



Minutes of the Town Council
October 10, 2022
Approved: November 14, 2022

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 7:35 p.m. In attendance were Councilors David Cosson, Christine Dibble, Eva Patrone, Barbara Raimondo, and Gray Yachup. Councilor Anderson was absent due to health reasons. Also in attendance was Treasurer Jean Moyer. There were approximately twelve residents in attendance, including Recreation Chair Emily Cavey, Woods Committee Co-Chair Patty Klein, Woods Committee Co-Chair Joan Mahaffey, and Planning Commission Chair Peter Nagrod.

Approval of [the Agenda \(PDF\)](#): Gray Yachup moved to approve the agenda. Barbara Raimondo seconded the motion. Council members added a Post Office update and the subject of paid leave to the agenda.

Action: Voted 5-0, approved, as amended.

Public Appearances: There were none.

Treasurer's Report: It was moved and seconded to accept the [September Treasurer's Report \(PDF\)](#). Jean Moyer explained the notes on the report.

Action: Voted 5-0, report accepted.

Mayor's Report:

- a. Kudos:
 - i. Kudos to *Peter Nagrod, Bruce Rothrock and Terry Cox* for clearing vegetation as the first step to improving Grove Avenue beyond McCauley as a walkway and entry to the Town.
 - ii. (see d. below) *To the Lighting Committee* for their time and effort on this project.
- b. RASEC: Mayor Compton announced the second of three RASEC-sponsored informational sessions on accessory Dwelling units (ADU'S) in Washington Grove will take place on October 26, 2022.
- c. Restrictive Covenants: Mayor Compton reported that, per advice of the Town's attorney, the Town will not pursue using the authority granted by the Legislature to Homeowner Associations to remove restrictive covenants from property deeds. Instead, with the assistance of RASEC, the Town will actively reach out to individual property owners and facilitate using the existing process involving making a request to Montgomery County to remove the illegal covenants. Owners/residents who choose to move ahead will be provided with the necessary documentation, and the application will be submitted.
- d. Streetlight Ownership Process: Mayor Compton reported the Lighting Committee was actively participating in the discussions mandated by the Public Service Commission that

Pepco and municipalities discuss improving Pepco's streetlight ownership process. He gave kudos to the Lighting Committee for their time and effort on this project.

- e. PO Box Update: Mayor Compton reported no movement on this subject. He will get back in touch with our congressional representatives for assistance.

Administrative Matters:

- a. Resolution 2022-08 – Clarifying the Procedure for Performing Volunteer Work on Town Property. Introduction, discussion and Council Action.
Barbara Raimondo read and introduced the resolution, which was seconded. Barbara described the town history of encouraging well-meaning volunteers and went on to indicate a concern for problems arising when there is inadequate communication among volunteers and Committees and/or officials of the Town. Residents present and Councilors exchanged views and opinions that included:
 - Maintaining our long-term informal volunteer tradition.
 - Encouraging common sense communication between committees and volunteers.
 - Guidance versus instituting an official process for performing work on Town property.
 - Enforcement being over-kill to address the low number of unfortunate incidents from volunteer “enthusiasm”.
 - Emergency situations versus communication about volunteer work on less time sensitive or maintenance tasks.
 - Reducing delays and new procedures for approving and completing projects during the transition of maintenance from an employee to a contractor.
 - The necessity for a Resolution and how effective would it be?
 - The potential perceived negative affect on volunteerism of using a Resolution to encourage communication.
 - Publishing reminders in the Bulletin to encourage volunteers to communicate with relevant committees, the Mayor or Town Clerk.

Mayor Compton noted that any article placed in the Bulletin would need to be approved by the Town Council, which therefore differed little from the Council adopting “guidance” in a Resolution.

Barbara Raimondo called the question, which passed 5-0.

Action: Vote 2 in favor (Cosson, Raimondo) – 3 opposed (Dibble, Patrone, Yachup).

Resolution failed.

Action: An item intended for publication in the Bulletin will be drafted and reviewed by the Council in November or a future meeting.

