



Minutes of the Town Council
March 14, 2022

Approved: April 11, 2022

The unprecedented emergency health crisis poses a challenge to all - individually and collectively. To protect ourselves and do our part to impede the spread of the coronavirus and COVID-19 disease, the regular meeting of the Town Council was held remotely via ZOOM Video Conferencing. The meeting was recorded.

Mayor Compton called the meeting of the Town Council to order at 7:40 p.m. In attendance were Councilors Darrell Anderson, David Cosson, Christine Dibble, Pat Klein, Barbara Raimondo and Gray Yachup. Also in attendance were Treasurer Jean Moyer and some residents.

Approval of Agenda

It was moved and seconded to approve [the agenda](#). The Mayor and Council added "State Bond for Stormwater Management Update."

Action: Voted 6-0 to approve as amended.

Public Appearances

There were none.

Treasurer's Report

It was moved and seconded to accept the [February Treasurer's report \(PDF\)](#).

Treasurer Jean Moyer noted that income is steady, and expenses are picking up. The County has appropriated additional funds for reimbursement in FY22 to municipalities for tax duplication and Washington Grove anticipates receiving about \$41K before June 30th. There was discussion about investing in another CD, bill payments, and expectations of expenditures for the balance of FY22, including spring tree planting, software, road resurfacing and the allocation of the contract for landscaping costs. The Town Council Budget Work Session is scheduled for March 22, 2022.

Action: Voted 6-0 to accept the report.

Mayor's Announcements

- a. *Kudos:* Mayor Compton thanked "Emergency Maintenance Heroes", Kathy Lehman, Jimmy Shiflett, and Zachary Negin for replacing a downed stop sign and Terry Cox and Bruce Rothrock for securing an electric line at McCathran Hall. There was a discussion about identifying and formalizing the little things taken care of by Steve Werts that are no longer getting done.
- b. *Tax Duplication:* Mayor Compton explained formal signing of Montgomery County legislation took place today. A payment of \$41K is earmarked to Washington Grove before June 30th. Future annual payments will increase by approximately \$13K and will follow a revised formula for calculation. *Kudos* to the Montgomery County

Chapter of the Maryland Municipal League, whose years-long efforts are responsible for the success of this revision to the tax duplication reimbursement formula that will be used by the County.

- c. *MCDOT Washington Grove Connector Study*: There is no new information to report from the Shared Use Pathway Project Liaison Committee. Mayor Compton plans to send a letter next week introducing the Committee to the MCDOT study lead.
- d. *HPC Alternate*: Still seeking someone for this position.
- e. *Testimony in Support of the County and Municipal Street Lighting Investment Act*: The Lighting Committee provided testimony to the Maryland General Assembly on this bill that would facilitate the purchase of PEPCO streetlights by municipalities. [Mayor Compton provided testimony in support of the bill to the House Economic Matters Committee \(PDF\)](#).
- f. *Public Hearing on the Draft Comprehensive Plan*: The record will close on March 16.
- g. *State Bond for stormwater management funds – Update*: The Town could receive \$250K to work on the stormwater management problem in Town, specifically the West Woods. Senator Nancy King and Representative Kirill Reznik have sponsored the bond.

Unfinished Business

Opening of Bids in Response to the Landscaping and Maintenance RFP – Discussion and Action and Possible Award of Contract

The Town received four responses to our “Landscaping and Maintenance Request For Proposal”. The bids were:

Allentuck Landscaping Company	\$34,091.48
Emerald Landscaping	\$59,500.00
Green Earth	\$40,160.00
R.J. Landscape Contractors	\$65,350.00

The discussion on the merits of each vendor and how to determine the preferred vendor touched on:

- Whether the Town has a legal obligation to choose the lowest bidder and/or the best value to the government.
- Criteria to use in the evaluation: confidence in the contractor, price, breadth of services, other services as needed.
- Obtaining additional information to clarify services provided by each vendor.
- Expectations of the need for services outside those contracted and costs for these (examples being signage maintenance, speed hump installation, storm damage clean up, fence repair).
- Access to support services from the contractor in the event of emergencies.
- Management of the contract.
- Liability and responsibilities.
- Lake and tennis court issues.
- Whether the Contractor would work in the East or West Woods.

Action:

Award of the contract was deferred until the scheduled Town Council Budget work session meeting on Tuesday, March 22nd. The Mayor and Council will provide Councilor Darrell Anderson with questions for the bidders, and he will collate and distribute the responses. A spreadsheet to facilitate comparison of the bids will also be prepared and distributed.

Facilities Maintenance and Repair RFP – Further Discussion

The Mayor and Council revisited the idea of hiring a Facilities Maintenance and Repair person. The discussion led to a consensus that this service may be unnecessary because vendors have already been identified to perform most facilities maintenance tasks. It was proposed that the Mayor, Town Clerk and others could assume responsibility to oversee and approve any work. For town volunteers supervising work contracted by the Town, the question of liability should be resolved. It was moved and seconded to suspend consideration of the RFP at this time and review the situation after 3 or 4 months.

