

Mayor Tracey Furman

**Council Member Darin Bartram
Council Member Nate Engle**



**Council Member Conor Crimmins
Council Member Ann Lichter**

Released: February 10, 2025

**Wednesday, February 12, 2025
Town Council Meeting, 7:00 pm**

The Town Council Meeting will begin at 7:00 pm and be held via the Zoom Video Conferencing Application only. Access to the meeting is available through the following link:

<https://us02web.zoom.us/j/86106916352?pwd=NLmsjMse9W8ak1UZxxeuJKRd53NJUp.1>

Meeting ID: 861 0691 6352

Password: 463755

Zoom Camera Use: We ask that if you join the meeting by Zoom, please turn your camera off except when asking a question or speaking.

Or you may join the meeting by calling: +1 301 715 8592 US (Washington D.C) and entering the Meeting ID and Password above.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

APPROVAL OF MINUTES

Town Council Meeting Minutes of January 8, 2025
Special Town Council Meeting Minutes of January 24, 2025 – Closed Session

THE MAYOR AND TOWN COUNCIL

(The Mayor and Council may move to close the meeting and may move to reopen the meeting)

1. Acknowledge:

- a. The Mayor and Council held a Closed Session on Friday, January 24, 2025, pursuant to State Government Article §3-305(b)(7), "Closed Session", to consult with the Town

**Town of Kensington 3710 Mitchell Street Kensington, MD 20895
Phone 301.949.2424 Fax 301.949.4925
www.tok.md.gov**

Attorney with regards to legislative bill MC 116-25 and proposed amendments by the Montgomery County Delegation and Montgomery Planning.

- b. **February 18, 2025, Council Work Session** – The Mayor and Council will hold a Work Session on February 18, 2025, to discuss the FY26 Budget and legal matters with the Town Attorney.
 - c. **MC 116-25** – Update on the proposed legislation that would clarify certain zoning authority for municipalities.
 - d. **More Housing N.O.W. Community Meeting** – County Councilmember Kate Stewart will be scheduling a Community Meeting at the Kensington Town Hall on Monday, March 3, 2025, to discuss the proposed More Housing N.O.W legislation.
- 2. Maryland House & Garden Pilgrimage (MHGP) Tour:**
- a. Announce that the Town of Kensington will host the June 2026, Maryland House & Garden Pilgrimage, which is a nonprofit organization with a history dedicated to the preservation of Maryland’s cultural and historically significant properties and landscapes.

THE TOWN MANAGER AND STAFF

1. Carroll Place and Hadley Place Storm Drain Project Update.
2. Howard Avenue Sidewalk Update.
3. The Budget Ordinance for Fiscal Year 2025-2026 (FY26) will be introduced at the March 12, 2025, Council Meeting.

ORDINANCES, RESOLUTIONS, AND REGULATIONS

(Ordinances, resolutions, and regulations to be introduced or adopted following appropriate procedures required by the Town Code; or resolutions that may require discussion by the Mayor and Council prior to approval)

1. **Ordinance No. O-01-2025 (Public Hearing)** – Public Hearing for an Ordinance of the Mayor and Council of the Town of Kensington Authorizing the Sale of Certain Real Property located at 3420 Plyers Mill Road, Kensington, Maryland, that is no longer needed for a public purpose.
 - a. *The Public Record will remain open until 4:00 pm on Friday, March 7, 2025.*
2. **Resolution No. R-02-2025** – A Resolution of the Mayor and Town Council of Kensington Authorizing a Contribution in the amount of Forty Thousand Dollars (\$40,000) from the Fiscal Year 2024-2025 (FY25) Budget to the Noyes Children’s Library Foundation for the Restoration and Renovation project at Noyes Children’s Library.
3. **Resolution No. R-03-2025** – A Resolution of the Mayor and Town Council of Kensington Confirming Appointments made by the Mayor to the Town Ethics Commission.
4. **Resolution No. R-04-2025** - A Resolution of the Mayor and Council of the Town of Kensington Authorizing the Donation of a surplus vehicle, 2008 Ford F-250 (1FTNF21538EE35863), from the Public Works Department to the Montgomery County Students Automotive Trades Foundation.
5. **Resolution No. R-05-2025** – A Resolution of the Mayor and Council of the Town of Kensington Authorizing the Purchase of a new 2025 Ford F-350 for the Public Works Department, per a Bid Contract (0004504) awarded by Baltimore County, to Apple Ford, LLC, in the amount of \$60,819.30.

PUBLIC APPEARANCES

(The public is invited to speak on any subject that is not a topic on tonight's agenda)

ADJOURNMENT

THE NEXT SCHEDULED MEETING(S) OF THE MAYOR AND TOWN COUNCIL WILL BE HELD:

Wednesday, March 12, 2025, 7:00 pm

Please check the Town Calendar to confirm the Council date and time.

HOUSE BILL 1167

L2, L3, L5

5lr1069

By: **Montgomery County Delegation and Prince George's County Delegation**

Introduced and read first time: February 6, 2025

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County – Municipal Authority to Regulate Structures – Alterations**

3 **MC/PG 116–25**

4 FOR the purpose of altering the authority of a municipal corporation or governed special
5 taxing district in Montgomery County to adopt a certain building requirement to
6 regulate the construction, repair, or remodeling of certain structures on land zoned
7 for single–family residential use to apply to all types of residential structures; and
8 generally relating to the authority of municipal corporations and governed special
9 taxing districts in Montgomery County to regulate structures.

