

Kensington Around Town

April/May 2013

CALENDAR

Town Nominations Due Mon., May 13th, 4 pm

Town Council Meeting Mon., May 13th, 7 pm



Third Thursday Thurs., May 16th, 6:30 pm Howard Avenue

Candidates Forum Mon., May 20th, 7 pm

Town Offices Closed Mon., May 27th Memorial Day

Town Council Election Mon., June 3rd, 6 pm—9 pm

Please visit the Town website for updated and current information.

www.tok.md.gov





2013 Town Election

The 2013 Town Election will be held on Monday, June 3, 2013. The term of Council Members Barch and Thompson are set to expire, with both Council Members

having the option of running for re-election.

If you are interested in running for Town Council, the deadline for filing a certificate of nomination is Monday, May 13th at 4:00 pm. Additional information is available by contacting Susan Engels, Clerk-Treasurer, by calling 301-949-2424 or you may email Susan at *Susan.Engels@tok.md.gov*

> SPECIAL THANK YOU TO THE Noyes Library Foundation Members and Day of the Book Volunteers

Fiscal Year 2013—14 Budget Ordinance Passed

The Kensington Town Council passed the FY14 Budget at the Town's April 22nd Council Meeting. Real Property rates will remain constant at \$0.136 per \$100 of assessed property value. The total operating budget for the Town for FY14 is expected to be \$2,030,576.

The adopted Budget Ordinance is available to view beginning on page eight (8).

INSIDEFrom Mayor FosselmanP. 2From Town Manager DailyP. 3Recent Town Permits IssuedP. 3Council Meeting MinutesP. 4EV14 Pudget InformationP. 2					
From Mayor FosselmanP. 2From Town Manager DailyP. 3Recent Town Permits IssuedP. 3Council Meeting MinutesP. 4			INCIDE		
From Town Manager DailyP. 3Recent Town Permits IssuedP. 3Council Meeting MinutesP. 4			INSIPE		
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From Town Manager DailyP. 3Recent Town Permits IssuedP. 3Council Meeting MinutesP. 4					
From Town Manager DailyP. 3Recent Town Permits IssuedP. 3Council Meeting MinutesP. 4					
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FROM MAYOR FOSSELMAN



The intersection of **Connecticut and Howard Avenues** is undergoing the awaited improvements by the State. The enhancements will delineate the northwest turn lane onto West Howard Avenue; as well as define the "box" at the intersection encouraging drivers to keep the area clear for southeast turns. The project completion date is December, 2013.

In addition, the new sidewalks and ADA standards for **Connecticut Avenue** are almost finished. Walks are wider and turn lanes are better outlined.

Seasonal **street repairs** throughout Town are almost complete. New driveway aprons, sidewalks and curbs, as well as paving are part of the scheme.

Pepco has completed most of their tree removal and trimming duties as part of the agreement with the State's Public Service Commission. New trees, selected by Residents, have been planted on several streets.

The expansive **Howard Avenue brick wall** has been repaired and soil is being replaced in the planting beds. New plants should be in by mid May.

Our **park signs** are old and in need of replacement. A more modern design, but keeping the color scheme of the street signs and Antique Row sign, will first be installed at the Howard Avenue Park across from the Train Station. The new look will be a welcome improvement to the current brown and drab signage.

The new **Development Review Board** (DRB) was appointed last month. The Board is comprised of members from the residential, business and professional communities. The DRB will be charged with reviewing all development proposals for Kensington prior to the Council's review. DRB Members include Darin Bartram, Martha Deale, Van Franke, Council Member Tracey Furman, Brian Hak, Matt Hodgson, and TJ Monahan.

Thank you again to everyone who organized and volunteered for the Family Movie Night (Barrie Carr), Mutt March (Carlos Moss and Sam Moy of the Sweat Shop), Shred It Day (Mark Hudson of McEnearney Real Estate), Noyes Library Social (Noyes Library Foundation), and the Day of the Book (Eli Sola-Sole and Al Lacey). Reminder to frequent the weekly Saturday Farmers' Market and the Music Concerts (Historical Society) from 8am to noon, as well as the KAT Theatre performances at the Town Hall, and the Howard Avenue monthly Third Thursday events.

Town Permits

10601 St. Paul Street Driveway

10231 Carroll Place Test Pit

10545 Wheatley Street Deck

Do I Need A Permit?

In most cases, yes, you will need a Town <u>and</u> County permit for any interior or exterior structural changes, with the exception of landscaping and repairs. Historic District properties will also need a Historic Area Work Permit. Please contact the Town with any questions.



