

The Town of
GLEN ECHO
Chartered 1904

Town Hall • 6106 Harvard Avenue • Glen Echo • Maryland 20812 • (301) 320-4041
townhall@glenecho.org

Town Council Meeting Minutes
November 11, 2019

CALL TO ORDER: MAYOR WILLEM POLAK. 7:00 PM

Mayor Willem Polak announced that the meeting is being recorded.

Present: Mayor: Willem Polak. Councilmembers: (CM) Dia Costello, Dan Spealman, Matt Stiglitz, and Julia Wilson. Town Clerk: (TC) Beth Boa. Town Attorney: Ron Bolt; Assistant to the Mayor: Jean Sperling

Guests: Eva Webb, CPA, with Linton Shafer Warfield & Garrett (LSWG), the Town's auditing firm; James D. Gaston III (Village Manager, Village of Martin's Additions)

Residents: Raya Bodnarchuk (Harvard Ave), Aaron Hirsch (University Ave), Holly Shimizu (Bryn Mawr), Renny Springuel (Vassar Cir), Bill Vincent (ECHO)

DISCUSSION OF FY2019 AUDIT

Eva Webb, CPA with LSWG, presented the results of the Town's FY2019 audit. LSWG was selected to perform the audit for the Town from three firms responding to an RFP for auditing services.

Ms. Webb reported that the Town has been given a "clean" audit opinion and that the Uniform Financial Report has been submitted to the state of Maryland Department of Legislative Services as required. The audit summary is attached to these minutes.

Ms. Webb presented a few recommendations on the Town operations and management that resulted from the audit. The first recommendation is a change in check signing policy and procedures from the current practice of granting the Clerk Treasurer check signing authority. Because the Town's one employee is responsible for all financial transactions and accounting, that employee (the Town Clerk) should also not be responsible for signing Town checks; check signing authority should be assigned to elected officials. The Council agreed with this recommendation. CM Wilson agreed to join the Mayor as a check signer on the Sun Trust checking account and CM Costello agreed to review the bank statements each month. TC Boa will forward the Council a document that outlines the suggested segregation of duties that was provided by LSWG.

Ms. Webb summarized the Town's overall financial position, reporting that TOGE has two years' worth of operating expenses in reserves. Three-quarters (74% to be exact) of Town revenue is earned from taxes on all property, including real, corporate, personal and utility. The Council discussed the investment practices of TOGE and CM Stiglitz asked whether the Town should make use of the investment pool MLGIP that many other municipalities in Montgomery County avail themselves. Ms. Webb stated that is a safe place for Town

resources and will earn some interest. Attorney Bolt will research whether the Town has a formal investment policy.

The Council discussed whether the Town should look into other banking options with better customer service than they are currently receiving. CM Stiglitz will research local banks.

The Council and Mayor thanked Ms. Webb and LSWG for their fine work and for saving approximately \$5,000 in auditing expenses over prior year's costs.

ACTION ON SEPTEMBER 9, 2019 COUNCIL MEETING MINUTES:

Minutes of the September 9, 2019 Council meeting were approved as amended.

Motion to Approve: CM Costello, 2nd CM Wilson. Approved 4-0.

ACTION ON SEPTEMBER 25, 2019 COUNCIL WORK SESSION MINUTES:

Minutes of the September 25, 2019 Council work session were approved.

Motion to Approve: CM Costello, 2nd CM Wilson. Approved 4-0.

INTRODUCTION OF RESOLUTION 19-07: ADOPTING RULES AND REGULATIONS CONCERNING PUBLIC INFORMATION ACT REQUESTS:

Attorney Bolt discussed the Maryland Public Information Act. The Town is required to comply with this Act and to adopt regulations that govern timely production and inspection of public records upon request of a member of the public.

Resident Renny Springuel (Vassar Cir) suggested that Council Members have separate email addresses for Town emails. TC Boa will research the cost of adding four email addresses to the current email configuration the Town uses. Mr. Springuel also suggested that the Meeting Minutes include attachments from the meetings when posted to the Town website. The Council agreed with this suggestion and TC Boa indicated that she will scan and post attachments with the Minutes going forward.

The resolution and regulations are attached.

Motion to Adopt Resolution 19-07 as amended: CM Stiglitz, 2nd CM Wilson. Approved 4-0.

RESOLUTION 19-10 BUILDING PERMIT FEE:

The Council discussed the Town's building permit fee for new home construction based upon concerns raised by Mayor Polak about recent development in the Town. The Mayor reported to the Council that the Town has exceeded its originally estimated oversight budget of \$10,000 for the Vassar Circle development. The oversight costs include the services of Town Engineer Joseph Toomey, Code Enforcement Officer Wayne C. Fowler and Attorney Ron Bolt. The oversight and professional expertise required to assure that the Town's infrastructure is protected during this project has reached approximately \$30,000 so far. The inspection experts predict that these oversight costs will double before the project is done.

