



# KENSINGTON AROUND TOWN JOURNAL

Date of Publication: **February 10, 2010**

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

## CALENDAR

### **3rd Annual Wellness Clinic**

Sat., Feb 13th 9:30 ~ 1pm  
Kensington Town Hall

### **Town Offices Closed**

Mon., Feb 15th  
President's Day

### **Energy Efficiency Forum**

Tues., Feb. 16th 7:30pm

### **Town Council Meeting**

Mon., Feb. 22nd 7pm

### **Town Council Meeting**

Mon., Mar. 8th 7pm

Please check the Town's website throughout the month for up-to-date information.

***www.tok.md.gov***



## WSSC Working in Town

Washington Suburban Sanitation Commission (WSSC) has been conducting preventative maintenance within the Town over the last several months. The objective of the work is to replace older deteriorating lateral pipes to property lines, which have become a concern over the last few years.

WSSC ended 2009 with the second highest calendar year in water main breaks on record. They repaired 1,847 water main breaks last year alone, and hope to lessen the burden in the coming years with continued maintenance.

The Town is well aware that a few trees have been cut down and a number of street patches have developed sizable potholes. The Town is working with WSSC to resolve these issues as soon as possible.

If you have any questions, please feel free to contact the Town.

<b>FORM 502</b>		<b>MARYLAND RESIDENT INCOME TAX RETURN</b>	
OR FISCAL YEAR BEGINNING		2009, ENDING	
SOCIAL SECURITY #		SPOUSE'S SOCIAL SECURITY #	
Your First Name	Initial	Last Name	
Spouse's First Name	Initial	Last Name	
PRESENT ADDRESS (No. and street)			
City or Town	State	Zip Code	
Name of county and incorporated city, town or special taxing area in which you were a resident on the last day of the taxable period. (See Instruction 6)		Maryland County	City, town or taxing area

form is shown with the appropriate box labeled.

## Tax Reminder

The Town of Kensington's second largest revenue source is a repayment of the State's income tax to the municipality. In order for the Town to acquire its share of the income tax and to continue to help fund the services the Town provides, it is necessary that the Town's name is filled out 'Town of Kensington' in the appropriate box. A sample of the



**Mayor Peter Fosselman**

I would like to remind Town Residents about the following : **Valentine Wellness Clinic** The Third Annual Valentine Well-ness Clinic will return to Ken-sington this coming February

13th from 9:30 am to 1pm at Town Hall. Dr. Cindy Tracy (Director, Cardiac Services, George Washington University Hospital and Town Resi-dent) along with her staff of professionals will be available to answer your questions. In addition, all are invited to get their blood cholesterol and other lipids tested, have an electrocardiogram (EKG), check you blood pressure, have your BMI calculated and complete a cardiac risk assess-ment. For best results come fasting!

**If It Snows.** . . The Town requires residents and business owners to clear a path on the sidewalk in front of their properties within 24 hours of each snow fall. If a path has not been cleared during this time period, a notice reminder will be hand delivered. If compliance is still not met, a citation will be issued- \$65 for residential and \$195 for commercial. Exceptions due to safety: residential sidewalks located on Connecticut, Summit and Knowles Avenues will be cleared by the Town. If you are traveling during the winter months, please make arrangements before leav-ing to have someone clear your sidewalk.

**Bethesda Cares.** . . Serves the County’s homeless and working poor. They provide a wide range of critical services with minimal overhead. Their paid staff of three coordinates more than 450 vol-unteers, maximizing human resources and en-ergy to meet the needs of the homeless. Office space and equipment are donated. I have helped with the program on Saturdays at their lunch kitchen for almost 10 years. Please consider helping as well: Telephone: 301.907.9244 7728 Woodmont Avenue Bethesda, MD 20814 http:www.bethesdacares.com/donate.htm.

**MAYOR**

Peter C. Fosselman, 3607 Dupont Avenue  
301.929.5399  
Town Hall: 301.949.2424  
Town Hall Fax: 301.949.4925  
*Mayor.fosselman@tok.md.gov*

