



Minutes of the Town Council
July 10, 2023

Approved August 14, 2023

The regular meeting of the Town Council was held remotely via ZOOM Video Conferencing. The meeting was recorded. Town Clerk Kathy Lehman was unable to log into the meeting but was able to attend the meeting at Jean Moyer's home.

Mayor Compton called the meeting of the Town Council to order at 7:30 p.m. In attendance were Councilors Christine Dibble, Rob Gilmore, Peter Nagrod, Eva Patrone, Barbara Raimondo, and Mary Warfield. Also in attendance was Treasurer Jean Moyer and a number of Town residents.

Approval of Agenda: It was moved and seconded to approve the agenda.

Action: Voted 6-0, Agenda as submitted approved.

Public Appearances: There were none.

Treasurer's Report: Treasurer Jean Moyer reviewed her report. Barbara Raimondo moved to accept the July Treasurer's report. Eva Patrone seconded the motion.

Action: Voted 6-0, report accepted.

A Washington Grove 150th Anniversary Poster by Craig English: Craig English presented his poster to commemorate the Town's 150th Anniversary and went on to explain he was donating his time for the project. The Council was enthusiastic over his design for the poster.

Craig also proposed that profits from poster sales be donated to the Heritage Emory Grove Foundation being formed by leaders in the Emory Grove Methodist Church and community. This Foundation will be a non-profit entity supporting a redevelopment of project in Emory Grove to create low-income housing and an enhanced a "civic center" for the Emory Grove community. The project is being promoted by the church and the Montgomery County Housing Opportunities Commission. He also reported that Pastor Warner is aware of the proposed Town donation.

There was a discussion about the expenses to produce the poster, the \$25 selling price, and the matter of designating profits from a Town sponsored activity to the Heritage Emory Grove Foundation (about \$20 per poster), which has submitted an application for 501(c3) non-profit status to the IRS (which will not be granted for many months). Barbara Raimondo moved, and Eva Patrone seconded, that the profits from the 150th celebration poster sales be donated to the Heritage Emory Grove Foundation once it achieves non-profit tax status.

Action: Vote: 6-0, approved.

150 Anniversary Celebration Report: Mayor Compton, Meredith Horan and Peter Nagrod talked about the planned events and the schedule. The 150th Committee proposed renting folding chairs and tents for the events at McCathran Hall on Sunday August 12. Mayor Compton explained that he, the 150 Committee, and Treasurer Jean Moyer would determine whether

about \$1,500.00 would be spent for the rentals. Arlene McCrehan gave a brief report about t-shirts and other mementos being offered in connection with the occasion.

Mayor's Announcements:

- a) *Kudos:* Mayor Compton offered accolades to the many volunteers who contributed to recent events:
 - To the organizers, costume judges, Muskrat Band musicians and all participants and softball players at the Washington Grove Fourth of July festivities and 59th annual parade.
 - To the organizers and musicians of the 2023 Grove Music Weekend (June 23-25), for planning the three days of fun outdoor events at the Lake and Gazebo, and then pivoting several events into McCathran Hall when weather threatened.
 - To the awesome volunteers who participated in the trash pickup along WG Ln and Railroad St on June 24th organized by the Gateway Committee.
- b) Georgette Cole was elected the new Chair by the Planning Commission
- c) The Town Council Reports contains a monthly report from Peter Nagrod, Town Maintenance Coordinator, of non-groundskeeping maintenance activities.
- d) *USPS Box fees update – new no-fee policy for Washington Grove residents:* Mayor Compton reviewed the new USPS policy of free post box fees to those Town residents not receiving residential delivery. This policy was effective May 1. Paid fees paid since will be refunded upon request to the Postmistress at the Washington Grove Post Office.
- e) *Shared Use Pathway report: Two new alternative routes suggested by the Liaison Committee:* The Liaison Committee has been active regarding the Washington Grove Connector plan presented by MCDOT in April that was met with intense criticism *because it required* construction of a Crabbs Branch - Amity Drive extension road and/or pathway connection, which no previous plan had. The Mayor and Committee members met with Park and Planning staff in May to discuss the deficiencies in the MCDOT study proposals.

In response, MCDOT has created three WGC alignments that are independent of any Extension (these were shown). Also shown were improved alignments created by the Bob Booher and the Committee, which were submitted to the DOT study engineers. A joint site visit took place, and apparent consensus was expressed that several alignments were most desirable and importantly, practical.

MCDOT will update the Montgomery County Planning Board regarding study progress on July 20, 2023. There was a discussion about giving testimony to the Board, and a letter from the mayor was suggested state our position. Rob Gilmore moved to authorize Mayor Compton to submit a letter to the Planning Board in support of building The Connector before any decision on a road is made because the need for the road has not been demonstrated. Peter Nagrod seconded the motion.

Action: Vote: 6-0, approved.

- f) *McCathran Hall audiovisual and internet service upgrades – status:* Verizon Fios service will be installed in the coming weeks.
- g) *The Youth Music Recital is planned for July 14 at 6pm in McCathran Hall.*
- h) *Restoration of Chestnut Road status:* Repaving and culvert restoration has been promised by Pepco's subcontractor UIL. The mayor is looking into whether a larger culvert should be installed as part of the restoration.
- i) *Whetstone Spring restoration status:* The Mayor, Patty Klein and Joan Mahaffey showed photos of the newly restored Spring.
- j) *Progress report on work by Soltesz on the Comprehensive Stormwater Management Plan:* A status meeting with the contractor engineers to review their proposals was held and a final report is expected in the coming weeks.

