

Chevy Chase Village Board of Managers

96th Annual Meeting Minutes

April 19, 2010

Board of Managers

Douglas B. Kamerow, Chair	Present
David L. Winstead, Vice Chair	Present
Gail S. Feldman, Treasurer	Present
Timothy Trifilo, Assistant Treasurer	Present
Robert L. Jones, Secretary	Present
Betsy Stephens, Assistant Secretary	Present
Peter M. Yeo, Board Member	Absent

Staff

David R. Podolsky, Legal Counsel	Present
Ronald M. Bolt, Assistant Legal Counsel	Present
Shana R. Davis-Cook, Village Manager	Present
Roy A. Gordon, Police Chief	Present
Michael W. Younes, Manager of Contracts/Capital Projects	Present
Demetri Protos, Finance and Accounting Specialist	Present
Grace Brock, Administrative Assistant/Community Liaison	Present
Dr. Douglas B. Kamerow, Chair of the Board of Managers of Chevy Chase Village, called the meeting to order at 7:35 p.m.	

Approval of Minutes from the Annual Meeting of April 20, 2009

Ms. Davis-Cook stated that there were amendments to the draft minutes reflecting grammatical corrections.

Ms. Stephens made a motion to approve the minutes as amended from the 95th Annual Meeting, held on April 20, 2009. Ms. Feldman seconded the motion. Dr. Kamerow, Mr. Winstead, Mr. Jones Ms. Stephens, Ms. Feldman and Mr. Trifilo voted in favor of the motion. Mr. Yeo was absent and did not vote. The motion passed.

State of the Village: Dr. Douglas B. Kamerow, Board Chair

Dr. Kamerow presented the State of the Village report:

- Triennial Resident Survey was conducted in September 2009 with a response rate of 63%. Responses to the survey will guide future services, initiatives and funding levels.
- The \$1.14 million deficit projected for the current fiscal year motivated the Board to create a Budget Task Force to assist the Manager in preparation of the FY2011 budget and future budgets in expectation of further income shortfalls and expense increases. The FY2011 budget reflects an approximate \$422,000 deficit, and does not reflect a real estate tax increase, maintaining the constant yield rate.
- The Village continues to defend two current lawsuits: Leahy, et al vs. Montgomery County, et

al (Chevy Chase Village) challenges the County's and three municipalities operation of our *SafeSpeed* Programs (the Village has modified its contract to remove any doubt that the Village's program is compliant with the law); and Cary M. Euwer, Jr. vs. Chevy Chase Land Company, et al (Chevy Chase Village) in which a resident on West Lenox Street is suing for adverse possession of a portion of the Cedar Parkway public right-of-way, north of West Lenox Street.

- The Brookville Road sidewalk Project, an initiative to replace all deteriorating sidewalks and an investigation of insufficient street lighting throughout the Village are all in the planning stages and will be funded by the Village's *SafeSpeed* Program revenues. This program continues to slow drivers, resulting in fewer collisions and increased safety for drivers and pedestrians.
- The Board approved a franchise agreement with Verizon to allow installation of *FiOS* TV, internet and phone service beginning fall/winter 2010/2011.
- The Village launched its new website last September, which was developed with the assistance of a panel of residents.
- New Village Manager, Shana Davis-Cook was appointed December 1, 2009. After 15 years with the Village and six years as Manager, Geoffrey Biddle resigned to take a position in the private sector. Following a 3-month long recruitment effort, the Board named Shana Davis-Cook Village Manager. Shana had worked in varying capacities with the Village for ten years, most recently serving as the Assistant Manager.
- Special thanks were made to the Public Works staff, led by Director Jerry Lesesne, for their hard work this past winter in keeping Village roads clear after record-breaking snowfalls.
- General statistics from the previous year:
 - 31 new families
 - 121 building and tree removal permits
 - 300 plus in attendance for the fourth of July Parade and Party
 - 200 plus in attendance for the Halloween Party
 - 400 plus in attendance for Annual Holiday Party

Dr. Kamerow concluded by encouraging Village residents to become informed and involved in the community by signing up for the Village's list serve, visiting the Village's website and volunteering to serve on the Village's many different committees.

Village Manager's Report: Ms. Shana R. Davis-Cook

Ms. Davis-Cook stated her deep appreciation to Chevy Chase Village residents, the efforts of the Village staff, the Board of Managers, the members of the Village's Commissions and Committees and the individual residents who all help to make the government function. Ms. Davis-Cook noted one of the changes due to budgetary concerns is an internal streamlining of the permitting process. Ms. Davis-Cook stated that she strives to be an approachable manager to residents of the Village.