CM Spealman was concerned with the costs associated with the time Mr Toomey and Mr Fowler were spending at the Vassar Circle project. He asked whether the Town could save money by relying on Montgomery County enforcement, and whether there were instances where Mr Toomey and Mr Fowler caught issues that the county did not. Mayor Polak noted that the County is more lax than the Town would like and that they are overseeing the whole county, not focusing on the Town. CM Stiglitz stated that the benefit of time and experience of Mr Toomey and Mr Fowler are worth considering. Renny Springuel (Vassar Circle) noted that Mr Toomey is on

not on site all day and that it is an effective use of Mr Toomey's time. CM Wilson noted that Mr Toomey is highly recommended and all contractors depend on their reputation to be efficient with their time.

Aaron Hirsch (University Ave) (Vassar Circle site developer) stated that the Town originally planned to use the County inspector then changed its position and hired Mr. Toomey and Mr. Fowler. Mr. Hirsch stated that his development is giving the Town free road improvement and that the four new houses will contribute \$8000/year to the Town going forward.

Mayor Polak stated that the original plan to have the County oversee the development was with a prior Town government. CM Stiglitz stated that there is a need for the Town to have professionals oversee the interests of the Town. CM Costello noted that raising the fee by \$1500 is not very much and that the Council had already waived the permit fee for the second house (April 8, 2019 Council Meeting Minutes.)

Motion to Adopt Resolution 19-10: CM Stiglitz, 2nd CM Wilson. Approved 3-1 (CM Spealman opposed)
The Permit Fee Resolution #19-10 is attached.

INTRODUCTION OF ORDINANCE 19-06:
ZONING TEXT AMENDMENT (ZTA) 19-01 ACCESSORY DWELLING UNITS:

Background:

The Montgomery County Council recently approved Zoning Text Amendment (ZTA) 19-01 (Accessory Dwelling Units) which amends the zoning laws that control the R-60 zones (as well as other residential zones) that include the Town of Glen Echo. This text amendment will allow residents who meet the requirements to build a second house on their lot or add an apartment within their home without special approval of the County's Planning Board as currently required. These changes were offered as a part of a program goal to increase affordable housing in the county and move toward eliminating single family zoning. Attorney Bolt provided details to the Town Council on the changes that were approved by Montgomery County Council. Changes will go into effect on December 31, 2019.

Concerns about increased density, parking problems, infrastructure limitations and the like have encouraged several municipalities in Montgomery County to consider revising their building code, within their limits of municipal authority, in response to these changes in County zoning law. Like other municipalities, TOGE can regulate setbacks, lot coverage, on-site parking requirements and other limited building code regulations in order to increase the amount of control that the Town could assert over this additional development authority.

CM Stiglitz proposed that the Council introduce Ordinance 19-06 on Accessory Dwelling Units and that the Council have a speaker from Montgomery Planning. TC Boa will invite a speaker. The public hearing will take place in 30 days (on or about December 11.) Attorney Bolt will send a copy of the proposed ordinance to the Montgomery County Council.

Motion to Introduce Ordinance 19-06: CM Stiglitz, 2nd CM Costello. Approved 4-0.

DISCUSSION OF PERMITTING ELECTRIC VEHICLE CABLES TRAVERSING ROW:

CM Stiglitz expressed a concern related to vehicle charging cables traversing the Town's right-of-way and the possibility of creating a permitting process for residents that install electric vehicle cables at their home. To get a permit, a resident would need to obtain insurance that holds the Town harmless if someone trips on the cables. This issue was tabled.

BRYN MAWR RIGHT-OF-WAY USE AGREEMENT RESPONSE (WILD BIRD CENTER):

Background:

The Wild Bird Center, a commercial establishment located in the Town of Glen Echo at 7370 MacArthur Blvd, is currently for sale. The property is associated with a paved parking pad located in the right-of-way on the corner of Bryn Mawr and MacArthur. The right-of-way property where the parking pad is situated was conveyed to the Town by deed dated June 20, 2000, recorded among the land records of Montgomery County, Maryland in Liber 18176 at folio 716 (the "Public Land"). The concern about this property is that prospective owners may believe the parking spaces are part of the private property where in fact, the ownership of this parking area is public.

At the July 8, 2019 Council Meeting, after research on the issue, Attorney Bolt informed the Council that the Wild Bird Center has no written authority for the paved parking pad. In order to clarify this situation and properly establish ownership and use in the land records Attorney Bolt sent a letter and a right-of-way use agreement to the owners of the Wild Bird Center on Bryn Mawr. This right-of-way agreement states that non-exclusive use by the Wild Bird Center is currently permitted but the owner of the property may be required to remove the pavement and replace with gravel at their cost if the Town requests it.

Attorney Bolt reported that the Wild Bird Center has retained new Counsel and that the Wild Bird Center owners want to sign on to the right-of-way use agreement.