**MEMBERS OF THE TOWN COUNCIL**

Mackie Barch, 10303 Montgomery Avenue  
202.270.5404

*Mayor.council@tok.md.gov*

Mary Donatelli, Montgomery Avenue  
301.962.5356

*Mayor.council@tok.md.gov*

Sean McMullen, 3423 Wake Drive  
301.962.3438

*Mayor.council@tok.md.gov*

John Thompson, 10412 Mannakee Street  
301.949.2764

*Mayor.council@tok.md.gov*

**TOWN STAFF**

Town Manager  
Sanford W. Daily  
*swdaily@tok.md.gov*

Clerk-Treasurer  
Susan Engels  
*Susan.engels@tok.md.gov*

Assistant to the Town Manager  
Matthew J. Hoffman  
*mjhoffman@tok.md.gov*

Code Enforcement Officer  
Louise Hamilton  
*Louise.hamilton@tok.md.gov*

Facility Manager/Event Coordinator  
Shirley Watson  
*Shirley.watson@tok.md.gov*

**TOWN PERMITS**

10339 Kensington Parkway  
Washington Gas

10339 Kensington Parkway  
Verizon

10339 Kensington Parkway  
Pepco

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## **January 11, 2010 Town Meeting**

**7:07 p.m.**

Mayor Fosselman, Council Members Barch, Donatelli, McMullen, and Thompson, Town Manager Sanford Daily, Clerk-Treasurer Susan Engels and Assistant to the Town Manager Matt Hoffman were present. The Pledge of Allegiance was recited and a Moment of Silence observed.

The Mayor reported the Konterra property settlement scheduled for last Friday was delayed due to an unresolved issue between the property owner and the County; he attended a fundraiser for County Council Member Mike Knapp; attended a County Council Meeting which addressed the CR zone, Kensington will be the first area in the county designated with the CR zone; had a marketing meeting and discussed articles about the Town in the Kensington Voice, Bethesda Magazine, and an upcoming article in the MML monthly publication, the design for the four Safeway display windows on Armory Avenue, and the upcoming Day of the Book Event; noted the Annual Valentine Wellness Clinic will be held, more information will be in the newsletter; met with Chevy Chase View to discuss speed cameras; and attended a fundraiser for Delegate Waldstreicher, who has been very supportive of the Town's efforts in Annapolis.

Council Member McMullen reported the Historic District Expansion Committee will be scheduling a meeting with Fred Boyd.

Council Member Donatelli reported she attended the marketing meeting and is continuing to work on the Farmers Market expansion and on the Safeway display windows.

Council Member Barch reported he met with Safeway regarding screening the HVAC system, which will be enclosed in brick veneer to match the existing façade; he spoke with Safeway on the delivery trucks and Safeway will be issuing fines and if possible would also like

to find out about issuing citations; attended the marketing meeting; spoke with Park and Planning on the urban design guidelines; requested the Town do a survey on Metro usage; noted residents were still needed for Kensington license plates and will be following up with Park and Planning on Kensington Cabin.

Council Member Barch corrected misinformation a resident sent in a letter to the County on the Town requesting funding for removal of the Howard Avenue wall. Council Member Barch noted a funding request was not made to the County and explained the long range plans regarding removal of the wall.

Council Member Thompson reported he attended the 100th year birthday party for John Stubbs and that the new aerial tower truck was dedicated in his name; attended a legislative dinner at BCC Rescue Squad; has been working with the Town Manager on improving the bumps on each side of Summit Avenue Bridge; and will be meeting with the County's GIS representative to integrate the Town's signs into the system.

A Public Hearing was held on Charter Resolution Amendment CR-01-2010 to establish the position of Town Manager and to provide for the duties and terms of employment for the position and to make other required changes. A resident commented she was supportive of adding the Town Manager position but questioned the wording for termination of the Town Manager and suggested it be a majority vote of the Mayor and Council. The Council discussed the termination process and decided to leave the amendment as written which would allow the Mayor to override the Council vote since the Mayor was also hiring the Town Manager. Council Member McMullen suggested that if it ever became a

problem in the future then the Council could change this by another Charter Amendment. The Public Hearing was closed.

A Public Hearing was held on the Charter Resolution Amendment CR-02-2010 to delete certain purchasing requirements from the Charter and to provide by Ordinance for rules and regulations for purchasing and contracts.

A Public Hearing was held on Ordinance No. O-01-2010 to change the competitive bid requirement from \$10,000 to \$30,000, establish procedures for the competitive bidding, and allow the Town to make purchases based upon a Federal, State, County or local governments bid process. It also allows the Council to override the bid process by an extra-majority vote in an emergency and does not require competitive bidding for professional services.

A resident requested the bidding requirement be kept at \$10,000 for professional services, requested clarity and transparency of contracts awarded and suggested the information be put on the website. The Town Manager noted that although bidding is not required for under \$30,000, Council approval would still be needed over \$10,000 for all contracts. The Council noted that although the Town would not be required to use a competitive bidding process for amounts under \$30,000, the Council could still require it if they felt it was needed. The Public Hearings on both the amendment and ordinance were closed.