10 BY repealing and reenacting, with amendments,
11 Article – Land Use
12 Section 20–509
13 Annotated Code of Maryland
14 (2012 Volume and 2024 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
16 That the Laws of Maryland read as follows:

17 **Article – Land Use**

18 20–509.

19 (a) Subject to subsections (b), (c), and (d) of this section, by local law, the
20 legislative body of a municipal corporation or governed special taxing district may impose
21 an additional or stricter building requirement than is required by a State, regional, or
22 county unit that exercises zoning or planning authority over the municipal corporation or
23 governed district if the authority is exercised in addition to the State, regional, or county
24 zoning or planning authority.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) (1) [A] SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A building
2 requirement adopted under this section:

3 [(1)] (I) shall be imposed for:

4 [(i)] 1. the protection of the public health, safety, and welfare; or

5 [(ii)] 2. the preservation, improvement, or protection of lands,
6 water, and improvements in the municipal corporation or governed special taxing district;
7 [and]

8 [(2)] (II) may regulate only the construction, repair, or remodeling of
9 [single-family] residential houses, buildings, or other structures on land zoned for
10 **PREDOMINANTLY** single-family residential use **AS OF JANUARY 1, 2024**, as it relates to:

11 [(i)] 1. fences, walls, hedges, and similar barriers;

12 [(ii)] 2. signs;

13 [(iii)] 3. residential parking;

14 [(iv)] 4. residential storage;

15 [(v)] 5. the location of structures, including setback requirements;

16 [(vi)] 6. the dimensions of structures, including height, bulk,
17 massing, and design; and

18 [(vii)] 7. lot coverage, including impervious surface; **AND**

19 **(III) SHALL APPLY WITHOUT REGARD TO HOUSING TYPE.**

20 **(2) A BUILDING REQUIREMENT ADOPTED UNDER THIS SECTION FOR**
21 **MULTIFAMILY HOUSING:**

22 **(I) MAY NOT BE MORE RESTRICTIVE THAN A BUILDING**
23 **REQUIREMENT ADOPTED UNDER THIS SECTION FOR SINGLE-FAMILY HOUSING; BUT**

24 **(II) MAY BE LESS RESTRICTIVE THAN A BUILDING**
25 **REQUIREMENT ADOPTED UNDER THIS SECTION FOR**
26 **SINGLE-FAMILY HOUSING.**

27 (c) Before adopting a local law under this section, a municipal corporation or
28 governed special taxing district shall:

1 (1) hold a public hearing; and

2 (2) at least 30 days before the public hearing, transmit a copy of the
3 proposed local law to the county council.

4 (d) A local law that a municipal corporation or governed special taxing district
5 adopts under this section shall provide a procedure for a waiver from the strict application
6 of the building requirements.

7 (e) By local law, a municipal corporation or governed special taxing district may
8 enact an additional or stricter commercial sign regulation than is imposed by the State, the
9 Commission, or the county.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 2025.

ORDINANCE
OF THE MAYOR AND COUNCIL OF THE TOWN OF KENSINGTON
AUTHORIZING THE SALE OF CERTAIN REAL PROPERTY LOCATED
AT 3420 PLYERS MILL ROAD, KENSINGTON, MARYLAND, THAT IS
NO LONGER NEEDED FOR A PUBLIC PURPOSE

WHEREAS, pursuant to §5-202 of the Local Government Article, Annotated Code of Maryland, the Town of Kensington (hereinafter, the “Town”) has the power to pass such ordinances as it deems necessary to assure the good government of the municipality; protect and preserve the municipality's rights, property, and privileges; preserve peace and good order; secure persons and property from danger and destruction; and protect the health, comfort, and convenience of the residents of the Town; and

WHEREAS, pursuant to §5-204 of the Local Government Article, Annotated Code of Maryland, the Town pursuant to State law is authorized to sell, at public or private sale, and convey to the purchaser any real property belonging to the Town if the Mayor and Council determine that the property is no longer needed for public use; and

WHEREAS, Section 602 of the Charter of the Town of Kensington implements and authorizes the Mayor and Town Council to exercise the authority granted under State law, including the sale of real property when no longer needed for a public use, after 28 days’ public notice; and

WHEREAS, the Mayor and Town Council have determined that the real property located at 3420 Plyers Mill Road, Kensington, MD 20895 (“Property”), currently owned by the Town, as further referenced in a deed recorded at Liber 2284, Folio 67, in the Land Records of Montgomery County, Maryland, is no longer needed for a public use and should be sold

CAPS	: Indicate matter added to existing law.
[Brackets]	: Indicate matter deleted from law.
Asterisks * * *	: Indicate matter remaining unchanged in existing law but not set forth in Ordinance
CAPS	:Indicate matter added in amendment
[Brackets]	: Indicate matter deleted in amendment

consistent with current zoning to support a public purpose, including to acquire other real property; and

WHEREAS, the Mayor and Town Council desire to use the authority granted to the Town under State Law and the Town Charter to sell the Property.