Administrative Matters

- a) The Mayor and Council discussed the binding arbitrations clause in our community solar energy contracts. The clause allows opting out in 45 days. A recommendation to exercise the opt-out option was made by the Town Attorney and Councilor Rob Gilmore. Rob Gilmore moved to exercise the opt-out clause in the contracts., which Eva Patrone seconded.
Action: Voted 6-0.
- b) The Mayor and Council discussed posting unapproved draft Council meeting Minutes on the Town website. Mayor Compton reviewed the current process. Web site coordinator Christine Dibble reported that there were few if any views of the unapproved Minutes over the months, and strongly suggested that the work involved was unjustified. There was more discussion about the following:
 - Residents could always call Council members or the Town Clerk to get information.
 - Whether early posting contributed needed transparency to Council communication with residents.
 - Making the meeting recordings available.Mayor Compton asked for a sense of the Council about making draft minutes available on the Town website.
Action: The Council expressed consensus that posting unapproved minutes be discontinued.
- c) The Mayor and Council discussed posting ZOOM audio and video recordings of Council meetings on the Town website. These items are provided by ZOOM but options for hearing impaired are not 100% satisfactory. Christine Dibble has proposed creating a YouTube channel for the Town.
Action: For now, recordings will continue to be available by contacting the Mayor.

Unfinished Business

Renewable Energy Conversion Incentive Pilot Program – Deferred

Sewer line condition at 10 Center Street – Resident concerns, tree root damage, and request for assistance from the Town. Mayor Compton reviewed the sewer and water line issues affecting 10 and 11 Center Street since February. The mayor then reported the opinion of the Town Attorney that the Town had no responsibility to indemnify residents against damage to sewer lines caused by trees on Town property. The Town's insurer, LGIT, also expressed this opinion, since sewer and water lines are the responsibility of WSSC. Discussion included:

- Removing the tree proactively should not be entertained.
- Indemnification would set a poor precedent.
- That the large town tree in question at 10 Center is in healthy condition – at present. It must be monitored after the recent root damage associated with 1) contractor digging to access part of the sewer lateral line serving 10 Center, and 2) WSSC digging to repair a leak in the main water line (~eight feet from the tree).
- Property owners Stephen Shapanka and Mihili Gunarate (10 Center) reported concern over the condition of the remaining old existing lateral pipe. They have been told by WSSC that a certified contractor report on the pipe's condition was required (interior pipe camera data) before they would act on any request to replace the pipe.
- That the Town could contract for a certified plumber assessment of the pipe, estimated at \$900.

Actions:

- *Christine Dibble moved, and the motion was seconded to hire a plumber at the Town's expense. Vote: 6-0, approved.*
- *Rob Gilmore and John Compton will seek confirmation from WSSC concerning information they require to act. They hope to do this before the next meeting.*

Unoccupied Homes – Discussion of how the Town can compel property owners to keep a minimal level of maintenance.

Lisa Kokes expressed renewed concern about the condition of several unoccupied homes in Town, a concern she raised at least two years ago which has only become more acute. She cited further deterioration of the Long property (402 Acorn Way) and the Uhlendorf property (17 The Circle). She has been unable to reach responsible Montgomery County staff. Lisa read a letter of concern written to the Mayor and Council and signed by 26 residents over the lack of action by the Town. The Mayor and Council discussed the complications involved with enforcement. Town Ordinances include assignment of responsibility for residential health and safety to Montgomery County. Town ordinances do not provide for additional regulation and enforcement of unoccupied residential properties. The incomplete work of the Vacant Homes Taskforce (mandated in 2015) was discussed, and David Stopak (Chair) summarized the status of their efforts.

Actions:

- *Obtain from David Stopak a (written) status report covering health, safety, and potential ordinances that may apply to unoccupied homes.*

- *Lisa Kokes, with the help of David Stopak, will pursue immediate action from Montgomery County. The Mayor will assist if needed.*
- *Mayor Compton will inquire at the Montgomery County Mayor's monthly meeting.*

Town Council Reports – Of note:

- a) RASEC (Raimondo) – A workgroup has been formed to study renaming Boundary Street.
- b) Planning Commission (Nagrod) – The PC is drafting a proposed amendment to the Town Ordinances to allow trash receptacles to be stored at the rear of the buildings at the Commercial Corner.
- c) Gateway Committee (Nagrod) – The Committee (as Washington Grove) has applied to Montgomery County's *Adopt a Road Program* to assume responsibility for litter cleanup on Railroad Street (approved) and on Washington Grove Lane where it passes through the Town (pending).
- d) Gateway Committee (Nagrod) – Jonathan Dail is the new Chair of the Gateway Committee.
- e) Dog Park (Warfield) – Liz Gillanders is the new Chair of the Dog Park Committee.

Approval of the Minutes:

- a) Town Council meeting May 8, 2023 – Barbara Raimondo moved to approve the minutes from May 8, 2023. Christine Dibble seconded the motion.
Action: Vote: 5-0 Minutes approved.
- b) Town Council meeting May 22, 2023 – Eva Patrone moved to approve the minutes from May 22, 2023. Christine Dibble seconded the motion.
Action: Vote: 5-0, Minutes approved
- c) Public Hearing on Ordinance 2023-02 Town Budget and Tax Rates – May 22, 2023. Barbara Raimondo moved to approve the minutes from the Public Hearing. Eva Patrone seconded the motion.
Action: Vote: 4-0, Minutes approved
- d) Town Council meeting 12 June 2023 – Peter Nagrod moved to approve the minutes from 12 June 2023. Christine Dibble seconded the motion.
Action: Vote: 4-0, Minutes approved

Next Meeting: The next meeting of the Town Council will be virtual on 14 August at 7:30 p.m.

Adjournment: There being no further business, the meeting was adjourned at 11:00 p.m.

/s/
Kathryn L. Lehman
Town Clerk