

Chevy Chase Village Board of Managers' Meeting

October 9, 2023

Note: These minutes reflect the Board's actions only, and do not include remarks made by members of the Board of Managers, Legal Counsel, Village Staff, or others in attendance.

BOARD OF MANAGERS

Elissa A. Leonard, Chair	Present
Robert C. Goodwin, Jr., Vice Chair	Present
Gary Crockett, Treasurer	Present
Louis Morsberger, Secretary	Present
Nancy E. Watters, Assistant Treasurer	Present
Linda J. Willard, Assistant Secretary	Present
David L. Winstead, Member	Present

STAFF

Shana R. Davis-Cook, Village Manager	Present
John K. Nesky, Police Chief	Present
Jacqueline Parker, Director of Municipal Operations	Present
Demetri Protos, Finance Director	Present (virtual)
Jennifer Young, Administrative & Constituent Services Assistant	Present
Ellen Sands, Project Manager	Present

COUNSEL

Suellen M. Ferguson, Village Counsel	Present
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Elissa Leonard, Chair of the Board of Managers, called the meeting to order at 7:30 p.m.

Approval of Minutes from the Board of Managers' Previous Meetings

Minutes of the Board's Regular Monthly Meeting held on September 11, 2023, and Special Meeting held on September 25, 2023, were circulated to the Board prior to the meeting.

Ms. Watters moved to approve the minutes from the Board's September 11, 2023, regular meeting, and the September 25, 2023, special meeting, as drafted. Mr. Winstead seconded the motion. Ms. Leonard, Mr. Goodwin, Mr. Crockett, Ms. Watters, Mr. Morsberger, Ms. Willard, and Mr. Winstead voted in favor of the motion. The motion passed.

Treasurer's Report

The Treasurer's Report was circulated to the Board and posted to the Village website prior to the meeting. *No action was taken by the Board.*

Matters for Board Discussion, Consideration, and Possible Action

Municipal Storm Drain Project and Related Tree Removals

- **Contract Authorization (FY2024 Capital Improvement Project)**

Construction of a municipal storm drain located in the rear yards of the block between West Irving and Hesketh Streets and between Cedar Parkway and 17 Hesketh Street, in an amount not to exceed \$430,000 - *Anchor Construction Corporation*

- **A-2786 (Tree Removal Appeal) Chevy Chase Village on behalf of 23 and 29 Hesketh Street and 28, 30, and 32 West Irving Street:** Removal of trees to accommodate installation of a proposed municipal storm drain along the rear yards of this series of properties, as follows:
 - 23 Hesketh Street: one multi-trunk Holly tree measuring ten (10) inches in diameter,
 - 29 Hesketh Street: one Tulip Poplar tree measuring thirty-six (36) inches in diameter,
 - 28 West Irving Street: one Sweetgum tree measuring thirty (30) inches in diameter,
 - 30 West Irving Street: one Honey Locust tree measuring nine (9) inches in diameter, and
 - 32 West Irving Street: one American Elm tree measuring eighteen (18) inches in diameter.

- **Removal of trees from the Public Right-of-Way:** Removal of one Swamp White Oak tree measuring fourteen (14) inches in diameter and one multi-trunk Crepe Myrtle tree measuring twelve (12) inches in diameter located in the Cedar Parkway public right-of-way to accommodate the proposed Municipal Storm Drain Project.

- **Resolution No. 10-01-23 (FY2024 Budget Amendment No. 2):** An Ordinance to amend the fiscal year 2024 budget to transfer \$480,175 from reserves to the “Stormwater Management Projects” line item in the Capital Projects budget to fund the Municipal Storm Drain Project.

Mr. Crockett moved to:

- *authorize the Village Manager to enter into a contract with Anchor Construction Corporation, in substantially the form provided, to provide construction services in an amount not to exceed \$430,000 for completion of the Municipal Storm Drain project along a section of the block bordered by West Irving and Hesketh Streets and by Cedar and Magnolia Parkways;*
- *grant the appeal in Case A-2786 on the basis that the evidence presented, including the Staff Report, demonstrates that the applicable requirements for granting the appeal have been met. Staff is directed to draft a decision based on this evidence, including findings of fact and conclusions, granting the appeal and outlining that each property will be extended the offer for the Village to reforest 1:1 on their property at the Village’s sole expense;*
- *authorize removal of one Swamp White Oak tree measuring fourteen (14) inches in diameter and one Crepe Myrtle tree measuring twelve (12) inches in diameter, both*

located in the Cedar Parkway public right-of-way, to accommodate installation of a municipal storm drain; and

- *adopt Resolution No. 10-01-23, as drafted.*

Mr. Winstead seconded the motion. Ms. Leonard, Mr. Goodwin, Mr. Crockett, Mr. Morsberger, Ms. Watters, Ms. Willard, and Mr. Winstead voted in favor of the motion. The motion passed.

Contract Amendment Authorization (FY2024 Capital Improvement Project): Change order for construction of stormwater remediation along the alley between Oliver and Grafton Streets, in an amount not to exceed \$21,185 (construction only; total construction cost \$49,521) - *Environmental Quality Resources, LLC*

Mr. Morsberger moved to authorize the modification to the contract with Environmental Quality Resources, LLC for the stormwater remediation project along the alley between Oliver and Grafton Streets, in an amount not to exceed \$21,185. Ms. Willard seconded the motion. Ms. Leonard, Mr. Goodwin, Mr. Morsberger, Ms. Watters, Ms. Willard, and Mr. Winstead voted in favor of the motion. Mr. Crockett was recused from this matter. The motion passed.

Board Discussion and Contract Authorization Request: Holiday Party Caterer -*Balducci's Holdings, LLC* in an amount not to exceed \$16,510

Mr. Goodwin moved to authorize the Village Manager to enter into a Contract for Services with Balducci's Holdings, LLC to cater the annual Village Holiday Party in an amount not to exceed \$16, 510. Mr. Crockett seconded the motion. Ms. Leonard, Mr. Goodwin, Mr. Crockett, Mr. Morsberger, Ms. Watters, Ms. Willard, and Mr. Winstead voted in favor of the motion. The motion passed.

Police Report

The Police Report was distributed to the Board and posted on the Village website prior to the meeting. *No formal action was taken by the Board.*

Manager's Report

The Manager's Report was circulated to the Board prior to the meeting. *No formal action was taken by the Board.*

Adjournment

Mr. Crockett moved to adjourn the meeting. Mr. Goodwin seconded the motion. Ms. Leonard, Mr. Goodwin, Mr. Crockett, Mr. Morsberger, Ms. Watters, Ms. Willard and Mr. Winstead voted in favor of the motion. The motion passed. The meeting adjourned at 8:44 p.m.

Attested by: Shana Davis-Cook, Village Manager

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