



Minutes of the Town Council
April 10, 2023
Approved May 8, 2023

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, Sylvie Favret, Rob Gilmore, Eva Patrone, and Barbara Raimondo. Also in attendance was Treasurer Jean Moyer, Planning Commission Chair Peter Nagrod, Historic Preservation Commission Chair Bob Booher, and an unknown number of residents.

Approval of Agenda: Rob Gilmore moved to approve the agenda and Eva Patrone seconded the motion.

Action: *Voted 6-0, agenda approved.*

Public Appearances:

Planning Commission Chair Peter Nagrod reported a meeting with the owner of the Commercial Corner, Tatiana Bell, at which they discussed, relocating the dumpster, land easement needed for the proposed bike path, tree planting, allowing more profitable businesses. Chairman Nagrod urged the Mayor and Council to consider scheduling a meeting with the parties involved in maintaining the Commercial Corner.

Treasurer's Report:

Eva Patrone moved to accept the Treasurer's report and Rob Gilmore seconded the motion. There was a brief discussion about Highway User Revenues.

Action: *Voted 6-0, report accepted.*

Mayor's Report:

- a) *HB182/SB355, "Unlawfully Restrictive Covenants – Modification by Counties or Municipalities"*: Mayor Compton reported the bill was passed and sent to the Governor for signing. Barbara Raimondo suggested a thank-you letter be sent to those who worked at getting the bill passed, especially Delegate Kirill Reznick.
- b) *HB459 "County and Municipal Street Lighting Investment Act"*: Mayor Compton reported the House passed the bill with amendments, but it died in the Senate.
- c) *Elimination of USPS PO Box rental fees – status*: After extensive discussions, Mayor, and Councilors Raimondo and Dibble, on behalf of the Town and residents, accepted the USPS proposal to eliminate rental fees for PO Boxes for properties in the Grove. Details are still being worked out. Mayor Compton will send out a Grove Alert with the news.

- d) *EV Charging Station:* The station is nearly operational. A ribbon cutting is planned for Earth Day.
- e) *MCDOT to present plans for the Washington Grove Connector Shared Use Pathway* in McCathran Hall on April 13.
- f) *Annual Lake Clean-up:* This event is scheduled for Saturday, April 15.
- g) *Annual Woods Committee Work Session:* This event is scheduled for Saturday, April 29 in the West Woods.
- h) *Update from the 150th Committee:* Meredith Horan reported the idea of inviting food trucks to town for the August events is being considered. Rehearsals for youth dance performance and the puppet show programs will begin on April 23, 2023. The Committee is doing a survey about what types of souvenirs to purchase which can be found on the Town website.
- i) *Whetstone Spring restoration:* Patty Klein asked for help rendering a concept drawing for the planned restoration. Mayor Compton agreed find someone or do it himself.
- j) *Town liability for private property damage due to sewer blockage on Town property –* A sewer backup affecting has led to a request from the owners of 10 Center Street that the Town either indemnify them against future property damage or remove a tree on town property that recently damaged the lateral sewer line entering their property. The mayor has queried LGIT, the Town’s insurer, and will likely also consult the Town Attorney before acting on the request.
- k) *Noise issues at McCathran Hall events:* A recent event generated a complaint of excess noise from a neighboring resident. Events at the Hall have resumed after almost three years of suspension during the Covid-19 restrictions. The mayor plans to revise Hall Use permits to make very explicit that persons receiving permits are responsible for insuring compliance with the existing noise restrictions.

Administrative Matters:

- a) *Reappointment of Georgette Cole to the Planning Commission for the 5-year term:* Eva Patrone moved to reappoint Georgette Cole to the Planning Commission for a 5-year term June 1, 2023 – May 31, 2028. Christine seconded the motion.
Action: *Voted 6-0.*
- b) *Annual Town Meeting – Format, Virtual or In-Person:* There was a discussion about the virtual format last year, the reduced COVID concerns for most folks now, and that the Town does not yet have equipment adequate to hold a hybrid in-person and virtual meetings. It was moved and seconded to hold the Annual Town Meeting via ZOOM video conference. The Council committed to a hybrid meeting next year.
Action: *Voted 6-0 in favor of using the ZOOM format on May 13, 2023.*

- c) *Board of Elections Supervisors Procedures*: Nick Suzich, on behalf of the Board of Elections Supervisors, indicated that voting will be conducted as it was in last year. Early voting by paper balloting will be available to all voters. In addition, polling will also be held in the Council room 4:00 -7:00 pm on May 13th.
- d) *Process for Amending Town Ordinances to Permit Accessory Dwelling Units, Discussion*: The Mayor and Council discussed enforcement issues, adopting the Montgomery County Code for ADUs, and future public meetings to on ADU proposals. **Action**: *The Planning Commission was asked to bring a recommendation to the Council for implementing accessory dwelling units.*
- e) *Food trucks*: Meredith Horan asked about the proposal to use food trucks at the 150th Anniversary celebration. Christine Dibble moved, and Eva Patrone seconded, approval to use food trucks. **Action**: *Voted 6-0, approved.*

Proposed FY2025 Tax Rate, Dwelling Tax and Budget for the Town Meeting –

Discussion and Approval: Treasurer Jean Moyer noted the main revisions made at last month's budget work session:

- Higher payroll expenses due to using a payroll service company.
- Increased contingency allocated for Maintenance Shop repairs.
- Increased internet expenses to switch providers and improve internet reliability.
- Increased dwelling tax due to higher costs for refuse and recycling

Mayor Compton reviewed and explained other budget items. He specifically addressed the Border Property Acquisition Fund and explained a proposal by Historic Preservation Commission Chair Bob Booher that the Fund's purpose be expanded to include potential purchase of properties within town for historic preservation, and that the fund allocation be increased to \$30K (from \$10K). The mayor supported the proposal and noted that the name change should be accompanied by a clear written description of the purpose and intended use of the Fund. It was moved and seconded to increase the Property Acquisition Fund to \$30K.

