

Chevy Chase Village 109th Annual Meeting

April 17, 2023

Note: This meeting was held virtually with members of the Board of Managers, staff and the public attending and participating via phone and video-conference.

BOARD OF MANAGERS

Elissa A. Leonard, Chair	Absent
Robert C. Goodwin, Jr., Vice Chair	Present
David L. Winstead, Secretary	Present
Linda Willard, Assistant Secretary	Present
Gary Crockett, Treasurer	Present
Nancy E. Watters, Assistant Treasurer	Present (Virtual)
Lou Morsberger, Member	Present

STAFF

Shana R. Davis-Cook, Village Manager	Present
John M. Fitzgerald, 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

Mr. Robert C. Goodwin, Vice-Chair of the Board of Managers, called the meeting to order at 7:33 p.m.

State of the Village Report

Mr. Goodwin presented the State of the Village report which began by acknowledging and thanking the Village Manager and staff. Mr. Goodwin noted that the financial state of the Village remains excellent, and that a more detailed overview of the Village's finances would be presented by Treasurer, Gary Crockett. Mr. Goodwin then presented the following highlights:

- in January, the HAWK pedestrian signal was installed at Connecticut Avenue and Lenox Street;
- the Board approved a reimbursement program for residents who want to host block parties on their streets. Board member Lou Morsberger recommended this program which should be a fun way to encourage blocks to come together for charming gatherings among neighbors;
- The community saw pretty good—if not perfect—compliance with the gas-powered leaf blower ban that went into effect in January;
- The community continues to address traffic and speed issues and reminds residents to reach out to the Police Department when there are concerns;
- Residents are encouraged to report sidewalk trip hazards so our Public Works Department and contractor can keep our sidewalks as safe as possible for pedestrians;

- The Board was happy to approve the Garden Club of Chevy Chase’s proposed improvements to the Betty English Garden on the east side;
- The Village has maintained its designation as a *Tree City USA* by the Arbor Foundation. Mr. Goodwin read the proclamation required by Tree City USA to maintain the Village’s designation; and
- The Village has for the fourth year in a row, received the PLANT (People Loving and Nurturing Trees) Award from the Maryland Department of Natural Resources.

Mr. Goodwin recognized the contributions of retiring Police Chief John Fitzgerald and Director of Municipal Operations Ellen Sands—both set to retire later this year—followed by a Certificate of Appreciation awarded to long-time staff-member, Officer Davor Hrnjak for his 20 years of service to the Village. Mr. Goodwin recognized the promotions of two long-time staff members to new positions: Jacqueline Parker has been promoted to the Director of Municipal Operations position and Regina Cortez has been promoted to the Public Safety Coordinator position. Mr. Goodwin also welcomed newly hired Permitting and Code Enforcement position, Aurelio Baca-Asher. Mr. Goodwin also thanked and acknowledged the more than twenty-four years of service by Village Manager Shana Davis-Cook.

Mr. Goodwin read the names of Village residents who have passed since the last Annual Meeting and called for a moment of silence in their memory:

- James Harris, Oxford Street
- Monroe Neuman, Cedar Parkway
- Seymour Auerbach, Hesketh Street (former Village Board Member)
- Ellen Yahuda, Oxford Street
- Robert Toth, Primrose Street
- Thomas Hughes, Western Avenue
- Thomas Carroll, East Irving Street
- Margaret Adelfio, East Kirke Street
- John Vialet, Oliver Street
- Emily Donahue, formerly of Oliver Street

In conclusion, Mr. Goodwin expressed gratitude to the staff, fellow members of the Board of Managers, and volunteers on Village commissions and committees for all they continue to do on behalf of the community.

Report from Village Manager

Ms. Shana Davis-Cook presented her 14th Annual Report as Village Manager. She thanked Administrative & Constituent Services Assistant Jennifer Young for preparing for the reception and meeting, and Susan Kilborn (Oliver Street) and members of the Garden Club of Chevy Chase for providing floral arrangements.