From Town Manager Daily

• The Town has completed our scheduled paving for this fiscal year. Curb and gutter replacement, along with paving was finished on sections of Detrick, Dupont, Warner, Kaiser, and Wheatley.

- The Town Council adopted our FY14 Budget at the April 22nd Town Council Meeting. I am happy to report that the Real Property tax rate will remain constant at \$0.136 per \$100 of assessed value.
- The Town is looking to hire a seasonal employee in the next few weeks to help our PW Department this summer. If you know of someone that might be interested, please have them stop by Town Hall by May 13th to fill out an application. The position is expected to run through leafing season (November).
- The Town was informed that we did not receive an Open Space grant for the coming year that we planned to use to brick the mulch pathways at Clum Kennedy Park.
- We would like to remind residents that all pets must be on a leash when out in public areas. This includes St. Paul Park. A violation of the leash law is a \$100 civil violation, enforced by Montgomery County.

MAYOR

Peter C. Fosselman Mayor.Fosselman@tok.md.gov

Mackie Barch Sean McMullen Tracey Furman John Thompson Mayor.Council@tok.md.gov

Town Manager Sanford W. Daily SWDaily@tok.md.gov

Asst. Town Manager Matthew J. Hoffman MJHoffman@tok.md.gov Town of Kensington 3710 Mitchell Street Kensington, MD 20895

Office: 301-949-2424 Fax: 301-949-4925

Office Hours: 8:00am ~ 4:00pm Clerk—Treasurer Susan Engels Susan.Engels@tok.md.gov

Facility Manager/Events Shirley Watson Shirley.Watson@tok.md.gov

March 25, 2013 Town Council Summary

- Approved Town Meeting Minutes, as corrected, from March 11, 2013.
- Approved Resolution No. R-05-2013, establishing the Development Review Board. This Board will review proposals for development/redevelopment within the Town with respect to compliance with the Kensington and Vicinity Sector Plan.
- Council discussed the ongoing contract negotiations between Montgomery County and Comcast.
- Council determined to enter into a closed session to discuss a legal matter with Town Attorney, Suellen Ferguson.

March 25, 2013—Mayor Fosselman, Council Members Barch, Furman, McMullen, and Thompson, Town Attorney Ferguson, Town Manager Daily, Clerk-Treasurer Engels, and Assistant Town Manager Hoffman were present. The Pledge of Allegiance was recited and a Moment of Silence was observed.

The minutes from March 13, 2013 were reviewed and amended to add that Council Member McMullen abstained from the vote to approve February 11, 2013 minutes.

From the Mayor & Town Council – The Mayor reported he and the Council had a successful retreat in which they discussed communication skills and categorized their personalities, he thanked Jill McCrory for facilitating the retreat; he had a good turnout for Coffee with the Mayor; and thanked all volunteers and sponsors for the upcoming events in April.

Council Member Barch questioned when the intersection improvement project would begin at Montgomery Avenue and Kensington Parkway and requested involvement in the process; and he also noted the stop sign had been hit at this intersection and needed to be straightened. Town Manager Daily stated he needs to contact the engineer on storm drain issues before proceeding with the intersection project. Council Member McMullen attended the retreat and suggested a similar session after the next election; he reminded Residents of the April 8th Public Hearing on the Fiscal Year 2014 budget, suggested any process questions be addressed to the Council prior to the hearing to help with any understanding needed before the hearing; and he suggested the Town inventory streets for any repairs needed from winter weather.

Council Member Thompson reported he attended the retreat; he encouraged Residents to attend the event for the 120th Anniversary of Noyes Library; and requested landscaping of the strip between the sidewalk and curb on Metropolitan Avenue at the new parking lot.

The Mayor noted new tree plantings on Dupont also need hay and seeding.

Council Member Furman reported she attended the retreat which helped with communication, suggested meeting again after election, and thanked St. Paul's Church for providing the space for the retreat; and noted she will not be in attendance at the April 8th meeting.

Town Manager Daily provided an updated chart of accounts and information for the capital expenditures budget, project sheets for each capital expenditure category will be available at a later date.

Town Attorney Ferguson gave a status report on the Comcast cable franchise agreement. The current agreement with Comcast ends in June and they are seeking approval of a new agreement. The County traditionally negotiates on behalf of municipalities and reports back to the group of municipalities. At the present time, the County and municipalities are in an informal negotiation process. Town Attorney Ferguson disclosed that she is also representing Chevy Chase Village, Washington Grove, and Takoma Park and does not see any conflicts as they are all working towards same goal; if a conflict arises she will inform the Town. They are requesting Comcast pay the attorney fees, as in the past, if not, they will be split between the municipalities. She stated additional negotiations will be discussed in a closed session.