A Public Hearing was held on Ordinance No. O-02-2010 to regulate and permit the use of Town Parks and to allow for a fee schedule. A resident supported the ordinance but requested more clarity on the permit process and fee structure so they can plan ahead for Vacation Bible School. The Council noted a use and fee schedule has not been developed yet and they will be working on this. The Public Hearing was closed.

The Mayor and Council discussed Resolution R-01-2010 to adopt an annexation plan in conjunction with the approved Annexation resolution No. A-2009-01 for the Kaiser Property. The Town Manager noted the Town Attorney suggested this be adopted.

The Mayor and Council discussed Resolution R-02-2010 to support proposed local legislation to authorize special permits to wineries for use in Farmer's Markets in Montgomery County. Council Member Barch explained the legislation was to give Maryland wineries more opportunity to sample their product since they are already limited. A resident questioned how many wineries would be allowed to participate. Council Member Barch noted it would depend on the response of wineries. The Town Manager noted this was support for all farmers markets in the county but was not sure if approved it would be allowed in Town under current alcohol restrictions.

The Mayor and Council discussed Resolution R-03-2010 opposing discontinuation of the ride-on Route 33 by the County.

A business owner will submit a suggestion for the off sale alcohol referendum for the June election for Council review.

Council Member McMullen commended the Town Staff for the quick response to the snow storm.

### **Council Actions**

Council Member Barch moved to approve the minutes from December 14, 2009. The motion passed unanimously.

Council Member Thompson moved to adopt Charter Resolution No. CR-01-2010 to amend Article IV, Section 410 and 411; Article V, Section 505; Article VIII, Section 802 and Section 808; Article IX by deleting Section 906, Section 907 and Section 909, as well as Renumbering Section 908 and

Section 907; Amending Article XI, Section 1102; Article XIII, Section 1301 and Section 1302 to establish the position of Town Manager. The motion passed unanimously.

Council Member Barch moved to adopt Charter Resolution No. CR-02-2010 amending Article VIII, Section 816 to delete certain purchasing requirements and provide for by ordinance. The motion passed unanimously.

Council Member Thompson moved to adopt Ordinance No. O-01-2010 amending Chapter II, by adding Article 4, Sections 2-401, 2-402, 2-403, 2-404, and 2-405. The motion passed unanimously.

Council Member Barch moved to adopt Ordinance No. O-02-2010 amending Chapter VII, Article 1 by adding Section 7-105. The motion passed unanimously.

Council Member Thompson moved to approve Resolution R-01-2010 adopting an annexation plan for the annexation of the Kaiser property at 10810 Connecticut Avenue. The motion passed unanimously.

Council Member Thompson moved to approve Resolution R-02-2010 supporting proposed local legislation to authorize special permits to wineries for use in farmer's markets in Montgomery County. The motion passed unanimously.

Council Member Barch moved to approve Resolution R-03-2010 opposing discontinuation of the ride-on Route 33 by the Montgomery County Department of Transportation. The motion passed unanimously.

Council Member Barch moved to adjourn the meeting at 8:55 p.m. The motion passed unanimously.

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## **Town Pushing for Warner Circle Funding**

(February 1, 2010) – Kensington seems certain to receive \$250,000 from state bond bills but overall funds to restore the Warner Circle Mansion and its surroundings may be delayed. Park and Planning officials delivered that message to town officials and residents Monday night, spelling out a slower timetable for progress on the historic property.

Mayor Peter Fosselman said that the state's bond funding is contingent on securing matching funds of \$250,000 from Montgomery County officials, and he said he felt certain that those monies would be appropriated. The Mayor said he was working hard at both the state and county levels to ensure those commitments are met.

M-NCPPC staffer Brenda Sandberg told listeners at Monday's meeting that the total cost of restoring the 110-year-old mansion and grounds is \$5 million. Work has already started with preliminary planning by Bell Architects, who have shared their designs with Town residents. Removing the rear, 1950s extension is a prominent recommendation in their plans. According to Sandberg, the cost of the full planning and design is \$630,000.

Sandberg said that full restoration of the mansion is a high priority with the Parks Department – which will occupy the building and garage when work is completed. She and colleague Julie Mueller said that the work is

complicated due to the age of the buildings and the need for accurate historic preservation. Mueller also said that the Parks Department is going to undertake an archaeological dig on the east side of the mansion, which may reveal a former farm on the property. She said she didn't anticipate that the archaeological work would slow down the overall restoration effort.