Ms. Davis-Cook reflected on:

- A year of transitions with the retirement of long-time Department of Public Works Director Jerry Lesesne and welcoming Anthony Young to the position; Police Chief John Fitzgerald and Director of Municipal Operations Ellen Sands have both announced their retirements to occur later this year. A recruitment effort is underway for a new Chief.

Ellen Sands will continue working as a Project Manager overseeing completion of several capital projects and to train newly appointed Director of Municipal Operations Jacqueline Parker and newly hired Permitting & Code Enforcement Coordinator Aurelio Baca-Asher. Ms. Davis-Cook referenced transitioning some Village operations to ensure resiliency and flexibility citing an example which occurred late last summer when Finance Director, Demetri Protos, was severely injured in a fluke accident—during the annual audit season. The Village’s operational response to the pandemic prepared the staff to transition under these challenging circumstances and maintain continued operations, and the Village was able to complete the audit process and received a clean audit for the fiscal year than ended June 30, 2022.

- To ensure the Village can face the challenges of personnel recruitment and retention there must be transition in the way personnel are managed. To meet this task, the Board has graciously approved under the FY2024 budget, full coverage of health insurance premiums for all staff and a compensation and classification study to review the compensation and benefits structure. These efforts help ensure the Village remains a competitive workplace that attracts and retains the best talent.
- After over a decade of efforts toward the goal of establishing a safe pedestrian crossing on Connecticut Avenue, in January the state installed a HAWK (High-Intensity Activated Crosswalk) signal on Connecticut Avenue at Lenox Street.
- Stormwater mitigation efforts are moving forward in two very important areas: a series of capital projects—including the Buffer Area Drainage Project, the Municipal Storm Drain Project in the block located west of Magnolia Parkway between Hesketh and West Irving Streets, an infiltration trench in the alley between Grafton and Oliver Streets and a project on Bradley Lane at Brookville Road in coordination with the neighboring community of Village of Chevy Chase Section 3; and the Board’s creation of a Stormwater Committee that has released a community survey for residents to provide information about their stormwater experiences so the committee can begin to establish regulatory changes and capital projects to address these concerns. Ms. Davis-Cook stated that stormwater management review remains a component in the review of all development applications.
- Traffic speed and volume data collected by the police department on every street in the Village located east of Connecticut Avenue was studied by the Village’s consulting traffic engineers in response to residents’ concerns about cut-through traffic. The engineers’ analysis was presented to the community during the Board’s April regular meeting, and the engineers’ findings will be reviewed by the Board and staff to determine potential next steps.
- In recent months the Village has worked with neighbors and the Village’s consulting landscape architect to formulate a revitalization plan for the greenspace commonly referred to as the Boxwood Area located on Chevy Chase Circle between Magnolia Parkway and Grafton Street. A new landscape plan for the space should be completed this fall.
- Efforts continue to ensure that the Village and fellow municipalities in Maryland have the ability to purchase and maintain the Village’s streetlight network. Ownership would allow the conversion of current high pressure sodium lights to LED, which are cheaper to maintain and more environmentally friendly. While state law allows this, municipalities’ efforts have been hampered by Pepco who for years has structured an onerous and financially prohibitive process to municipal streetlight ownership. During this last

legislative session, Board Member Gary Crockett testified before the Maryland legislature, and Village legal counsel—Suellen Ferguson—and she have testified before the Maryland Public Service Commission and participated in negotiations with Pepco to establish a clear process, and to reduce unnecessary high costs. While the legislature failed to adopt the bill that would have created a strong path forward, counsel and staff are optimistic that the continued discussions with Pepco and the Public Service Commission will yield progress.

- Eleven (11) new families were welcomed to the Village over the last year.
- The Village continued to organize and host a series of activities and events including a vaccine clinic, blood drives, Halloween Party, July 4 Parade and Party, and National Night Out and the upcoming paper shredding event and Spring party featuring a live band and food trucks. Special thanks to India Ingersoll (Magnolia Parkway) for continuing to manage the holiday toy drive.
- Residents were urged to subscribe to the weekly blast emails and encourage neighbors to do the same, and to contact staff with any areas of interest and concern.