Section 1. **NOW THEREFORE BE IT ORDAINED AND ENACTED** by the Mayor and Council of the Town of Kensington that the sale, consistent with current zoning, of the property located at 3420 Plyers Mill Road, Kensington, MD 20895 at public or private sale at a price to be determined be and it is hereby authorized.

Section 2. **BE IT FURTHER ORDAINED AND ENACTED** by the Mayor and Council of the Town of Kensington that upon formal introduction of this proposed Ordinance, the Town Clerk shall distribute a copy to each Council member and shall maintain a reasonable number of copies in the office of the Town Clerk. The proposed ordinance or a fair summary thereof together with a notice setting out the time and place for a public hearing thereon and for its consideration by the Council, shall be:

- a. Posted at the town hall by the next business day;
- b. Posted on the official town website;
- c. Sent to those persons listed on the official town email list /mail subscription service;
and
- d. Published once prior to the public hearing in the town newsletter or sent by substitute regular mail to newsletter circulation addresses.

The public hearing shall be held at least twenty-eight (28) days after introduction and may be held separately or in connection with a regular or special council meeting and may be adjourned from time to time. All persons interested shall have an opportunity to be heard.

This Ordinance shall become effective on _____ provided that the ordinance or a fair summary thereof is:

- a. Posted at the town hall by the next business day for at least two (2) weeks;
- b. Posted on the official town website;
- c. Sent to those persons listed on the official town email list /mail subscription service;
- and
- d. Published once in the town newsletter.

If any part of provision of this ordinance is lawfully declared to be invalid, the part or provision held to be invalid shall not affect the validity of the ordinance as a whole or any remaining part thereof or of the Code.

INTRODUCED by the Mayor and Council of the Town of Kensington, Maryland at a public meeting assembled on the _____ day of _____ 2025.

ADOPTED by the Mayor and Council of the Town of Kensington, Maryland at a public meeting assembled on the _____ day of _____ 2025.

EFFECTIVE the _____ day of _____, 2025.

ATTEST:

TOWN OF KENSINGTON

By: _____
Susan Engels, Clerk-Treasurer

By: _____
Tracey Furman, Mayor

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Suellen M. Ferguson, Town Attorney

Proposed Sale of Joseph's Park

To: Kensington Residents

Date: January 17, 2025

From: Town Staff

RE: The Proposed Sale of Joseph's Park

The Mayor and Town Council introduced Ordinance No. O-01-2025, at the January 8, 2025, Town Council Meeting, which proposes the sale of 3420 Plyers Mill Road (Joseph's Park). The Public Hearing has been scheduled for Wednesday, February 12, 2025, 7:00 pm.

The Town began the public discussion for the proposed sale of Joseph's Park with an on-site community meeting March 1, 2023, and the Mayor and Town Council look forward to hearing from our residents at the Wednesday, February 12, 2025, Public Hearing. If you wish to comment, but are not available to attend the Public Hearing, please email your comments to the Mayor and Council directly at the following email: Mayor.Council@tok.md.gov.



Background:

The Town acquired 3420 Plyers Mill Road on October 31, 1956, for \$10. The acquisition of the property was directly due to an action taken by the Maryland National Capital Park and Planning Commission (M-NCPPC) within the 1955 Kensington and Vicinity Master Plan, in which the Planning Commission dedicated 100' of the property located at 3420 Plyers Mill Road for public use. The 100' dedication was issued by the Planning Commission with the understanding that the land would be needed in order to widen Plyers Mill Road sometime in the future.

The owner of the property at the time, Arthur C. Hyde, acquired 3420 Plyers Mill Road in May 1953, with the intent of building a single-family home, per the zoning regulations at the time. Upon filing an application to build a single-family home on the lot in 1956, Mr. Hyde was denied application by the Town due to the 100' dedication within the 1955 Kensington and Vicinity Master Plan, which reduced the overall size of the lot below the minimum building requirements of the R60 zone (6,000 square feet).

Mr. Hyde appealed the 100' dedication before the Montgomery County Appeals Board; however, records provided by the Board of Appeals to the Town indicate that the Hearing was canceled, since Montgomery County was not authorized to waive the imposed dedication within the 1955 Kensington and Vicinity Master Plan. The Town's Meeting Minutes from July 25, 1956, support the information that the Town was able to find, by stating the following:

July 25, 1956 – The Mayor made a report to the Council relative to the Arthur C. Hyde lot on the southwest corner of Plyers Mill Road and Wheatley Street. It was reported that Mr. Hyde purchased this lot in May 1953; that the Maryland Park and Planning Commission has taken one-half of the lot or a one-hundred-foot right of way, leaving a lot with less than the required area to build a dwelling thereon. Mr. Hyde has filed an appeal with the Montgomery County Appeals Board to waive this restriction. The County can not by law waive this restriction except in hardship cases. It was cited that the cost of said property with improvements thereon would be great if road construction would necessitate condemnation.