Public Appearances – Al Lacey discussed the upcoming Day of the Book event and that the number of participants will be limited due to space constraints.

Ordinances, Resolutions, and Regulations – Resolution No. R-05-2013 was discussed which would establish a development review board composed of seven individuals who will review all development and make recommendations to the Council. The Resolution was discussed and amended to include staggered terms, to provide for meetings as needed, and to include two professionals, not necessarily Residents, who are an architect, engineer, or land use attorney. See Council Actions.

A Closed Session was held. See attached Closed Meeting Form.

Council Actions:

Council Member McMullen moved to approve the minutes from March 11, 2013 as amended to add Council Member McMullen abstained from approval of February 11, 2013

minutes. The motion passed unanimously.

Council Member Thompson moved to approve Resolution No. R-05-2013 as amended to include a single resident category, to include two representatives both of whom are an architect, engineer or land use attorney, to include staggered terms, and to add that the board shall meet as necessary. The motion passed unanimously.

Council Member Thompson moved to enter a closed session for the purposes of consulting with the Town Attorney on a legal matter at 7:41 p.m. and indicated the Council will not be coming back into open session. The motion passed unanimously.

April 8, 2013 Town Council Summary

- Approved Town Meeting Minutes from March 25, 2013.
- Approved sending a letter in support of an easement for 10516 Metropolitan Avenue.
- Bryan Kay from Classic Homes of Maryland reviewed plans for a new house at 3607 Farragut Avenue. Town setbacks and driveway requirements were noted.
- A Public Hearing was held on Fiscal Year 2014 Budget (Ordinance O-01-2013) and the record was held open until the close of business on April 19th.

April 8, 2013— Mayor Fosselman, Council Members Barch, McMullen, and Thompson, Assistant Town Manager Hoffman and Clerk-Treasurer Engels were present. Council Member Furman and Town Manager Daily were necessarily absent. The Pledge of Allegiance was recited and a Moment of Silence was observed.

From the Mayor & Town Council – The Mayor reported he is working with Residents on Baltimore Street regarding parking issues

which may come before the Council in May; he met with County Council Member Roger Berliner, discussion focused on the Sector Plan, Design Guidelines, and attracting interest in Kensington; he is working with the County Executive's office regarding the police agreement, the police continue to be present under the existing agreement; and the Town will be having a free indoor movie, "Big", on Sunday April 14th at 4 p.m.

Council Member Barch noted the importance of completing the intersection improvement at Kensington Parkway and Montgomery Avenue in the new budget and informed the Council he will not be in attendance at the April 22nd Town meeting.

Council Member McMullen reminded Residents of the Noyes Library event on April 20th and the International Day of the Book event on April 21st; and suggested review of the comprehensive street study to see where we are with completion of street resurfacing.

Council Member Thompson will attend the preview opening with Council Member McMullen of Costco; reported he was contacted by a member of the Rockville City Council regarding changes to relax the state ethics law and informed them he was supportive of a high degree of disclosure and transparency, which exists under the existing law; he noted this was a separate issue than the financial disclosure forms that the Town received an exemption from; he suggested the Town continue to have movies in the park and possibly purchase equipment for this; he informed Residents the Traffic Committee will be meeting April 17th to discuss sidewalks on Perry Avenue and pedestrian issues; and explained the County is still working on the interpretation of the police agreement regarding additional enforcement in Town.

A courtesy review was held for a new home at 3607 Farragut. Bryan Kay from Classic Homes of Maryland presented plans and answered questions regarding the proposed new house. He also stated the address listed on the agenda was incorrect and the correct address is 3607 Farragut. The Mayor questioned the side yard setback, driveway width, and removal of existing garage and retaining wall. Mr. Kay will review the Town Code regarding the side yard setbacks with his engineer. Council Member Thompson informed Mr. Kay the Town Code does provide a variance process. Darin Batram thanked Mr. Kay for providing an early review which helps to avoid future problems.

Assistant Town Manager Hoffman reported Ayoub Carpet received the parking waiver from the County and explained the owner, Mr. Ayoub, has also requested Council support for a rear egress easement from the property owner. See Council Actions.

The Town will be hydro seeding along Metropolitan Avenue and will also be seeding the areas where the trees were removed by Pepco.