Ms. Davis-Cook offered her thanks to the Village Board, staff, and residents.

Village Counsel Report

Village Counsel, Suellen M. Ferguson's report was presented by the Village Manager:

During the past year, Counsel worked closely with the Board, Village Manager, and Department Heads to prepare ordinances to bring the Village Code into compliance with the State Ethics laws and to make clarifying changes to the Personnel Code.

Counsel worked in consultation with staff, prepared or reviewed requests for bids, contracts and extensions and memoranda of understanding, including the telephone system upgrade and the Safe Speed camera contract. Counsel assisted in the review of staff reports and the preparation of Board Resolutions with respect to variances and special permits; enforcement of stormwater and other building permit regulations; and in the development of plans to address storm water management issues on an individual property basis as well as in conjunction with seeking global solutions. The drafting of the Declaration of Covenants for the stormwater management program for certain properties on Hesketh Street, Irving Street and Cedar Parkway was completed and the owners have signed. The right of entry and County declaration for another storm water project along the alley between Oliver and Grafton Streets is ready for review by property owners.

Counsel worked with the Village Manager on the PEPCO rate case, LED lighting and related issues, and have taken part in detailed negotiations to reach agreement with PEPCO on template language for municipal pole attachment agreements and sales agreements. Counsel has provided legal advice to Department Heads with respect to numerous legal matters, such as personnel and code enforcement issues.

Lastly, Counsel reported that there are no cases in litigation at this time.

Report on Public Safety by Police Chief John Fitzgerald

Chief Fitzgerald noted a decrease in overall crimes in 2022 compared to 2021, thanking those residents who took measures to secure their property, which will serve to help keep criminals from returning to the community. Residents are reminded to lock their vehicles, keep porch lights on at night, report suspicious incidents, and be vigilant and aware of one's surroundings.

Chief Fitzgerald thanked the Board and community for their support of the department.

Lastly, Chief Fitzgerald, in answer to a question from a meeting attendee, offered information on a rash of vehicle break-ins on Oliver Street the weekend prior to the Annual Meeting, noting that this incident was unlike other vehicle break-ins because locked vehicles were targeted. He reported that the investigation was still ongoing, but this appears to be an isolated incident and the department continues to urge residents to always remove valuables from their vehicles and lock vehicle doors.

Budget Overview by Board Treasurer Gary Crockett

Mr. Crockett reported that the Village's financial state remains positive. The Village has been fortunate in maintaining about three years' worth of cash reserves, benefitting from two large cash infusions. The first was the Village's portion of the Federal government's COVID relief and stimulus funds; the second was income tax revenue that was much higher than projected. Because of the size and demographics of the Village, income tax receipts are impossible to forecast with any accuracy, but this was an unusually large deviation from the trend.

The proposed FY2024 budget shows a draw on reserves due to Board decisions to move forward with certain capital projects. Mr. Crockett does not anticipate the full projected deficit as the income tax revenue is estimated very conservatively. He noted that it is timely that the Village has this increased financial cushion, because there may be spending of quite a lot of money in the next few years on stormwater management infrastructure. The Village is just beginning an effort to determine the scope of the problem and possible solutions. Residents were encouraged to complete and return the Stormwater Survey to assist in identifying how best to spend these funds.

Looking at the coming year's budget, most of the largest expense categories show double-digit percentage increases compared to last year's budget, principally related to personnel expenses. The biggest reason for this is last year's inflation, which triggered cost-of-living adjustments in salaries across the board. In some sense this is a prepayment against future revenue increases, because over time inflation should affect income tax receipts, offsetting some of the personnel cost increases.