While Plyers Mill Road was eventually widened by the Town, the 100' dedication outlined within the 1955 Kensington and Vicinity Master Plan was not fully necessary to complete this roadway project; however, the 100' dedication remained until 1986, when Kensington's Historic District was expanded to include certain properties along the 10500 and 10600 blocks of St. Paul Street. The expansion of the Historic District removed the 100' dedication from St. Paul Park (10564 St. Paul Street), 10549 St. Paul Street, and 3420 Plyers Mill Road, which subsequently reverted 3420 Plyers Mill Road back into a buildable, R60, parcel.

Within the current Master Plan of Highways and Transitways (MPHT), Montgomery Planning recommends that the existing right-of-way along Plyers Mill Road, east of Lexington Street, be expanded from a 75' right-of-way to an 80' right-of-way. While this plan recommends the potential dedication of an additional five feet (5') from 3420 Plyers Mill Road, the property would still be a buildable lot.

The property at 3420 Plyers Mill Road has remained in the Town's possession since 1956, in which the Town has made no significant improvements. However, sometime around 2003, Mayor Raufaste and the Kensington Council decided to honor the original Joseph's Park Plat by dedicating 3420 Plyers Mill Road as Joseph's Park. Aside from this designation, the planting of a few yews, and adding a formal sign dedicating the property as a park, the lot has remained mostly untouched for the last 70 years.

Why is the Town Staff Proposing that the Council Consider the Sale of 3420 Plyers Mill Road (Joseph's Park):

The primary reason for the proposed sale of 3420 Plyers Mill Road (Joseph's Park) is due to the property's limitations with respect to activation as a park compared to other Town greenspaces. Joseph's Park is 7,500 square feet (0.17

Proposed Sale of Joseph's Park



acres), which is a standard residential (R60) lot size within the Town. However, when compared to other greenspaces, Joseph's Park is small, as the most comparable greenspace is Ernest Memorial Park at 12,100 square feet (0.28 acres); conversely, Ernest Memorial Park is also adjacent to 30,800 square feet (0.71 acres) of Town-owned greenspace. Flinn Park (0.37 acres) would be comparable as well due to its proximity to residential properties, but is also twice the size of Joseph's Park, and located in a mixed-use area and across from the Kensington Post Office.

The proposed sale of Joseph's Park has been a long-discussed option by the Town, specifically by the Town staff, to evaluate all of our assets and determine how best to improve Kensington for today, tomorrow, and the future. The Town staff has determined that Joseph's Park's limitations with regards to activation and topography, along with the fact that the property has remained essentially without improvements (furnishings or plantings) for 70 years, indicates that selling the property would allow the Town to purchase a different parcel that would better serve the community.

More specifically, the Town has identified additional land for public greenspace, including a portion of the Kensington Crossing HOA property (1.1 acres) west of Silver Creek, along with 10800 St. Paul Street (0.14 acres), both of which would allow the Town to expand upon our current parkland for not only recreational purposes,

but also provide more greenspace to plant larger trees and replenish our tree canopy. In addition, both properties have unique advantages compared to Joseph's Park, as they are both partially located within the County's floodplain zone, which would allow the Town to include them within our stormwater management improvement plans.

How Would the Funds Received from the Sale of Joseph's Park be Used:

While the Town is actively engaged in conversations to acquire the Kensington Crossing HOA property west of Silver Creek, the anticipated revenues from the sale of Joseph's Park would be beneficial beyond the proposed acquisitions of 10800 St. Paul Street and the Kensington Crossing HOA parcel. Appraised in 2023 for \$450,000, the sale of Joseph's Park would allow the Town to allocate monies into our Land Acquisition fund within the Capital Improvement Plan (CIP).

The Town has made a commitment to improve our infrastructure and overall health by making more strategic decisions, such as targeted investments in stormwater management, land acquisition, and expanding uses within our public facilities and greenspaces. The Town is actively planning four upcoming stormwater management projects: 1) Carroll and Hadley Place; 2) Armory Avenue and Baltimore Street; 3) St. Paul Street; and 4) Farragut Avenue. We have also taken the initiative to acquire the property located at 10528 St. Paul Street (formally the ServPro property) for a future Public Works building, in anticipation of the Summit Avenue Extension project being completed in FY32. The Town is also looking to acquire the adjacent property at 10526 St. Paul Street, which would allow us to position the future Public Works building in a way that would allow additional amenities to be added to St. Paul Park.

In addition, the Town has an agreement in place to acquire the M&T Bank drive-thru property (10415 Montgomery Avenue) on July 1, 2025, which will be used for public parking to address both commercial and residential parking concerns within our Business District.

Currently, the Land Acquisition fund has \$447,996.40, following the acquisition of 10528 St. Paul Street (\$1,010,000.00) on November 1, 2024. The Town has estimated that our proposed future land acquisitions will cost at least an estimated \$1,525,000; and include the following: 10526 St. Paul Street (est. \$475,000); 10415 Montgomery Avenue (\$930,000); 10800 St. Paul Street (est. \$60,000); and the Kensington Crossing HOA property, which we believe will be appraised for around \$60,000. However, the estimated and proposed sale prices do not include closing costs, administrative costs (mandatory referral requirement), land improvements, or subdivision costs, which would apply to the Kensington Crossing HOA property.