Public Appearances – Jack Gaffey requested information on Phase II of the intersection improvement project for Montgomery Avenue and Kensington Parkway, he suggested a more prominent sign directing people to Kensington Parkway; and questioned when the offset in the curb at Howard Avenue would be reconfigured or repaired. Council Member Barch explained the intersection improvement was approved two years ago and would improve pedestrian safety by eliminating the straightaway on to Montgomery Avenue from Howard Avenue, it would include a three way stop sign, additional green space, improved lighting, narrowing of the street, and possibly new street addresses for businesses on Montgomery Avenue to eliminate confusion. Assistant Town Manager Hoffman stated the

Town's contractor, NZI, will be repairing the offset in the curb at Howard Avenue within the next few weeks. Paul Sexton informed Residents that he will be opening up an Edward Jones office in Kensington.

Ordinances, Resolutions, and Regulations -

A Public Hearing was held on the Fiscal Year 2014 Budget. Council Member McMullen commented the budget reflects the Town's strong fiscal outlook, the real property tax rate remains the same, and the Town continues to fund the capital expenditure projects and maintain the unreserved fund balance. Council Member Thompson noted the continued source of revenue from speed cameras. The Mayor stated the budget should include funding for the Phase II intersection improvement project and the brick imprint crosswalk project should be completed. Council Member McMullen requested the street study be reviewed to determine if street improvements are needed prior to the intersection improvement project.

Council Actions:

Council Member Thompson moved to approve the minutes from the March 25, 2013 Town Meeting. The motion passed unanimously.

Council Member Barch moved to send a letter to the Department of Permitting Services in support of a rear egress easement at 10516 Metropolitan Avenue from the property owner. The motion passed unanimously.

Council Member McMullen moved to hold the record open on the Public Hearing for the Fiscal Year 2014 Budget until 4 p.m. on April 19th. The motion passed unanimously.

Council Member Thompson moved to adjourn the meeting at 8:05. The motion passed unanimously.

TOWN INFO



Third Thursday continues to grow in popularity, as live music and good food attracts more visitors and residents.

In April, guitarist Greg Dillon entertained with his hearty rockabilly mix in Howard Avenue Park, while Geppetto's served its excellent BBQ. A new feature added to that evening was the challenging exercise stations staffed by The Sweatshop next to the park.

Explore Kensington's Facebook page has been receiving more attention from beyond the borders of Kensington: In March we gained 21 new likes on Facebook, bringing our total to nearly 400. In coming months we plan to host new contests to attract more fans to our page.

Some of the antique shops on west Howard received the attention of Washington Post staff writer Jura Koncius in March. Maier & Warner followed up with a link to the article in an eblast and on Facebook. That Facebook posting received more than 1,200 views, 992 of which were viral!

Future eBlasts will feature two new merchants in Kensington, the *Golden Grain Bakery Café* and *Home Works* on Howard Ave. Check out the new Apps on Explore Kensington Facebook, where you can get complete information about an event with just one click.

And don't forget Mother's Day. Our latest eBlast identified multiple sources of excellent gifts – from yoga lessons to theater tickets to *Ragtime* – that can be found among Kensington's many treasures.

BUDGET ORDINANCE

ORDINANCE NO. <u>0-01-2013</u>

AN ORDINANCE ADOPTING THE TOWN OPERATING AND CAPITAL BUDGET FOR FISCAL YEAR 2013-14 AND LEVYING A TAX ON ALL ASSESSABLE PROPERTY WITHIN THE TOWN OF KENSINGTON, MARYLAND

WHEREAS, the proposed budget for the 2014 Fiscal Year, beginning July 1, 2013 and ending June 30, 2014 must be submitted to the Town Council on or before the third Monday in April; and

WHEREAS, the proposed budget ordinance must be introduced at a meeting of the Mayor and Town Council to allow for timely notice as required by the Town Charter and establish a public hearing on said Budget Ordinance; and

WHEREAS, the Fiscal Year 2014 Proposed Budget provides a complete financial plan, including anticipated revenues and proposed expenditures, for the fiscal year.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Kensington, in public meeting assembled, that the budget for the Town of Kensington for Fiscal Year 2014, beginning July 1, 2013 and ending June 30, 2014, be and it is hereby introduced and to be adopted as follows:

ANTICIPATED REVENUE		
Local Taxes	\$ 887,631	
Shared Revenues	558,500	
Licenses & Permits	40,200	
Intergovernmental Revenue	187,719	
Fines and Forfeitures	83,846	
Miscellaneous Revenue	 62,000	
ANTICIPATED OPERATING REVENUE	=	\$1,819,896
Grants - County & State	_	0
TOTAL ANTICIPATED REVENUE	=	1,819,896
Re-appropriation	_	210,680
TOTAL ANTICIPATED FUNDS AVAILABLE	=	\$2,030,576
PROPOSED EXPENDITURES		
General Government	\$ 764,920	
Public Works	715,613	
Public Safety, Parks & Non-Departmental	180,042	
OPERATING TOTAL	-	\$1,660,576
	-	
Capital Improvements Budget	-	370,000
TOTAL PROPOSED EXPENDITURES	=	\$2,030,576

AND BE IT FURTHER ORDAINED that all of the sums set forth herein under the heading "EXPENDITURES" be and hereby are appropriated.