NANCY LONG BIRD AND BUTTERFLY GARDEN:

Holly Shimizu (Bryn Mawr) of the Environmental Committee updated the Council on the progress on the garden. On November 8 Hughes Landscaping excavated the area in the right-of-way and prepared the soil. There will be a family planting day in late March. The Council had allocated \$5000 for this project; Hughes estimated the work would cost about \$4000. The Committee is waiting for the pricing on the plants from Hughes. There is an opportunity for residents to contribute funds for a bench, plaques, and plants/trees. CM Costello will ask Nancy Long if she would like to contribute. Donations will go through the Town Hall.

The Environmental Committee will meet December 4 at 7:30 pm in the Town Hall meeting room.

LIVABLE COMMUNITY COMMITTEE:

CM Wilson gave an update from the Committee meeting on October 29. Jan Shaut (Harvard Ave) is running the Minnehaha Creek Clean Up on November 23. Volunteers are still needed. There will be a Winter Lights Festival in January. This will feature luminaries, fire pits, hot dogs, smores, and cider. A date is TBA. The candles will be sold as a charity fundraiser. The Council approved this event.

The Livable Community Committee will next meet December 3 at 7:00 pm in the Town Hall meeting room.

PROPOSED PATHWAY ON OXFORD STREET:

A resident on Oxford Street approached Mayor Polak and the Livable Community Committee with a request for a sidewalk on Oxford Street to MacArthur Blvd. The estimate for the sidewalk is \$30,000 due to the amount of work involved in building up the area and removing bamboo. The alternative is to install a gravel path on the park (National Park) side of Oxford Street; Hughes Landscaping quoted \$2468. The NPS does not see a need for such a pathway since there is not a volume of pedestrians in that area. There would be a long process to

apply for the approval of the NPS for the pathway and the NPS would require the Town pay to install and maintain it.

CM Costello and CM Wilson noted that a portion of Oxford Street does not have a sidewalk that would increase safety for pedestrians. However, the Council agreed that the lack of support from NPS, the associated costs, and the long time horizon made it an undesirable project to pursue with the NPS. Mayor Polak will update the resident who made the request.

INTRODUCTION OF RESOLUTION 19-11 ON MOU WITH THE COUNTY FOR DEBRIS MANAGEMENT:

Jean Sperling (Volunteer Assistant) discussed the Memorandum of Understanding with Montgomery County for debris management. She recommends that the Council approve signing the MOU and that a jurisdictional representative be selected that has financial authority. The Council agreed that Mayor Polak be appointed as jurisdictional representative. The Town may wish to contract with a firm such as Rolling Acres or Hughes Landscaping that could clear debris from its streets. Ms. Sperling is discussing this with Rolling Acres.

Relatedly, the Town should work on developing an Emergency Response Plan as required in the details of the Debris Management Plan. CM Wilson, TC Boa and Ms. Sperling will work on this.

Motion to Adopt Resolution 19-11: CM Stiglitz, 2nd CM Wilson. Approved 4-0.

TC Boa will sign and return the MOU to Montgomery County.

NATIONAL PARKS OPEN HOUSE ON TRAFFIC AND ROAD WORK

The Town is hosting an open house November 18 to meet the new superintendent of the George Washington Memorial Parkway, Charles Cuvelier. The superintendent will share the recommendations from a recently concluded *Glen Echo Park, Traffic and Pedestrian Safety Context Sensitive Solution Assessment*. The National Park Service staff will share the final report and updates about additional work along the Clara Barton Parkway.

The NPS initiated this assessment in response to safety concerns observed on the transportation facilities that serve Glen Echo Park. The report makes recommendations for improvements to vehicular access to the park from Clara Barton Parkway and considers safety and accessibility improvements for pedestrians and cyclists. The plan was developed in close coordination with Montgomery County Department of Transportation and other community members including town residents.

FINANCIAL REPORT FOR THE MONTH OF OCTOBER: (copy attached)

The month of October was an uneventful month as far as revenues and expenses.

In October as in other months a large expense (\$774.80) was for legal expenses related to the Wild Bird Center and Vassar Circle. This was less than the expense in September (\$5,661.70.)

The Town paid invoices to Blue Crab Contracting (Wayne C. Fowler) for July, August and September for a total of \$3,338. The Town paid Joe Toomey's October invoice of \$810.

An upcoming expense is leaf removal which began October 30 and will continue for 8 weeks. The Town budgeted \$15,600. A tree at Radcliffe and Wellesley needs to come down; the lowest estimate was for \$1,100.

The Town received tax revenue \$50,641.92 for September 2019 Real Property Tax.

Motion to Approve the October Financial Report: CM Stiglitz; 2nd CM Costello. Approved 4-0

OPERATIONS REPORT: Social; Infrastructure; Administrative

Town Operations and Activities during the month of October include:

- **Uniform Financial Report:** LSWG filed this report with the State of Maryland Department of Legislative Services for the Town as required.

Social Activities:

- **Halloween Party:** Was held October 31 from 5:00-6:00pm at the Town Hall. The Town provided drinks and pizza. There were about 60 plus attendees. Thank you to Mayor Polak, CM Costello and Jan Shaut for helping to set up and Patty Sieber and her husband Mike for helping to clean up.
- **Flu Shot Clinic:** Was held November 1 at 4-6 pm through CVS at no cost to the Town. 18 people received a flu shot. Next year the flu shot clinic can be held earlier in the season.
- **Holiday Brunch:** This is scheduled for December 7 at 10-11:30am at the Town Hall. Mr. Omelette will cater.