The above-mentioned properties, if acquired, would serve multiple purposes to benefit the Town as a whole, including expanding greenspace that far exceeds what would be lost with the sale of Joseph's Park. The Town is an ever changing and growing community, and with resources already scarce, it is imperative that the Town take strategic steps to make sure that we are able to address our current and future needs and responsibilities. Sometimes these decisions are difficult and require the evaluation of existing assets, in which case, Town staff believes that the sale of Joseph's Park would provide a monetary return to the Town, which would help to acquire lands to address stormwater management, increase the amount of accessible greenspace for recreational use and the planting of additional trees, add facilities to existing parks, increase public parking options within our Business District, and to continually invest within our Town through infrastructure projects.

The Town Staff believes that the history and context provided above will serve to better solicit public feedback and decision making by the Mayor and Council.

**Resolution No. R-02-2025
Adopted:**

A Resolution of the Mayor and Town Council of Kensington Authorizing a Contribution in the amount of Forty Thousand Dollars (\$40,000) from the Fiscal Year 2024-2025 (FY25) Budget to the Noyes Children's Library Foundation for the Restoration and Renovation project at Noyes Children's Library.

Whereas, the Noyes Children's Library Foundation ("Foundation") engaged a campaign to raise funds to help Montgomery County renovate the Noyes Children's Library building ("the Project") in order to provide accessibility to all those with physical, emotional, and learning issues; and

Whereas, the project costs for the renovation are estimated to be approximately \$3 million above the initial Capital Improvement Program (CIP) appropriation by Montgomery County; and

Whereas, the Foundation has pledged to raise an additional \$1 million towards the supplemental appropriation request for the Project; and

Whereas, the Town previously contributed three prior \$25,000 donations to the Foundation in 2016 (Resolution No. R-09-2016), 2018 (Resolution No. R-15-2018), and 2022 (Resolution No. R-29-2022); and

Whereas, the Town has long recognized the value of the Noyes Children's Library to the Town and the broader community; and

Whereas, the Mayor and Town Council have determined that a contribution in support of the Project is in the best interest of the community and have issued a \$40,000 donation to the Foundation within the Fiscal Year 2024-2025 (FY25) Budget; and

Whereas, the Mayor and Town Council have also determined that an in-kind contribution waving the permit fees for the Project is also in the best interest of the community.

Now, Therefore, Be It Resolved by the Mayor and Town Council, in public meeting assembled, do hereby authorize payment of a Contribution in the amount of \$40,000 on behalf of the Town of Kensington to the Noyes Children's Library Foundation towards the supplemental appropriation for the renovation of the Noyes Children's Library, to be paid from the General Government Account of the 2024-25 Fiscal Year (FY25) Budget and Authorize the Town Manager to take those steps necessary to give effect to this Resolution.

Adopted by the Town Council this 12th day of February, 2025.

Effective this 12th day of February, 2025.

ATTEST: TOWN OF KENSINGTON, MARYLAND

By: _____
Susan C. Engels, Clerk – Treasurer

Tracey C. Furman, Mayor




OFFICE OF THE COUNTY EXECUTIVE

Marc Elrich
County Executive

MEMORANDUM

January 15, 2025

TO: Kate Stewart, President
Montgomery County Council

FROM: Marc Elrich, County Executive 

SUBJECT: Amendment to the FY25-30 Capital Improvements Program and
Supplemental Appropriation #25-32 to the FY25 Capital Budget
Montgomery County Government
Department of Public Libraries
Noyes Library for Young Children Rehabilitation and Renovation (No. P711704),
\$3,000,000

I am recommending a supplemental appropriation to the FY25 Capital Budget and amendment to the FY25-30 Capital Improvements Program (CIP) in the amount of \$3,000,000 for Noyes Library for Young Children Rehabilitation and Renovation (No. 711704). Appropriation for this project will fund a comprehensive rehabilitation of this historic library to allow the facility to accommodate more attendees and more types of programming and services than are possible in the existing facility.

This increase is needed to complete the phase two renovation of this historic building, to include the conversion of the attic into a finished second floor; renovation of the first floor; and the addition of a finished basement, an elevator, Americans with Disabilities Act (AD) compliant restrooms, and egress stairs.

The recommended amendment is consistent with the criteria for amending the CIP because the project's cost has increased relatively by at least 10% and absolutely by at least \$1,000,000 from the last adopted CIP.

Amendment to the FY25-30 Capital Improvements Program and Supplemental Appropriation
#25-32 to the FY25 Capital Budget

January 15, 2025

Page 2 of 2

I recommend that the County Council approve this supplemental appropriation and amendment to the FY25-30 Capital Improvements Program in the amount of \$3,000,000 and specify the source of funds as GO Bonds, Contributions, and Federal Aid.

I appreciate your prompt consideration of this action.