The other personnel expense driver is the increased competition the Village is seeing for personnel. To address this, the FY2024 budget reflects an increase to the Village's share of health insurance premiums from 75% to 100%, to better align with what neighboring towns are offering. Mr. Crockett emphasized that this does not mean that the Village is covering plan participants' deductibles and copays. Mr. Crockett noted that additional adjustments may be needed to stay competitive; the Village Manager is taking a comprehensive look at the Village's salary and benefits structure with the help of consultants.

Mr. Crockett concluded his report noting that the Village’s financial position is strong and stable, mentioning the challenges of how best to manage maintenance and improvements to continue attracting and retaining people who make the Village such a wonderful place to live.

Financial Review Committee Report by Chair, Brian Christaldi

The committee met virtually in October 2022 with the Village’s outside auditor, the Village Treasurer, Gary Crockett and the Village staff to review the draft audited financial statements for FY2022. The committee was satisfied that the audit was done properly and thoroughly.

In February, the committee provided written comments to the Village Treasurer, Gary Crockett, and Village Manager, Shana Davis-Cook with respect to the proposed FY2024 Operating and Capital budget. In February, a committee representative attended and participated in the Board of Managers Budget Work Session, and attended the public hearings on the proposed budget held on May 13, 2023 and April 10, 2023.

Public Safety Committee report by Chair, Saul Goodman (virtual attendee)

Mr. Goodman reported that the committee serves as a citizen’s advisory board to the Board of Managers and Village Chief of Police and also as a liaison to the Bethesda District of the Montgomery County Police. Mr. Goodman announced the members of the Committee: Oliver Davidson, Peter Kilborn, Betty O’Connor, and Lisa Sanders. Mr. Goodman mentioned that there are openings on the Committee for new members.

Mr. Goodman mentioned Chief Fitzgerald’s upcoming retirement, thanking him for providing substantial advanced notice to allow for a smooth transition. Mr. Goodman thanked Chief Fitzgerald for the extraordinary job he has done for more than a decade and his years of dedicated service to the Village. Mr. Goodman noted that there will be an opportunity to more formally thank Chief Fitzgerald later on this year, but for now the Committee’s focus is on recruiting a new Police Chief.

Mr. Goodman reported that the committee strongly urges residents to lock their vehicles, as unlocked vehicles create potential for more serious crimes to occur in the Village, and to report any suspicious activity to the Village Police.

Environment and Energy Committee Report by Chair, Dr. Marea Hatzios

Dr. Hatzios thanked her former co-Chair, Marilyn Bracken, who continues to serve on the committee. Dr. Hatzios also thanked Ellen Sands for her many years of support as staff liaison to the committee and welcomed Jennifer Young as the new staff liaison.

Dr. Hatzios noted that the objective of the committee is to help make the Village a truly “green” community through education and outreach to residents on relevant topics and good environmental practices, through proactive advice to the Board of Managers on issues and opportunities related to environmental quality in the Village and wider community, and through liaising with neighboring communities to discuss common concerns, share information, benchmark performance, and encourage sustainable practices beyond the Village.

Dr. Hatzios reported that the committee's main achievements over the past year include a successful entry into force of the ban on gas-powered leaf blowers in the Village, a successful campaign to opt into Montgomery County's ban on non-essential (cosmetic) lawn pesticides, and raising awareness among residents to recycle more responsibly.

In its continuing efforts to help make the Village a truly "green" community, the committee plans to focus on addressing climate change by promoting alternative energy sources, encouraging the planting of native species and pollinator gardens, increasing Village participation in more efficient recycling and food composting, encouraging participation of Village youth in its programming, and by resuming the committee's *Sustainable Living Lecture Series* at the Village Hall.

Parks and Greenspaces Committee Report by Committee Co-Chairs, Ms. Susan Kilborn and Ms. Margo Kingston

Ms. Kilborn and Ms. Kingston stated that the mission of the committee is to monitor and advise the Village administration and the Board of Managers regarding the preservation, maintenance and improvement of Village parks and green spaces.