Infrastructure Issues:

- **Water Main Breaks:** In the aftermath of the water main breaks on Yale and Bryn Mawr (as well as a sewer pipe issue), WSSC's contractor has repaved the roads. On Bryn Mawr, the Town worked closely with WSSC to ensure that the paving is constructed to direct stormwater into the woods at the end of the street rather than onto private property. WSSC landscaping work in the right-of-way at 6000 Bryn Mawr was completed. WSSC has informed Town Hall that they will not be replacing their pipes in the Town for at least the next several years.
- **Tree Work:** The Town worked with Pepco regarding a tree on Radcliffe where it meets Wellesley that needs to be removed. Pepco removed limbs around the wires; the Town solicited three quotes to have the rest taken down and the debris removed; the cheapest is \$1100. The County has removed two trees near Town Hall on County land as requested by TC Boa at no expense to the Town.
- **Snow removal:** TC Boa has returned the signed contract to Rolling Acres. The Town has the option to select brining on Town streets, around Town Hall, and at the sidewalks at the parks. TC Boa attended a Winter Maintenance Training Class at the University of Maryland's T2 Center and learned about the benefits of brining vs salt.
- **Electric Vehicle Charging Station:** The Town can apply to have Pepco install EV Station(s) at the Town Hall lot at no charge to the Town. Users pay by scanning the QR Code. Is there any interest in having these installed? TC Boa will send EV information from Pepco to the Council.

- **Recycling:** TC Boa, Mayor Polak and CM Costello met with Ken Shumaker from a private vendor called Montgomery County Sanitation and Recycling. They could provide waste removal and recycling which would include glass. The service would cost \$3,384/month - \$474 more each month or \$5,688 more each year. The total would be \$40,608; the Town budgeted \$40,000 for waste removal for FY20.

Mayor Polak, TC Boa, CM Costello and CM Wilson plan to tour the Montgomery County Recycling Center to learn about the recycling market current and future.

- **Leaf Collection:** Hughes Landscaping started collecting leaves on October 30 and will continue for eight Wednesdays through December 18. TC Boa will send weekly reminders on Fridays.
- **Stormwater:** The resident at 30 Wellesley has issues with water run off during storms into his yard. TC Boa and Mayor Polak met with Hughes Landscaping to discuss remedies and are waiting for pricing.

Administrative Matters:

- **Archives:** The Town has obtained donated storage cases from Montgomery County Historical Society. TC Boa will use these cases to store building plans as well as historical documents and maps.
- **Records Retention:** Julie Sparacino received feedback from the State regarding the retention schedule. She made very minor wording changes and resubmitted it for one last review.
- **QuickBooks Class:** TC Boa attended a QuickBooks class at Montgomery College in late September and is working with a Certified QuickBooks Pro Advisor to learn more tips and tricks.
- **MML and LGIT Meetings:** TC Boa attended session on the Public Information Act, Open Meetings Act, Structure of Government, and Risk Management at the fall MML Meeting and the LGIT Conference.
- **Thanksgiving Week:** TC Boa will be out of the office Wednesday 11/27 and Friday 11/29.

NEXT COUNCIL MEETING: DECEMBER 9, 2019

Police Commander: Captain Sean Gagen, Commander of the Second District, is invited to attend the December 9, 2019 Council Meeting. (CM Stiglitz)

PERMIT UPDATES AND NOTICES REPORT

Vassar Circle: Town Engineer Joe Toomey provided a written report and photographs of the site at Vassar Circle. The report is attached to the minutes.

Code Enforcement Report Prepared by Wayne C. Fowler: attached to the minutes.

ADJOURNMENT:

Motion to adjourn: CM Stiglitz, 2nd Wilson. All in favor. Meeting Adjourned 10:35 pm

Minutes Prepared by: Beth Boa, Town Clerk-Treasurer

Approved by: Willem Polak
Mayor, Willem Polak

Date: Dec 10, 2019

The Town of
GLEN ECHO
Chartered 1904

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**TOWN OF GLEN ECHO
COUNCIL MEETING AGENDA
MONDAY NOVEMBER 11, 2019**