ME:dl

Enclosure: Amendment and Supplemental Appropriation #25-32

cc: Cindy Gibson, Chief of Staff to the Council President, Montgomery County Council
Craig Howard, Executive Director, Montgomery County Council
Richard S. Madaleno, Chief Administrative Officer, Office of the County Executive
Fariba Kassiri, Deputy Chief Administrative Officer, Office of the County Executive
Sonia Mora, Assistant Chief Administrative Officer, Office of the County Executive
Jennifer R. Bryant, Director, Office of Management and Budget
David Dise, Director, Department of General Services
Darcell Graham, Director, Montgomery County Public Libraries

Resolution: _____
Introduced: _____
Adopted: _____

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

By: Council President at the Request of the County Executive

SUBJECT: Amendment to the FY25-30 Capital Improvements Program and Supplemental Appropriation #25-32 to the FY25 Capital Budget Montgomery County Government Department of Public Libraries Noyes Library for Young Children Rehabilitation and Renovation (No. P711704), \$3,000,000

Background

1. Section 307 of the Montgomery County Charter provides that any supplemental appropriation shall be recommended by the County Executive who shall specify the source of funds to finance it. The Council shall hold a public hearing on each proposed supplemental appropriation after at least one week's notice. A supplemental appropriation that would comply with, avail the County of, or put into effect a grant or a Federal, State or County law or regulation, or one that is approved after January 1 of any fiscal year, requires an affirmative vote of six Councilmembers. A supplemental appropriation for any other purpose that is approved before January 1 of any fiscal year requires an affirmative vote of seven Councilmembers. The Council may, in a single action, approve more than one supplemental appropriation. The Executive may disapprove or reduce a supplemental appropriation, and the Council may reapprove the appropriation, as if it were an item in the annual budget.
2. Section 302 of the Montgomery County Charter provides that the Council may amend an approved capital improvements program at any time by an affirmative vote of no fewer than six members of the Council.
3. The County Executive recommends the following capital project appropriation increases:

<u>Project Name</u>	<u>Project Number</u>	<u>Cost Element</u>	<u>Amount</u>	<u>Source of Funds</u>
Noyes Library for Young Children Rehabilitation and Renovation	P711704	Construction	\$1,000,000	GO Bonds
			\$1,000,000	Contributions
			<u>\$1,000,000</u>	<u>Federal Aid</u>
TOTAL			\$3,000,000	

4. This increase is needed to complete the phase two renovation of this historic building, to include the conversion of the attic into a finished second floor; renovation of the first floor; and the addition of a finished basement, an elevator, Americans with Disabilities Act (AD) compliant restrooms, and egress stairs.
5. The recommended amendment is consistent with the criteria for amending the CIP because the project's cost has increased relatively by at least 10% and absolutely by at least \$1,000,000 from the last adopted CIP.
6. The County Executive recommends an amendment to the FY25-30 Capital Improvements Program and a supplemental appropriation in the amount of \$3,000,000 for Noyes Library for Young Children Rehabilitation and Renovation (No. P711704) and specifies that the source of funds will be GO Bonds, Contributions, and Federal Aid.
7. Notice of public hearing was given and a public hearing was held.

Action

The County Council for Montgomery County, Maryland, approves the following action:

The FY25-30 Capital Improvements Program of the Montgomery County Government is amended as reflected on the attached project description form and a supplemental appropriation is approved as follows:

<u>Project Name</u>	<u>Project Number</u>	<u>Cost Element</u>	<u>Amount</u>	<u>Source of Funds</u>
Noyes Library for Young Children Rehabilitation and Renovation	P711704	Construction	\$1,000,000	GO Bonds
			\$1,000,000	Contributions
			<u>\$1,000,000</u>	<u>Federal Aid</u>
TOTAL			\$3,000,000	

This is a correct copy of Council action.

Sara R. Tenenbaum
Clerk of the Council



Noyes Library for Young Children Rehabilitation and Renovation

(P711704)

Category	Culture and Recreation	Date Last Modified	12/27/23
SubCategory	Libraries	Administering Agency	Public Libraries
Planning Area	Kensington-Wheaton	Status	Final Design Stage

Total	Thru FY23	Est FY24	Total 6 Years	FY 25	FY 26	FY 27	FY 28	FY 29	FY 30	Beyond 6 Years
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EXPENDITURE SCHEDULE (\$000s)

	Total	Thru FY23	Est FY24	Total 6 Years	FY 25	FY 26	FY 27	FY 28	FY 29	FY 30	Beyond 6 Years
Planning, Design and Supervision	1,240	691	368	181	151	30	-	-	-	-	-
Site Improvements and Utilities	362	21	-	341	341	-	-	-	-	-	-
Construction	5,907	-	-	5,907	2,907	3,000	-	-	-	-	-
Other	112	-	-	112	112	-	-	-	-	-	-
TOTAL EXPENDITURES	7,621	712	368	6,541	3,511	3,030	-	-	-	-	-

FUNDING SCHEDULE (\$000s)

	Total	Thru FY23	Est FY24	Total 6 Years	FY 25	FY 26	FY 27	FY 28	FY 29	FY 30	Beyond 6 Years
Contributions	2,475	86	368	2,021	1,021	1,000	-	-	-	-	-
Current Revenue: General	500	-	-	500	500	-	-	-	-	-	-
Federal Aid	1,000	-	-	1,000	-	1,000	-	-	-	-	-
G.O. Bonds	3,389	369	-	3,020	1,990	1,030	-	-	-	-	-
PAYGO	257	257	-	-	-	-	-	-	-	-	-
TOTAL FUNDING SOURCES	7,621	712	368	6,541	3,511	3,030	-	-	-	-	-