Action: *Voted 6-0, to rename the Fund and increase the allocation to \$30K in the FY24 Budget. Georgette Cole, Bob Booher and other council members will write the fund description.*

Christine Dibble moved, and Barbara Raimondo seconded, approving the tax rates, budget and financial plan for presentation to the Town Meeting.

Action: *Voted: 6-0, approved.*

Ordinance 2023-03 – Adopting the Town Budget and Tax Rates for FY24 –

Introduction. Dave Cosson moved, and Eva Patrone seconded, introduction of this ordinance, required by Maryland state law, that adopts the Town Budget and tax rates for FY24.

Action: *Voted 6-0, approved.*

Unfinished Business

Resolution 2023-01 Acknowledging Washington Grove's Racially Exclusionary Past –

Discussion and possible adoption. Barbara Raimondo thanked those who commented at the Public Hearing on May 27th. and went on to recommend that no vote on the Resolution be taken tonight. She noted that since then Councilor Dibble distributed some alternative resolution language which received favorable comments, and she recommended that in order for the final resolution to address the wishes of most residents, additional time for consideration is needed to further refine the language. Council discussion addressed how best to accomplish re-working the resolution, whether material changes could be avoided, what time frame to allow, and whether a further period for public input on a revised resolution should be planned.

Action: *By consensus the Council approved the Mayor's suggestion for a small working group of committed residents bring a final revised resolution for consideration by this Town Council, prior to the Annual Town Meeting on May 9th. RASEC member Dick Cavicchi and Councilors Dibble, Favret and Raimondo agreed to prepare the revised resolution.*

Comprehensive Stormwater Management Plan - Discussion of bids and possible award of contract. Mayor Compton gave a summary of the three bids and possible reasons for the significant differences in cost (\$15K, \$56K, \$162K). Dave Cosson, with Patty Klein and Joan Mahaffey, contacted each company with specific questions, and presented a comparison of the answers and the bids. Bob Booher expressed concern about the lack of detailed design associated with the low Soltesz bid. The mayor pointed out that the Soltesz timeline for completion was just two months, which would leave sufficient time to negotiate expansion of the work if the initial report proves unsatisfactory. Dave Cosson moved, and Eva Patrone seconded, award of the stormwater management contract to Soltesz LLC.

Action: *Voted 6-0, award of contract to Soltesz approved.*

New Business

Submission of the Town Hazard Mitigation Plan - EPSC is working on updates to the Town Hazard Mitigation. There was a discussion about the submission deadline, climate change, CSX derailments, and informing Washington Grove about transporting chemicals. Mayor Compton will look into the chemical transport issue soon.

Proposal to Amend the Town Memorials Policy – Planting Memorial Trees

Incorporating Cremation Ashes. There is a plan to revise the Town Memorials Policy to allow cremation ashes to be added to the soil when planting a memorial tree. The policy will also include a Memorials Book where names and types of trees will be included. This item will be discussed in May.

Other Regular Business

Town Council Reports – Items of note:

- a) *Woods (Cosson)* – In connection with Washington Grove achieving designation as a Tree City USA, a proclamation will be prepared for Arbor Day April 28th.
- b) *Woods (Cosson)* – A plan for the long-contemplated restoration Whetstone Spring is being prepared for approval and completion by June 30th.
- c) *Woods (Cosson), Sustainability (Cosson), and Forestry & Beautification (Raimondo)* – A webinar is scheduled for May 31st addressing the interrelationship between native plants and animals and the impact of invasive species, their control, and related topics.
- d) *Sustainability (Cosson)* – A Greenhouse Gas Inventory for Washington Grove has been prepared by our consultant and the findings are expected to be presented at the Annual Town Meeting.
- e) *Woodward Park (Patrone)* – A project to improve drainage and eliminate standing water around the playground equipment and picnic tables has been approved.
- f) *Woodward Park (Patrone)* – Spring planting of the Edible Community Garden has been completed.
- g) *Forestry & Beautification (Raimondo)* – Spring tree planting by Stadler on April 10th will include four understory, two intermediate (holly and river birch) and seven upper canopy trees.
- h) *Planning Commission (Dibble)* – Incorporation of Montgomery County’s Accessory Dwelling Unit code into Town ordinances is being explored.
- i) *McCathran Hall (Compton)* – Verizon Fios service is being considered to replace Comcast service with the goal of increasing reliability and enhancing access to high-speed internet throughout the Hall.

Approval of Minutes - Sylvie Favret moved and Dave Cosson seconded approval of the 13 March 2023 minutes of the Town Council as presented.

Action: Vote: 6-0, Minutes approved.

Next Meetings:

- Regular Town Council Meeting – Monday, May 8th at 7:30 pm
- Annual Town Meeting – Saturday, May 13th at 8:00 pm
- Regular Town Council and Organizational Meeting – ~~May 15th at 7:30 pm~~
Rescheduled to May 22nd at 7:30, in compliance with the Town Charter.

Adjournment: There being no further business, the meeting was adjourned at 10:20 p.m.

_____/s/_____
Kathryn L. Lehman
Town Clerk