- 7:00 PM CALL TO ORDER: Polak
- 7:00 PM AUDIT: Eva Webb, CPA, LSWG
- 7:15 PM ACTION ON SEPTEMBER 9, 2019 COUNCIL MEETING MINUTES:
DISCUSSION: Polak
MOTION _____ SECOND _____ VOTE: _____
- 7:20 PM ACTION ON SEPTEMBER 25, 2019 COUNCIL WORK SESSION MINUTES:
DISCUSSION: Polak
MOTION _____ SECOND _____ VOTE: _____
- 7:25 PM INTRODUCTION OF RESOLUTION 19-07: ADOPTING RULES AND
REGULATIONS CONCERNING PUBLIC INFORMATION ACT REQUESTS
DISCUSSION: Bolt
MOTION _____ SECOND _____ VOTE: _____
- 7:35 PM DISCUSSION OF RESOLUTION 19-10 BUILDING PERMIT FEE
DISCUSSION: Polak
MOTION _____ SECOND _____ VOTE _____
- 7:50 PM OTHER BUSINESS
1. Nancy Long Bird & Butterfly Garden: Holly Shimizu
 2. Update on Livable Community Committee: CM Wilson
 3. Pathway along Oxford Street: Polak
 4. Debris Management MOU: Jean Sperling
 5. NPS Meeting November 18 on Roadway Work
 6. Possible Speaker on ADUs at future Council Meeting

8:10 PM FINANCIAL REPORT: Boa

MOTION _____ SECOND _____ VOTE: _____

8:20 PM TOWN OPS REPORT: Boa

- Hallowe'en Party October 31
- Holiday Brunch December 7
- Update on status of records retention schedule

8:30 PM BUILDING UPDATES & OTHER PERMITS:

1. **Vassar Circle** – Update from Joe Toomey.
2. **Wayne C Fowler** – Update on code enforcement
3. **21 Vassar Circle** – (DPS #891743) Solar Panel Installation: Mayor's Recommendation:

8:45 PM ADJOURNMENT

TOWN OF GLEN ECHO, MARYLAND
Presentation of Audit Report
Fiscal Year Ended June 30, 2019

C. Eva Webb, CPA
Linton Shafer Warfield & Garrett, P.A.

I. INDEPENDENT AUDITORS' REPORT:

The report indicates that we have conducted our audit in accordance with auditing standards generally accepted in the United States of America, and we found that the financial statements present fairly, in all material respects, the financial position and the results of operations for the year ended June 30, 2019 in conformity with U.S. generally accepted accounting principles.

Basic Financial Statements - Include:

- Management Discussion and Analysis - Prepared by the Town to summarize the year's results.
- Exhibit A-1 and A-2 presented under full accrual, to include fixed assets and depreciation.
(Presentation similar to business reporting.)
- Exhibit A-3 & A-4 - Modified accrual basis. Fixed assets and depreciation not included.
(Presentation using budget basis)
- See reconciliations between the two methods on Exhibit A-3 and A-5.
- Notes to financial statements - Provide additional explanatory information.
- Exhibit B-1 - Budgetary comparison schedules.

II. GOVERNANCE LETTER - Dated October 16, 2019

- Our responsibility under U.S. Generally Accepted Auditing Standards.
- Significant Accounting Policies are included in Note 1 to financial statements. No new accounting policies were adopted in FY19.
- There were several proposed audit adjustments. They were mostly to record year end accrual entries (receivables and payables) and depreciation expense. The net effect of all proposed audit adjustments was to decrease net income by approximately \$22,000.
- Disagreements with management on accounting standards - none.
- Difficulties encountered in performing the audit - none.

III. DEFICIENCY LETTER - Dated October 16, 2019

Certain deficiencies in internal control were identified during the audit. The following material weaknesses were identified:

The basic premise of a good system of internal controls is that no one employee should have access to both physical assets and the related accounting records or to all phases of a transaction. Given the Town has only one employee, this limits the extent of separation of duties unless elected officials become involved. We recommend that the Town evaluate the internal controls currently and identify opportunities for additional controls.

Authorized check signers should be independent. The Town Clerk enters invoices, reconciles the bank account and has the ability to sign checks. We recommend she be removed as an authorized check signer and replaced by another elected official.

Oversight/Monitoring - we'd like to remind the elected officials that their monthly review of the financial reports is a critical component of oversight and monitoring.

TOWN OF GLEN ECHO, MARYLAND
Presentation of Audit Report
Fiscal Year Ended June 30, 2019

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IV. STATEMENT OF NET POSITION (Exhibit A-1)

	Fiscal Year 2019
Cash and cash equivalents	\$ 535,632
Investments	82,517
Receivables	16,044
Prepaid expenses	146
Capital assets, net of depreciation	765,110
Total Assets	<u>\$ 1,399,449</u>
 Liabilities	 <u>\$ 26,483</u>
 Net Position	
Net Investment in Capital Assets	\$ 765,110
Unrestricted	607,856
Total Net Position	<u>\$ 1,372,966</u>

Cash, cash equivalents and investments represent 44% of total assets in FY19 and Capital assets, net of depreciation represents 55% of total assets.

V. STATEMENT OF PROGRAM ACTIVITIES (Exhibit A-2)

Revenues:	
Property taxes	\$ 151,522
State shared taxes	108,917
Charges for services	7,866
Operating grants and contributions	13,148
Rental income	46,404
Other	26,361
	<u>354,218</u>
Expenses:	
General government	161,700
Public works	149,719
	<u>311,419</u>
 Change in Net Position:	 <u>\$ 42,799</u>

Property taxes and state shared taxes represent 74% of total revenue in FY19.

