the web site unless the manager sends it and she will not send any material

unless it has the support of the Council; the other Council members agreed with this statement.

5. Discussion of Policy Regarding Rodent Control by Town for Residents

A Thornapple Place resident said that the roots from a neighbor's tree are threatening the foundation of her house. She asked if she should contact her neighbor about the removal of the tree and if the neighbor agrees to remove it, should she apply for a permit to remove the tree. The Council told the resident to contact the neighbor and then the neighbor should apply for a permit. The resident also asked the Council to take care of the erosion around the public tree in front of her house. The manager will contact a landscape company to control the erosion. The resident asked the Council to employ an exterminator to remove the rats on her property. She said that the Council on two different occasions has paid to remove raccoons from a resident's property. Margy said that the other Chevy Chase towns do not pay to remove rodents or raccoons from private property and that the County has an inspector who will come and give an assessment of the rodent problem and make suggestions about eliminating it. Margy said that she did not think that the Council should pay to have rodents removed from a Council member's property and then institute a new town policy that it will not pay for rodent or raccoon removal from private property as another Council member suggested. The resident said that she thought that this policy would discriminate against someone because he/she served on the Council and that a service should be administered fairly. Andrew said that he thought the Council had made a mistake when earlier it paid to remove the raccoons from private property. There was no decision concerning the resident's request.

6. Discussion of Town Paying Resident's Insurance Deductible for Damage Caused by Town Tree

Andrew said that a Thornapple St. resident's house suffered damage when a Section 5 tree fell in July. The town's insurance company will not pay for damage caused by town trees because the town has a vigorous tree pruning/removal program. There was some discussion. The Council agreed not to pay the resident's insurance deductible. The manager will write a letter to this resident stating the Council's decision and circulate it to the Council before she sends it.

7. Installation of "Children at Play" Signs

A resident on Windsor Place has asked the Council to install a "Children at Play" sign on her street. Ira presented information concerning these signs which is posted on the County's web site. This information states: "'Children at Play' signs are not approved for use by the Manual on Uniform Traffic Control Devices, the national standard for traffic control signs. These signs are inappropriate for public streets since they convey the suggestion that playing on the street is acceptable behavior, which it is not." The Council decided not to install such a sign on Windsor Place. Farooq said that if the Council does not plan to install any additional signs because they are listed as inappropriate by the County, then it should remove the existing ones. There was some discussion. The Council decided to discuss whether it should remove the existing signs at the October Council meeting. The manager will write a letter to the Windsor Place resident stating the Council's position.

8. Discussion of Planning for Municipal Zoning Authority

Andrew said the Council should devise a plan to exercise the town's

new zoning authority which will become effective in October 2006. He said that he thought the town should begin by writing an ordinance dealing with stormwater management.

Margy said that the Council has employed Alan Beal to review the town's permitting process and make suggestions about what Section 5 should do to update its entire permitting process. The manager will call Alan Beal and ask him to make a presentation at the October Council meeting concerning his suggestions about Section 5's permitting process.

9. Treasurer's Report

Margy said that the town spent less money than it had budgeted; it budgeted \$244,00 and it spent \$230,593 for 2005-06. The manager will get current CD rates for the CD due in October. MLGIP interest rate is 5.18%.

10. Safety Issues

A resident has complained about cars being parked too close to stop signs and also to corners. The manager will write a letter explaining the violation and post it on the windshield of a car that is in violation of the parking regulations.

11. Building Inspector's Report

Permits Issued:

3714 Thornapple St. – back yard fence
1 Alden Lane – 2 story rear addition
3801 Williams Ln. – 2 story rear addition
3803 Thornapple St. – side yard fence
3716 Thornapple St. – back yard fence
3807 Williams Ln. – back yard fence
3805 Williams Ln. – back yard fence
3802 Leland St. – back yard fence
3802 Underwood St. – back yard deck
3817 Woodbine St. – 1 story rear addition

12. Manager's Report

A Thornapple Street resident has asked the Council to paint a yellow strip across from her driveway to preclude parking so that she may more easily back out of her driveway. It was noted that that block of Thornapple Street has parking limited to the south side of the street presently and limiting parking further would be a hardship to other residents. The Council decided not to take any action on this request at the present time.

The State legislature passed a law requiring residents to employ only licensed tree removal companies to remove trees in Maryland. The manager will add an item on the tree removal permit application for the listing of the license number of the tree removal company.

Montgomery County Sanitation & Recycling, Co., the town's trash collection company, has asked the Council for a 7% increase of its monthly charge due to the large increase in fuel prices. There was some discussion. Margy moved that the Council give Montgomery County Sanitation & Recycling, Co. a 7% increase in its monthly charge. This increase will be \$375.00 per month. Ira seconded the motion and it passed unanimously.

Montgomery County is in the process of negotiating a contract with Verizon for cable service in the County. The Council decided to employ David Podolsky, an attorney, to represent Section 5 in these negotiations.

Andrew moved that the meeting be adjourned; Ira seconded the motion and it passed unanimously.