- b. Guidance Document – Mayor Compton reported the guidance document for approval and budgeting for non-emergency maintenance projects should be ready for review at the November meeting of the Town Council.
- c. Paid Leave for Town Employees – Christine Dibble reviewed County and the State paid holidays for employees. She moved and Eva Patrone seconded, that the Town grant all

full-time paid employees 11 holiday days off with pay, being 9 specific paid holidays and two additional paid days from a list of four holidays. After further discussion, it was decided to defer action on the motion to allow discussion with our employee (Kathy). The resolution will be further considered in November.

Unfinished Business

Closure of Cherry Avenue to Vehicular Use and Conversion to Walkway – [Resolution 2022-09 – Closure of Cherry Avenue to Vehicular Access \(PDF\)](#): Barbara Raimondo moved and Dave Cosson seconded introduction of Resolution 2022-09, Closure of Cherry Avenue to Vehicular Access. Barbara Raimondo noted that the Resolution reaffirms the 1976 Town Council Resolution. Specifically, it uses the same triggering language that now only applies to 108 Ridge Road, that permission for vehicular access to Cherry Avenue will be withdrawn “*upon sale of the property*”.

Mayor Compton expressed concern that grandfathering Cherry Avenue access to existing owners in 1976 was never intended to be extended to inheritors of the property. Inheritance without a sale is also not precluded in the current resolution. Eva Patrone noted an e-mail she circulated where she suggested a friendly amendment to add a last date for the closure. Discussion touched on:

- Council obligation to review the existing closure policy from today’s perspective.
- The intent of the 1976 Resolution.
- An inheritor, without a sale, would have continued right to use Cherry Avenue.
- Substituting “change of ownership” for “sale” in the Resolution.
- Potential continued vehicular use of Cherry Avenue in the event the property was rented.
- Willingness to permit Tammy Morgan (should she inherit the property) continued use of Cherry Avenue, but not once she sells the property.

Eva Patrone moved, and Gray Yachup seconded, to amend by substituting “upon change of ownership” language in Resolution 2022-09.

Action on amending: Vote 2 in favor (Patrone, Yachup), 3 opposed (Cosson, Dibble, Raimondo). Amendment failed.

There was further discussion about language to address rentals. Dave Cosson moved, and Barbara Raimondo seconded, adding “or rental” in the last paragraph of the resolution.

Action on amending: Vote 4 in favor, 0 opposed, 1 abstention (Patrone), amendment approved.

Action on Resolution 2022-09: Vote: 4 in favor, 1 opposed (Patrone), approved as amended.

Flood Control in the West Woods and in Residential Washington Grove – Updates on the Draft RFP’S for Stormwater/Flood Management Consultants: Deferred to November.

New Business

None

Other Regular Business

Town Council Reports (PDF):

- a. Lower Ridge Road Water Main Project (Anderson) – County staff stated to him that private wells could remain in use once public water was available, but that new wells could not be drilled. The Fire Department informed him that fire hydrants located on Picea View Court were sufficient and would be used if a fire broke out on Ridge Road.
- b. Contracts (Cosson) – Recommendation to the Town Council to begin reevaluating whether the Town will continue to use contractors next year for all or most of the landscaping and maintenance work. Dave Cosson stated the Town Council should evaluate use of contractors soon.
- c. Woods Committee (Cosson) – Dave reported there will be a Fall workday in the East Woods on November 12.
- d. EPSC (Yachup) – Residents have expressed concern about the overgrowth along some Town roads, citing Chestnut Road as a problem area. Mayor Compton described this area on Chestnut Road as improving safety by functioning as traffic calming, with some agreement. Others described how the Chestnut Road area constitutes a safety problem for pedestrians when cars are present, and vegetation should be cut back on both sides.
- e. Gateway Committee (Patrone) – Identity fencing discussed for the corner of Daylily Lane near the new Welcome Sign at Grove and Railroad across from the train station, on Oak Street at Washington Grove Lane, and around the new Welcome Sign across from Robert's Oxygen.

Dave Cosson moved to approve the October Council Reports for posting on the Town website.

Christine Dibble seconded the motion.

Action: Vote 5-0 approved.

Approval of Minutes: Barbara Raimondo moved to approve the [September 2022 minutes of the Town Council \(PDF\)](#). Eva Patrone seconded the motion.

Action: Vote 5-0 approved.

Adjournment: There being no further business, the meeting was adjourned at 10:30 p.m.

Kathryn L. Lehman
Town Clerk