TOWN OF GLEN ECHO, MARYLAND
Presentation of Audit Report
Fiscal Year Ended June 30, 2019

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VI. BUDGETARY COMPARISON SCHEDULE

Revenues:

	Final Budget	Actual	Over (Under) Budget
Local property taxes	\$ 149,985	\$ 150,267	\$ 282
Income taxes	122,000	108,394	(13,606)
County revenue sharing	20,762	20,762	-
State highway user revenue	13,148	13,029	(119)
Town hall rental	43,499	46,404	2,905
All other accounts	9,181	14,107	4,926
Total Revenues	<u>\$ 358,575</u>	<u>\$ 352,963</u>	<u>\$ (5,612)</u>

Expenditures:

General Government:

Financial administration	\$ 55,500	51,306	\$ (4,194)
Municipal building	54,000	36,250	(17,750)
Other general government	44,500	36,404	(8,096)
Legal counsel	35,000	37,980	2,980

Public Works

Highway and streets	108,000	88,862	(19,138)
Sanitation and waste removal	50,000	37,520	(12,480)
Total Expenditures	<u>\$ 347,000</u>	<u>\$ 288,322</u>	<u>\$ (58,678)</u>



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To the Mayor and Council of the
Town of Glen Echo, Maryland
P.O. Box 598
Glen Echo, Maryland 20812

In planning and performing our audit of the financial statements of the governmental activities and each major fund of the Town of Glen Echo, Maryland as of and for the year ended June 30, 2019, in accordance with auditing standards generally accepted in the United States of America, we considered the Town of Glen Echo, Maryland's internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Town of Glen Echo, Maryland's internal control. Accordingly, we do not express an opinion on the effectiveness of the Town of Glen Echo, Maryland's internal control.

Our consideration of internal control was for the limited purpose described in the preceding paragraph and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies and therefore material weaknesses or significant deficiencies may exist that were not identified. However, as discussed below, we identified certain deficiencies in internal control that we consider to be material weaknesses and other deficiencies that we consider to be significant deficiencies. A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A material weakness is a deficiency, or a combination of deficiencies in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected, on a timely basis. We consider the following deficiencies in internal control to be material weaknesses:

Lack of Segregation of Duties

The basic premise of a good system of internal controls is that no one employee should have access to both physical assets and the related accounting records or to all phases of a transaction. One of the most critical areas of separation is cash receipts, where we noted that the Town Clerk-Treasurer handles incoming checks, prepares the deposit slip, posts receipts to the accounting system, receives the bank statements and reconciles the bank accounts. The result is the danger that intentional or unintentional errors could be made and not be detected.

We also noted that the Town Clerk-Treasurer who is responsible for entering vendor invoices into the accounting system, is also an authorized check signer. We recommend that authorized check signers be independent of the check writing process.

Monthly bank reconciliations and adjustments should be reviewed by someone independent of the preparation process. These are areas with higher risk and a review will hold the preparer accountable.

Although having only one Town employee limits the extent of separation of duties, we believe certain steps could be taken to separate certain duties. We recommend that the Town evaluate their procedures to determine if additional separation of duties could be implemented.

We also take this opportunity to remind the elected officials that their monthly review of the financial reports is a critical component of oversight and monitoring of financial results.

This communication is intended solely for the information and use of management, the Mayor and Council, and others within the Town of Glen Echo, Maryland, and is not intended to be, and should not be, used by anyone other than these specified parties.

Linton Shafer Warfield & Garrett, P.A.

Rockville, Maryland
October 16, 2019

Town of Glen Echo

**Resolution Adopting Rules and Regulations
Concerning Public Information Act Requests**

Resolution No.: 19-07
Introduced: November 11, 2019
Adopted: November 11, 2019
Effective Date: November 11, 2019

WHEREAS, Maryland Code, General Provisions Article, Section 4-201(b), as amended, provides that, in order to protect public records and to prevent unnecessary interference with official business, each official custodian shall adopt reasonable rules or regulations that, subject to the Maryland Public Information Act, govern timely production and inspection of public records;

WHEREAS, the Town Council, after proper notice to the public, considered the following Resolution at an open meeting held on the 11th day of November, 2019; and

WHEREAS, the Town Council finds that the resolution as hereinafter set forth is necessary for the good government of the Town; for the protection and preservation of the Town's property, rights and privileges; for the preservation of peace and good order; for securing persons and property from violence, danger and destruction; and for the protection and promotion of the health, safety, comfort, and convenience of residents.

NOW, THEREFORE, the Town Council does hereby adopt the foregoing resolution

BE IT RESOLVED, this 11th day of November, 2019, by the Town Council, acting under and by virtue of the authority given it by the Maryland Code and the Town Charter that the attached Rules and Regulations Regarding Public Information Act Requests be and are hereby adopted.