APPROPRIATION AND EXPENDITURE DATA (\$000s)

Appropriation FY 25 Request	84	Year First Appropriation	FY17
Appropriation FY 26 Request	30	Last FY's Cost Estimate	4,621
Supplemental Appropriation Request	3,000		
Cumulative Appropriation	4,507		
Expenditure / Encumbrances	1,021		
Unencumbered Balance	3,486		

PROJECT DESCRIPTION

This project will provide for a comprehensive rehabilitation of this historic library to include conversion of the attic into a finished second floor, renovation of the first floor, and the addition of a finished basement, an elevator, Americans with Disabilities Act (ADA) compliant restrooms, and egress stairs. The rehabilitated facility will be able to accommodate more attendees and more types of programming and services than are possible in the current facility.

LOCATION

10237 Carroll Place, Kensington, Maryland 20895.

ESTIMATED SCHEDULE

Design is completed. Project is deferred for one year due to the need to rebid the project.

COST CHANGE

Cost increase due to re-bid of the construction contract.

PROJECT JUSTIFICATION

The Noyes Library is a small, historically-designated library with services specifically focused on pre-kindergarten education and early childhood (infants through approximately age 8). The small scale and intimate setting of the library are unique and provide a signature experience for children, but the building is not ADA compliant. In 2010, the County proposed a modest effort that would have addressed the ADA issues in the most basic manner possible, as well as made small changes to the library layout that would have positively impacted programming and service offerings. Since that time, the County and the Foundation discussed a more comprehensive rehabilitation of the Noyes Library for Young Children that preserved the library's unique, small-scale, intimate experience, while making substantial improvements to the building that supported use by persons with disabilities, new space for program preparatory and collection work by staff, and additional space for programs. Via this project, the County Executive is proposing a partnership to support this enhanced vision of the Noyes Library for Young Children.

FISCAL NOTE

Originally, the project was to be funded by County General Obligation (GO) Bonds and private funds that would be raised by the Noyes Children's Library Foundation according to the requirements of the Memorandum of Understanding (MOU) between the County and the Noyes Children's Library Foundation which codified the fundraising and project plan. In addition, Current Revenue funding of \$300,000 in FY17 and \$200,000 in FY18 was moved from Capital Improvement

Grants for the Arts and Humanities from Cost Sharing project P720601. The construction phase was not to begin until the Noyes Children's Library Foundation completed its fund raising and provided the construction funding in full to the County. An increased cost share related to the project's cost increase was required to be negotiated per the terms of the Memorandum of Understanding between the County and the Noyes Children's Library Foundation. In FY23, the County agreed to contribute an additional \$885,000 for the project. In concert with the Foundation's reported \$950,000 in fund raising proceeds and an additional \$525,000 in FY23 State Aid, this will fully fund the project. FY25 supplemental in Contributions for the amount of \$1,000,000, Federal Aid for the amount of \$1,000,000, G.O. Bonds for the amount of \$1,000,000.

DISCLOSURES

A pedestrian impact analysis will be performed during design or is in progress.

COORDINATION

Department of Public Libraries, Department of General Services, Noyes Children's Library Foundation, Maryland-National Capital Park and Planning Commission, Montgomery County Parks, Mid-County Regional Services Center, WSSC Water, Pepco, Town of Kensington Park, and Maryland Historic Trust.

Resolution No. R-03-2025

Adopted:

**A Resolution of the Kensington Town Council Confirming
Appointments Made by the Mayor to the Town Ethics Commission.**

WHEREAS, Chapter II, "Government and Administration", Article 3, "Public Ethics", Section 2-304, "Ethics Commission", of the Town Code requires that there shall be a Town Ethics Commission consisting of three (3) members who shall be appointed by the Mayor, with the approval of the Council, on or before the first Monday in April; and

WHEREAS, the terms of members of the Town Ethics Commission shall begin on the first Monday in April in the year in which they are appointed and shall run for two (2) years with staggered terms; and

WHEREAS, the Town Code provides that vacancies on the Commission shall be filled by the Mayor with the approval of the Council for the remainder of the unexpired term; and

WHEREAS, the members of the Town Ethics Commission shall be qualified voters of the Town and shall not hold or be candidates for any elective office during their terms of office, nor be employees of the Town; and

NOW, THEREFORE, BE IT RESOLVED by the Kensington Town Council that the following appointments by the Mayor are confirmed as follows:

Deborah Eckert	3923 Washington Street	Two Year Term Expires	4-01-2027
Tina Sherman	3515 Perry Avenue	Two Year Term Expires	4-01-2027

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Kensington Town Council that the following term(s) continue as follows:

Mike McCurry	10313 Fawcett Street	Two Year Term Expires	4-01-2026
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ADOPTED by the Town Council of Kensington, Maryland, at the regular public meeting assembled on the 12th day of February, 2025.

EFFECTIVE the 1st day of April, 2025.