Council Member John Thompson quizzed Sandberg and Mueller on the costs of the project and the likely timetable for full funding. Sandberg said that county bonds with some matching state funding would pay for the project, but it could be delayed a year. If that occurs, Kensington residents could expect the \$5 million makeover to be completed by early 2014.

"It is important for all of us – especially residents living close to the mansion – to stay vigilant in pressing for the funds we need," said Mayor Fosselman. "This is a major part of Kensington's history and we must preserve it for future generations."

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## ***Kensington's Energy Efficiency Forum***

- *Is your home **cold** in winter / **hot** in summer? Is it **drafty** or **dusty**?*
- *Is it using too much **energy**? Are your **energy bills** too high?*
- *Are you concerned about your home's **carbon footprint**?*

Join us for a presentation by  
**Live Green LLC,**  
**a Home Performance Services firm**  
to learn about:

**Whole-House Energy Audits,  
Energy Efficiency Improvements,  
Financial Incentives for Home  
Energy Efficiency, and More!**

**Opening remarks by  
Delegate Al Carr,  
Member of the House Environmental  
Matters Committee**

**WHEN?** Tuesday Feb. 16, 7:30 - 8:30 pm  
**WHERE?** Kensington Town Hall,  
3710 Mitchell Street



## **Meet County Council Vice-President VALERIE ERVIN**

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County Councilmember Valerie Ervin represents District 5, which includes Kensington, Silver Spring, Takoma Park and Wheaton. Ervin is chairperson of the Council's Education Committee, which reviews more than half of Montgomery County's operating budget. In addition, she serves on the Management and Fiscal Policy Committee, which conducts budget reviews and program oversight for various county departments. Elected in 2006, Councilmember Ervin is the first African American woman to serve on the Council. She grew up in a military family and lived on several military bases throughout the world, but eventually made Montgomery County her home. Ervin got her start in grass roots activism as a union organizer. In this capacity, she fought to ensure that working parents knew about their rights in the workplace and they received appropriate benefits.

Ervin is committed to making sure children have proper nutrition by promoting the summer food program and expanding access to universal breakfast. As a Councilmember, Ervin's legislative agenda includes making changes that promote the interests of working families. She was the lead sponsor of the County's Prevailing Wage Law. This law requires contractors and subcontractors to pay prevailing wages to workers on county construction projects. Ervin believes that government has a responsibility to ensure that working families are paid a fair wage to ensure self-sufficiency; otherwise, county government pays in the long run with higher costs for social services and housing assistance.

Councilmember Ervin has worked to dismantle barriers to high-quality child care by promoting better access to child care subsidies for families. She has pushed county officials to eliminate obstacles and streamline the process for accessing child care subsidies. Councilmember Ervin is committed to working at the local and state level to improve the environment. Governor Martin O'Malley named Ervin to the Chesapeake Bay Trust, a grant-making organization created to promote public awareness in the restoration and protection of the Chesapeake Bay and its tributaries.

Recognizing the importance of providing mass transit options for residents, Ervin supports the Purple Line and is working to create a "Smart-Bike Montgomery" program. Ervin has fought to maintain bus routes and secured funding for a planning study to improve Metro access and pedestrian safety by constructing a tunnel under Georgia Avenue in the Forest Glen neighborhood. Councilmember Ervin is also working on needed neighborhood projects, such as reopening the Old Blair Auditorium and a pilot program for creating community gardens in the down-county.

Prior to Ervin's service on the Council, she was the Dean of Students at the National Labor College in Silver Spring. She also worked as Councilmember George Leventhal's chief of staff. Ervin holds a master's degree in public administration from the University of Baltimore. She is a member of Mount Calvary Baptist Church in Rockville.

**CONTACTS: (240) 777-7960 or**  
[Councilmember.ervin@montgomerycountymd.gov](mailto:Councilmember.ervin@montgomerycountymd.gov)

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## K-TOWN LICENSE PLATES?

The Town of Kensington is in the process of applying to the State's Motor Vehicle Administration for organizational license plates. The Town needs a minimum of 25 applicants before submitting the application. The cost is \$25 per applicant.

If you are interested in representing the Town with our very own vanity plates, please send a check for \$25 addressed to the MVA. Any questions can be directed to Matthew Hoffman, Assistant to the Town Manager, at 301.949.2424 or email [mjhoffman@tok.md.gov](mailto:mjhoffman@tok.md.gov)

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Please join us every Saturday morning 8 am—12 noon at the MARC Train Station for the Kensington Farmers' Market.



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**To Our Kensington Neighbors**