Action: Vote 5-0 for approval of the motion (Gray Yachup was absent for this vote).

License to PEPCO to Install Electric Vehicle Charging Stations – Review of [Final License Agreement Draft \(PDF\)](#)

Mayor Compton noted minor changes to the proposed License Agreement that has been reviewed and approved by Pepco. The Council discussion included:

- Exhibit A, containing the Site Plan, is incomplete and will be prepared by Pepco and the Town. Would the Council vote on this?
- Approval of the required Public Ways & Property Permit by the Planning Commission.
- Whether EV charging rates will continue to be regulated the Public Service Commission or potentially set by Pepco.
- The Town's option to discontinue licensing to Pepco, and whether Pepco is required to remove the facility and restore the site area.

It was moved and seconded to approve the PEPCO License Agreement to Install Electric Vehicle Charging Stations as presented. There was additional discussion about the types of charging stations referenced in the agreement. A motion was approved to change the reference from 4 single stations to two dual stations, and that the Town Council will review and approve the final Exhibit A.

Action: Vote 5 in favor – 1 abstention (Klein), license approved for signing.

Stormwater Management in Residential Areas – Discussion of Proposal to Engage a Consultant

Gray Yachup reported he has received input from the County on whom to engage with regarding stormwater management evaluation in town. He continues to develop the scope of work for the RFP. It will specifically address the residential areas of town, while the Woods Committee continues to work diligently on stormwater management in the East and West

Woods. Towne Crest and residential run-off into the West Woods was discussed. It was suggested that the RFP include maps with areas of stormwater concern. Councilor Yachup indicated he expects to present a draft RFP in a few months.

New Business

Refuse and Recycling Contract with Potomac Disposal – Discussion of Price Increase Requested by Potomac Disposal Due to Material Increases in Operation Costs

Mayor Compton reviewed the current situation regarding the Town's contract with Potomac Disposal (PD) and referred to [a letter from PD to its customers explaining the cost pressures on the company and the increase in rates they will be charging \(PDF\)](#). PD has indicated that a rate of \$10.00 per pickup location per month was needed for refuse, and the same for recycling collection. The current contract with the Town is for ~\$6.58 per pickup location per month (through June 2024) for refuse collection and ~\$4.47 per pickup location per month for recycling. Mayor Compton reported that this rate with PD is significantly lower than that of other municipalities.

Various responses to the PD request to increase fees were discussed, including enforcing the current contract, or agreeing to adjustments in the contract price for FY23 and FY24, or re-bidding the contract. Any increase in PD contract fees will be reflected in the town resident Dwelling Tax. It was moved and seconded to allow Mayor Compton and Councilor Cosson to discuss amending the contract with Potomac Disposal and report to the Council in April. A vote to call the question passed.

Action: Vote 6-0, in favor.

New Parking Signage for Miller Drive – Discussion and Action

In February, residents without vehicle access to their property and who must park on Miller Drive requested the Mayor and Council improve parking signage to make parking available at all times. The Woman's Club proposed a permanent sign and also a sandwich board sign they would place at Chestnut Road and Miller Drive during events to discourage parking on Miller Drive. Gray Yachup showed a mock-up sign reading "No Visitor Parking During Woman's Club Events". Mayor Compton noted signs could be placed to reserve parking spots for affected residents.

Action: Council consensus was that new signage could be installed.

Proposal to Add Martin Luther King Day as an Official Town Holiday

The Racial and Social Equity Committee has proposed in a letter to the Mayor and Town Council that Martin Luther King Day be designated an official town holiday and day off for employees. There was brief discussion, including whether the Town should align paid days-off with those of Maryland or Montgomery County.

Action: Council agreed to review and revise the Town vacation policy before next year.

Other Regular Business

Town Council Reports

Selected matters of note:

- *Various website content updates (Dibble)* - Mayor Compton noted that Councilor and Town Webmaster Christine Dibble continues to add content and new pages that improve the Town website. Christine Dibble explained she has installed new software to enable a search to include the content of PDF documents (at the cost of \$100.00 per year for the first year and \$200.00 subsequently). She noted that titles need to be changed to PDF format in order to be searchable. Complete implementation will take time.
- *Washington Grove Inclusion and Equity Survey* – The survey created by the Racial and Social Equity Committee has been finalized and will be sent out to all in April. A “coming soon” campaign to alert residents to complete the survey will happen shortly.

Action: Vote: 6-0 to approve Council Reports for posting to the website.

Approval of Minutes

It was moved and seconded to approve the February 14, 2022, minutes of the Town Council.

Action: Vote 6-0 approved.

Adjournment

There being no further business, the meeting was adjourned at 10:00 p.m.

Kathryn L. Lehman
Town Clerk