ATTEST: TOWN OF KENSINGTON, MARYLAND

By: _____
Susan C. Engels, Clerk – Treasurer

Tracey C. Furman, Mayor

**Resolution No. R-04-2025
Adopted:**

A Resolution of the Mayor and Council of the Town of Kensington Authorizing the Donation of a surplus vehicle, 2008 Ford F-250 (1FTNF21538EE35863), from the Public Works Department to the Montgomery County Students Automotive Trades Foundation.

WHEREAS, in accordance with Article XII, “Town Property”, Section 1201, “Acquisition, Possession and Disposal”, of the Town Charter, the Town may sell, lease, or otherwise dispose of any property belonging to the Town; and

WHEREAS, the Town has determined that a 2008 Ford F-250 (1FTNF21538EE35863) truck shall be declared surplus; and

WHEREAS, the Montgomery County Students Automotive Trades Foundation (MCSATF) accepts donations of vehicles for use within the Auto Body and Technology instructional program, and may also be:

1. Reconditioned by the students and resold on the retail market by the students as a part of the Mini Dealership experience.
2. Used as a long-term student trainer and then sold on the wholesale market.
3. Used as a short-term student trainer and then sold on the wholesale market.

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor and Town Council of Kensington hereby declare the Town’s 2008 Ford F-250 (1FTNF21538EE35863) truck surplus and authorize the Town Manager to donate the vehicle to the Montgomery County Students Automotive Trades Foundation.

ADOPTED by the Town Council of Kensington, Maryland at the regular public meeting assembled on the 12th day of February, 2025.

EFFECTIVE the 12th day of February, 2025.

ATTEST: TOWN OF KENSINGTON, MARYLAND

By: _____
Susan C. Engels, Clerk – Treasurer

Tracey C. Furman, Mayor

**Resolution No. R-05-2025
Adopted:**

A Resolution of the Mayor and Council of the Town of Kensington Authorizing the Purchase of a new 2025 Ford F-350 for the Public Works Department, per a Bid Contract (0004504) awarded by Baltimore County, to Apple Ford, LLC, in the amount of \$60,819.30.

Whereas, pursuant to Chapter II, "Government and Administration", Article 4, "Purchasing Contracts", Subsection 2-404, "Awarding of Bids", all purchases in excess of \$10,000 shall be approved by the Mayor and Council by a simple majority vote at a regular meeting or a duly called special meeting for that purpose; and

Whereas, pursuant to Chapter II, "Government and Administration", Article 4, "Purchasing Contracts", Subsection 2-403, "Exceptions", whenever a Federal, State, or Local Government, whose purchasing policies are comparable to those of the Town of Kensington, has conducted a bid and awarded a contract, the Town Manager may purchase the bid item at the bid price from the successful bidder; and

Whereas, the Town requested a proposal from Apple Ford, LLC, for a Ford F-350, with specs matching Baltimore County Contract 0004504; and

Whereas, Apple Ford, LLC, provided a proposal, detailed within Exhibit A, for a total sum of \$60,819.30; and

Whereas, the Town Manager is recommending that the Mayor and Council accept the proposal from Apple Ford, LLC, for an amount not to exceed \$60,819.30.

Now, Therefore, Be It Resolved by the Mayor and Council of the Town of Kensington that the Town Manager be and is hereby authorized to accept the contract proposal from Apple Ford, LLC, for a Ford F-350, as detailed within Exhibit A, for an amount not to exceed \$60,819.30.

ADOPTED by the Town Council of Kensington, Maryland at the regular public meeting assembled on the 12th day of February, 2025.

EFFECTIVE the 12th day of February, 2025.

ATTEST: TOWN OF KENSINGTON, MARYLAND

By: _____
Susan C. Engels, Clerk – Treasurer

Tracey C. Furman, Mayor



Fleet/Government Sales

8800 Stanford Blvd. Columbia, MD 21045

02/07/25

Mr. Matthew Hoffman
 Assistant Town Mgr.
 Town of Kensington, MD.
 301-949-2424

Quote for 2025 Ford F-350 Regular Cab 4x4 8FT Bed riding the Baltimore County Contract #0004504.

Vehicle	2025 Ford F-350 Regular Cab 4x4 8FT Bed	\$53,124.30
**	610A-XL TRIM Power Locks, Doors, Windows, Bluetooth, Backup Camera, Trailer Tow Mirrors	***
99A	6.8L V8 Gas Engine	
44G	10 Speed Auto Trans	
TDX	275/70/18" A/T Tires	
X3E	3.73 E-Locking Rear	
473	Snowplow Prep	
52B	Trailer Brake Controller	
66S	Upfitter Switches	
86M	Dual Batteries	
96V	XL Value Package	
153	Front Tag Bracket	
PLW	Boss 8FT Plow Installed	\$8,995.00
LNR	Spray In Bed Liner	\$550.00
BCCD	Baltimore County Contract Discount	(\$1,350.00)
GPC	Ford Price Concession	(\$500.00)
Color	Oxford White	
Interior	40/20/40 Vinal	
Delivery Days	120 Days	
	Net Price Per Unit:	\$60,819.30

Please contact me with any questions, changes, or to finalize your order. I look forward to hearing from you. You can reach me at 443-539-1223 or by e-mail at: Jskipper@AppleFord.com.

Thank you,
 Justin Skipper