Legal Counsel's Report: Mr. David R. Podolsky

Mr. Podolsky began by stating that this year has been an extraordinary year. Mr. Podolsky stated that unfortunately after about 2 decades of reporting that there had been no pending or threatened litigation, the Village is currently involved in two court cases. In addition to actively defending these cases, Legal Counsel has been assisting staff with the Brookville Road Sidewalk Project with respect to contracting and easement agreements. Also, council has been assisting the staff

with administering Village Code and permitting and personnel matters. Mr. Podolsky further explained that in the first case, the Leahy vs. Montgomery County, et al litigation, the Village is a co-defendant along with the cities of Gaithersburg, Rockville, and Takoma Park. This case involves the operation of the *SafeSpeed* Program. The second litigation is between Cary Euwer and Chevy Chase Land Company in which the Village intervened as a co-defendant. This case involves an abutting property owner claiming that he has adversely possessed a portion of the Cedar Parkway a public right-of-way located north of West Lenox Street.

Police Report and Public Safety Committee: Chief Roy Gordon and Committee Chair Saul Goodman

Police Chief Roy Gordon stated that the Village seeks re-accreditation every three years from the Commission on the Accreditation for Law Enforcement Agencies. Chief Gordon introduced the two visiting assessors who had been reviewing the Village's CALEA accreditation in the last few days. Police Chief Roy Gordon and Public Safety Committee Chair Saul Goodman outlined the year's activities and statistics and discussed the *SafeSpeed* photo speed monitoring program. Chief Gordon and Mr. Goodman encouraged residents to assist the Village police by being the "eyes" and "ears" in the community and to report suspicious activity to the Village's 24-hour Communications Center. They also reminded residents to make sure they lock their cars.

Budget Overview: Mr. Samuel A. Lawrence

Budget Committee Chair Samuel Lawrence advised that due to a decrease in revenues coupled with an increase in expenses, the Manager projected a substantial deficit (\$1.14 million) by the end of the current fiscal year, June 30, 2010. Following the Board's approval of several cost-cutting measures, the projected deficit for FY2011 is \$422,000.

Resolution No. 04-01-10: Budget Approval

Dr. Kamerow asked for comments from the floor. There were none.

Ms. Feldman made a motion to adopt the proposed budget as drafted and to approve Resolution No. 04-01-10. Ms. Stephens seconded the motion. Dr. Kamerow, Mr. Winstead, Mr. Jones, Ms. Stephens, Ms. Feldman and Mr. Trifilo voted in favor of the motion. The motion passed.

Resolution No. 04-02-10: Resolution levying a tax on certain real and personal property under the provisions of Section 6-203 of the Tax-Property Article of the Annotated Code of Maryland. Dr. Kamerow explained that the Village would hold the constant yield tax rate for FY2011, and he asked for comments from the floor. There were none.

Mr. Winstead made a motion to approve Resolution No. 04-02-10. Mr. Jones seconded the motion. Dr. Kamerow, Mr. Winstead, Mr. Jones, Ms. Stephens, Ms. Feldman and Mr. Trifilo voted in favor of the motion. The motion passed.

Commission/Committee Reports

Audit: Mr. Trifilo noted that the Village had received a clean audit for the fiscal year that ended June 30, 2009 and expected to receive a clean audit for the fiscal year that would end on June 30, 2010. He added that the Village had transitioned to a new independent audit firm and that the audit went very well and was completed at a lower cost to the Village.

Building Facilities: Acting Chair Pam Somers reported that the Commission is in transition due to the resignation of Chair Elizabeth Bausch, and Commissioners Karen Spangler, Pam Somers and Cara Medeiros. She noted that Roxann Steinberg, Margaret Babbington and Elissa Leonard had recently been appointed, but two vacancies remained. Once these remaining vacancies are filled, the Commission will focus its attention on working with the Environmental Committee regarding energy efficient lighting options for the Village Hall.

Children, Youth and Families: Committee Co-Chair Kristen Best noted that she co-Chairs events and activities for the 0-6 age groups with Jill Watson and Margaret Babbington and Rosemary Sump co-Chair events and activities for the 7-17 age groups. Ms. Best noted the varying events that the Committee sponsored over the previous year, highlighting a Haiti Earthquake fundraiser, which raised over \$8,000 for the *Save the Children* to help children in Haiti. Ms. Best noted that the Committee seeks block captains to help get the word-out and coordinate for upcoming events.