AND BE IT FURTHER ORDAINED AND ORDERED, by the Town Council, acting under and by virtue of the authority granted to it by the Maryland Code and the Town Charter, that if any part or provision of this Resolution is declared by a court of competent jurisdiction to be invalid, the part or provision held to be invalid shall not affect the validity of the Resolution as a whole or any remaining part thereof; and this Resolution shall take effect on this 11th day of November, 2019.

Attest:

I hereby attest that the above Resolution was duly adopted by the Town Council on the 11th day of November, 2019, by a vote of ____ in favor and ____ in opposition.

Clerk-Treasurer

Town of Glen Echo
Rules and Regulations Regarding Public Information Act Requests

Chapter 1 – Filing and Processing Requests

1.01 Scope. This chapter sets out procedures under the Public Information Act for filing and processing requests to the Town of Glen Echo (the “Town”) for the inspection and copying of public records of the Town.

1.02 Policy. It is the policy of the Town to facilitate access to the public records of the Town, when access is allowed by law, by minimizing costs and time delays to applicants.

1.03 Definitions.

A. In this chapter, and chapter 2, the following terms have the meanings indicated.

B. Terms Defined.

(1) “Act” means the Public Information Act, General Provisions Article, Section 4-101 to 4-601, Annotated Code of Maryland. Except as otherwise provided herein, terms used in the Act shall have the same meaning in these regulations.

(2) “Copy” means any form of reproduction using a photocopying machine or other reproduction technology, including a paper copy, an electronic copy, a printout, or an image.

(3) “PIA Coordinator” means the Town employee who is responsible for accepting requests for public records.

(4) “Working day” means a day other than Saturday, Sunday, or a State holiday.

1.04 Town Clerk as Official Custodian. Unless otherwise provided by law, the Town Clerk is the official custodian of the public records of the Town.

1.05 Who May Request Public Records. Any person may request to inspect or copy public records of the Town.

1.06 Necessity for Written Request.

A. Inspection.

(1) Except as otherwise provided in this chapter, the custodian shall make public records of the Town available for inspection by an applicant without demanding a written request.

(2) The custodian shall require a written request if the custodian reasonably believes that:

(a) The Act or any other law may prevent the disclosure of one or more public records to the applicant; or

(b) A written request will materially assist the Town in responding.

B. Copies. If the applicant requests one or more copies of any public record of the Town, the custodian may require a written request.

1.07 Contents of Written Request. A written request shall:

A. Contain the applicant’s name and address;

B. Be signed by the applicant; and

C. Reasonably identify, by brief description, the public record sought.

1.08 Addressee. A request to inspect or copy a public record of the Town shall be addressed to the custodian of the record. If the custodian is unknown, the request may be addressed to the Town Clerk or the PIA Coordinator.

1.09 Response to Request.

A. Request Granted.

(1) If the custodian decides to grant a request for inspection, the custodian shall produce the public record for inspection:

(a) Immediately; or

(b) Within a reasonable time period, not to exceed thirty (30) days after the date of the receipt of the request, if that period is needed to retrieve the public record and conduct any necessary review.

(2) If the custodian reasonably believes that it will take more than ten (10) working days to produce the public record, the custodian shall indicate in writing or by electronic mail within ten (10) working days after receipt of the request:

(a) The amount of time that the custodian anticipates it will take to produce the public record;

(b) An estimate of the range of fees that may be charged to comply with the request for public records; and

(c) The reason why it will take more than ten (10) working days to produce the records.

B. Request Denied. If the custodian decides to deny a request for inspection, the custodian shall:

(1) Deny the request within thirty (30) days after the request; and

(2) Immediately notify the applicant of the denial.

C. Information to Accompany Denial. If a request is denied, the custodian shall provide the applicant, at the time of the denial or within ten (10) working days, a written statement that gives:

(1) The reason for the denial, including, for records denied under Section 4-343 of the Act, a brief explanation of:

(a) Why denial is necessary; and

(b) Why the harm from disclosure of the public record would be greater than the public interest in providing access to the information in the public record such that disclosure of the public record would be contrary to the public interest;

(2) The legal authority for the denial;

(3) Without disclosing the protected information, a brief description of the undisclosed records that will enable the applicant to assess the applicability of the legal authority for the denial;

(4) An explanation why redacting information in the undisclosed records would not address the reasons for denial; and

(5) Notice of the remedies available for review of the denial.

D. Record not in custody. If a requested public record is not in the custody or control of the person to whom application is made, that person shall, within ten (10) working days after receipt of the request, notify the applicant:

(1) That the person does not have custody or control of the requested public record; and

(2) If the person knows:

(a) The name of the custodian of the public record; and

(b) The location or possible location of the public record.

E. Extension of time. Any time limit imposed by paragraphs A through C of this section may be extended:

- (1) With the consent of the applicant, for an additional period of up to thirty (30) days; and
- (2) For the period of time during which a dispute initiated by the applicant is pending before the Public Access Ombudsman.

1.10 Notice to and Consideration of Views of Person Potentially Affected By Disclosure.

A. Unless prohibited by law, the custodian may provide notice of a request for inspection or copying of any public record of the Town to any person who, in the judgment of the custodian, could be adversely affected by disclosure of that public record.