AND BE IT FURTHER ORDAINED that there is hereby levied on all of the assessable real property within the Town a tax at the rate of:

<u>Real Property:</u> Thirteen and 6/10 Cents (\$0.136) on each One Hundred Dollars (\$100)

BUDGET ORDINANCE

of assessed value of said property.

AND BE IT FURTHER ORDAINED and there is hereby levied a tax on all personal property subject to taxation by the Town, at the rate of:

Personal Property: Fifty seven cents (\$0.57) on each One Hundred Dollars (\$100) of assessed value on the following personal property subclasses as authorized in § 8-101 of the Tax- Property Article, Annotated Code of Maryland: stock in business, distilled spirits, operating personal property of a railroad and all other personal property directed by said article to be assessed, with the exception that there is hereby levied a tax of Two dollars and fifty cents (\$2.50) on each One Hundred Dollars (\$100) of assessed value on the following personal property subclasses as set forth in § 8-101 of the Tax- Property Article, Annotated Code of Maryland:

1. operating personal property of a public utility that is machinery or equipment used to generate electricity or steam for sale; and

2. all other operating personal property of a public utility; and

3. machinery and equipment, other than operating personal property of a public utility, that is used to generate electricity or steam for sale or hot or chilled water for sale that is used to heat or cool a building.

AND BE IT FURTHER ORDAINED that the Council hereby adopts the imposition of a full year, one-half year, three-quarter year and one-quarter year tax levies authorized pursuant to §§ 10-102, 10-103,10-104 and 10-105, Tax Property Article, Annotated Code of Maryland, as amended, and authorizes and empowers Montgomery County, Maryland, to collect and remit the same to the Town of Kensington, consistent with the imposition and collection of such levies on real property by Montgomery County.

AND BE IT FURTHER ORDAINED that the Town Council may from time to time transfer funds by Resolution within the Operating and Capital Improvements Budget categories.

ADOPTED by the Town Council this 22nd day of April, 2013.

Historic Preservation

The Montgomery County Historic Preservation Commission is pleased to announce available funding for qualified historic homeowners in the county to receive a residential energy audit. Thanks to a \$9,000 grant from the Maryland Historical Trust, historic preservation planners will run a local Energy Efficiency Initiative for selected owners of 8-10 historic homes in the county.

Owners of homes designated historic on the county Master Plan for Historic Preservation or located in a designated historic district are eligible to receive a free home energy audit if selected. Learn more and download an application at www.montgomeryplanning.org/ historic/.

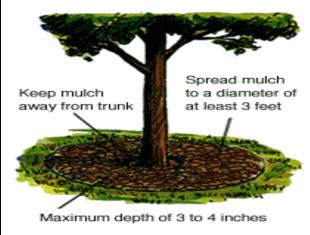
Applications are due by 5:00 p.m. Friday, May 10, 2013 to be considered.

Please contact Joshua Silver of Historic Preservation for more information: 301-563-3400

Steps to Adding Mulch Around Your Tree

- 1. Add mulch to the base of your tree by removing any grass within a 3 to 10 foot area depending on the size of your tree.
- 2. Pour natural mulch such as wood chips or bark pieces 2 to 4 inches deep within the circle.

3. Keep the mulch from touching the trunk of the tree.



KENSINGTON ARTS THEATER



Based on the 1975 novel by E. L. Doctorow, RAGTIME tells the story of three groups in America, represented by Coalhouse E Walker Jr., a Harlem musician: Mother, the matriarch

of a white upper-class family in New Rochelle, NY; and Tateh, a Latvian Jewish immigrant. Historical figures such as Harry Houdini, Evelyn Nesbit, Booker T. Washington, J. P. Morgan, Henry Ford, Stanford White, Harry Kendall Thaw, Admiral Peary, Matthew Henson, and Emma Goldman also appear. The music includes marches, cakewalks, gospel and ragtime and is mostly sungthrough the performance.

Performance Dates: May 3, 4, 10, 11, 12, 17, 18, 19, 24, 25 Performance Times: 8:15pm on Fridays/

Saturdays, 3pm on Sundays



COMMUNITY





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Kensington Around Town

April/May 2013

3710 Mitchell Street Kensington, MD 20895 Office: 301.949.2424 www.tok.md.gov

To Kensington Residents