Ms. Kingston noted that the committee's members focused their efforts on two locations in the Village this year: the drainage and water runoff problems in the Buffer and on the Boxwood garden re-design between Grafton Street and Magnolia Parkway. Committee members walked through the Buffer with the site engineer who made some re-design recommendations to the Committee. The committee provided input on the redesign of the Boxwood Area as well, urging the Board to maintain the space as a passive park for all Village residents.

In September 2022, the Committee invited the Montgomery County Beekeepers Association to present a talk to Village residents about the importance of bees to parks and gardens, the pleasure of keeping bees, and the wide range of beekeepers' activities which benefit County residents as well as local bee populations. It was also learned that the beekeepers would come to the rescue if any residents are faced with a swarm of bees on their property.

Additionally, foot stones for benches in parks with muddy areas after rain were approved by the Board of Managers in 2022; and "*What to Do in the Garden Month by Month*" appeared in the monthly issues of the *Crier* through 2022.

Ms. Kilborn noted that the committee enjoyed working with their staff liaison Ellen Sands, and wished her well in her retirement. Ms. Kilborn welcomed Jacqueline Parker, the new staff liaison to the committee.

Elections Supervisors Report by Chair, Ms. Mary Sheehan

Ms. Sheehan reported that four Board members' terms will end in June 2023. The committee oversaw the candidate declaration and election process beginning in February 2023 and used the *Crier* and the blast email system to inform residents of the candidacy opportunities and financial disclosure process.

The committee met following the March 15 deadline for candidates to submit their qualifying documentation, concluding that there were five candidates for the four open positions. Shortly after the filing deadline, one of the candidates withdrew her application. The four remaining candidates were the incumbents: Gary Crockett, Lou Morsberger, Linda Willard, and David Winstead. All four candidates had submitted the required Certificates of Candidacy and Financial Disclosure Statements by the March 15 deadline, and these had been reviewed and endorsed as duly filed by the Village Ethics Commission. Because the number of candidates and the number of vacancies were equal, there is no need for an election to be held in May.

Pursuant to the procedures specified in the Village Charter, the Election Supervisors declared the following three candidates elected to the Chevy Chase Village Board of Managers: Gary Crockett, Lou Morsberger, Linda Willard, and David Winstead.

On behalf of the Election Supervisors Committee, Ms. Sheehan expressed thanks to Village Manager, Shana Davis-Cook, for her support of their operations.

Public Discussion Period

Mr. Goodwin opened the floor for public discussion.

Saul Goodman (Cedar Parkway) expressed thanks to the Board and the Village staff for their efforts throughout the year.

Adjournment of Annual Meeting

Mr. Winstead moved to adjourn the Annual Meeting to move into a business meeting for the purpose of adopting the FY2024 budget and tax levy. Mr. Crockett seconded the motion. Mr. Goodwin, Mr. Crockett, Ms. Watters, Mr. Winstead, Mr. Morsberger, and Ms. Willard voted in favor of the motion. The motion passed. The Chevy Chase Village 109th Annual Meeting was adjourned, and the Board of Managers' business meeting convened at 8:36 p.m.

Board Action on Budget Adoption and Tax Levy Ordinance

Resolution No. 04-02-23: An Ordinance to adopt the fiscal year 2024 budget and to levy a tax on certain real and personal property under the provisions of §6-203 of the Tax-Property Article of the Annotated Code of Maryland, as amended.

Mr. Crockett moved to approve Resolution No. 04-02-23, as drafted. Mr. Morsberger seconded the motion. Mr. Goodwin, Mr. Crockett, Ms. Watters, Mr. Winstead, Mr. Morsberger, and Ms. Willard voted in favor of the motion. The motion passed.

Adjournment

Mr. Crockett moved to adjourn the business meeting. Ms. Willard seconded the motion. Mr. Goodwin, Mr. Crockett, Ms. Watters, Mr. Winstead, Mr. Morsberger, and Ms. Willard voted in favor of the motion. The motion passed. The business meeting adjourned at 8:40 p.m.

Attested by: Shana Davis-Cook, Village Manager

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