Emergency Preparedness: Committee Co-Chair Oliver Davidson advised that the Village was well prepared for the record-breaking snow storms. Mr. Davidson reminded residents to get vaccinated to help prevent the flu during flu season. Village staff including Director of Municipal Operations Michael Younes, Police Chief Roy Gordon and Village Manager Shana R. Davis-Cook continue to participate in County- and State-level coordination designed to protect residents in case of a possible emergency.

Environmental (*The Village Green*): Committee Chair Lawrence Heilman stated that the Energy and Environmental Committee had been operating for about 2-1/2 years and has more than 10 active “Greenies”. Dr. Heilman added that the Committee operates with the following Mission:

1. Reducing the Village’s carbon footprint.
2. Broad, but prudent involvement in a number of the Village’s activities.
3. Serving as an excellent resource to assist the Board and staff in making the Village a model of sound environmental and energy practices.

Dr. Heilman added that some of the Committee’s past activities include a comprehensive energy assessment of the Village Hall which is in the process of being implemented and a green procurement policy for Village vehicles that has been adopted and is being implemented. Dr. Heilman thanked all of the “Greenies” for their hard work. He added that he would like to encourage residents of the Village to join the Environmental Committee.

Ethics Commission

Chair Kate Clark stated that the Ethics Ordinance is available for viewing in the Village office. There were no reported or confirmed ethics violations over the previous year.

Historic Preservation Commission Local Advisory Panel (LAP):

Chair Thomas Bourke explained that the LAP continues to review residents’ applications submitted to the County’s HPC for Historic Area Work Permits to ensure proper administration of the historic review process.

Investment: Investment Committee Chair Gail Feldman advised that the investment income has

decreased drastically and the Committee, along with assistance from Legal Counsel, the Finance Director Demetri Protos and the Village Manager, continue to look for sound financial investments within the parameters of the Village's Investment Policy.

Parks: Chair Alice Kinter stated that her Committee continues to oversee the general upkeep and maintenance of the Village's parks and other green spaces, which need more plantings, benches and professional landscape design, although there are currently no monies included in the FY2011 budget specifically for landscape design.

Personnel: Chair David Kushner noted the wonderful job the Village staff does. Mr. Kushner noted the staffing cuts and freezes reflected in the FY2011 budget.

Public Safety: Chair Saul Goodman began by explaining that his Committee serves as the citizen advisory board to the Village Manager and Police Chief regarding both the police force and Communications Center staff. Mr. Goodman and Chief Gordon strongly encouraged residents to call into the Village's 24-hour Communications Center whenever they see, hear or sense a suspicious situation.

Chief Gordon noted that there had been no violent crimes during the preceding year; however, vehicle break-ins had continued. He concluded by encouraging residents to contact the 24-hour Communications Center if anything seems suspicious, no matter what time of day or night.

Public Works: Co-Chair Thomas Jackson commended Director of Municipal Operations Michael Younes, Director of Public Works Jerry Lesesne and the Public Works crew for the 600+ man hours spent during the three large snow storms this past winter. He also stated that there are two projects in the planning stages, which are sidewalk and streetlight replacements to improve pedestrian safety.

Seniors: Chair Betty O'Connor reported that the Committee for Seniors together with Chevy Chase@Home had started a bi-weekly event called Meet and Mingle. This event provides seniors with an opportunity to get out of the house and enjoy each others' company, refreshments, seminars and entertainment. Ms. O'Connor advised that she continues to seek volunteers to assist.

Tree Committee: Chair Bob Elliott stated that weather had delayed this Spring's tree planting program; however, the Committee intends to plant approximately 20-22 trees throughout the Village in the coming weeks. Mr. Elliott welcomed resident feedback as the Committee proceeds into the Spring planting program

Nominating Committee Report: Chair George Kinter announced that three incumbents, Robert L. Jones, Betsy Stephens, and Timothy J. Trifilo, are running for reelection. There are also four additional candidates; Peter Kilborn of 4007 Oliver Street, Allison Shuren of 108 Hesketh Street, Alex Smith of 1 West Melrose Street and Lawrence Heilman of 46 Grafton Street. Mr. Kinter outlined the procedures for a contested election. He added that there will be a Candidate's Reception held in the next week to get to know the candidates with a question and answer period followed by light refreshments. There were no nominations from the floor.

Old Business

None.

New Business

None.

Mr. Winstead made a motion to adjourn the 96th Annual Meeting. Ms. Feldman seconded the motion. Dr. Kamerow, Mr. Winstead, Mr. Jones Ms. Stephens, Ms. Feldman and Mr. Trifilo voted in favor of the motion. Mr. Yeo was absent and did not vote. The motion passed. The meeting adjourned at 9:10 p.m.

Secretary, Chevy Chase Village Board of Managers

Final.