B. The custodian may consider the views of the potentially affected person before deciding whether to disclose the public record to an applicant.

1.11 Electronic Records.

A. Except as provided in Sections C and D of this section, the custodian shall provide an applicant with a copy of the public record in a searchable and analyzable electronic format if:

- (1) The public record is in a searchable and analyzable electronic format;
- (2) The applicant requests a copy of the public record in a searchable and analyzable electronic format; and
- (3) The custodian is able to provide a copy of the public record, in whole or in part, in a searchable and analyzable electronic format that does not disclose information that is exempt from disclosure under the Act.

B. The custodian shall provide a portion of the public record in a searchable and analyzable electronic format if:

- (1) Requested by the applicant, and
- (2) The custodian is able to do so by using the existing functions of the database or software program that contains the searchable and analyzable data.

C. The custodian is not required to:

- (1) Create or reconstruct a public record in an electronic format if the public record is not available in an electronic format; or
- (2) Release an electronic record in a format that would jeopardize or compromise the security or integrity of the original record or of any proprietary software in which the record is maintained.

D. The custodian may remove metadata from an electronic document before providing the electronic record to an applicant by: (a) Using a software program or function; or (b) Converting the electronic record into a different searchable and analyzable format.

1.12 Public Record Destroyed or Lost. If the custodian knows that a requested public record of the Town has been destroyed or lost, the custodian shall promptly:

- A. Notify the applicant that the public record is not available; and
- B. Explain the reasons why the public record cannot be produced.

1.13 Review of Denial.

A. If the custodian denies a request to inspect or copy a public record of the Town, the applicant may file an action for judicial enforcement under Section 4-362 of the Act, without pursuing the remedies set forth in Sections B and C of Section 1.13.

B. If the custodian charges a fee of more than \$350 under section 1.15 of this chapter, the applicant may, within ninety (90) days after the date the fee is imposed, file a written complaint with the Board under Section 4-1A-05(a) of the Act.

C. The applicant and the custodian each may contact the Public Access Ombudsman to resolve, under the provisions of the Act, a dispute relating to requests for public records.

1.14 Disclosure against Public Interest.

A. Denial Pending Court Order.

(1) If, in the opinion of the Town Clerk, disclosure of a public record of the Town otherwise subject to disclosure under the Act would do substantial injury to the public interest, the Town Clerk may temporarily deny the request and seek a court order allowing continued nondisclosure.

(2) A temporary denial shall be in writing.

B. Circuit Court Review.

(1) Within ten (10) working days after the denial, the Town Clerk shall apply to the appropriate circuit court for an order permitting continued denial or restriction of access.

(2) Notice of the Town Clerk's complaint shall be served on the applicant in the manner provided for service of process by the Maryland Rules.

1.15 Fees.

A. The fee schedule for copying and certifying copies of public records of the Town is as follows:

(1) Copies.

(a) The fee for each copy made by a standard printer or photocopying or scanning machine within the Town is twenty-five cents (\$0.25) per page.

(b) The fee for each copy made otherwise shall be based on the actual cost of reproduction.

(2) Certification of Copies. If a person requests that a copy of a public record be certified as a true copy, an additional fee of one dollar (\$1.00) for every 10 pages shall be charged.

B. Notwithstanding paragraph A of this regulation, if the fee for copies or certified copies of any public record of the Town is specifically set by a law other than the Act or this regulation, the custodian shall charge the prescribed fee.

C. If the custodian cannot copy a public record within the Town, the custodian shall make arrangements for the prompt reproduction of the record at public or private facilities outside the Town. The custodian shall:

(1) Collect from the applicant a fee to cover the actual cost of reproduction; or

(2) Direct the applicant to pay the cost of reproduction directly to the facility making the copy.

D. Before copying a public record of the Town, the custodian shall estimate the cost of reproduction and either:

(1) Obtain the agreement of the applicant to pay the cost; or

(2) Require prepayment of all or a portion of the cost.

E. Search and Preparation Fee.

(1) Except as provided in paragraph of this regulation, the custodian may charge a reasonable fee for time that an official or employee of the Town spends:

- (a) To search for requested public records;
- (b) Review requested public records for potential disclosure; and
- (c) To prepare public records for inspection and copying.

(2) The custodian shall determine the fee under Subsection (1) of this section by multiplying the employee's salary, plus benefits, prorated to an hourly basis, by the actual time attributable to the search for, review of, and preparation of public records for inspection and copying.

F. The custodian will not charge a fee under section E of this regulation for the first two (2) hours spent searching for and preparing a public records for inspection.

G. Waiver or Reduction of Fee.

(1) The official custodian may waive or reduce any fee set under this regulation if: (a) The applicant requests a waiver; and (b) (i) The custodian determines that the waiver or reduction is in the public interest; or (ii) The applicant is indigent and files an affidavit verifying the facts that support a claim of indigency.

(2) In determining whether a fee is in the public interest, the custodian shall consider, among other relevant factors, the ability of the applicant to pay the fee.

H. If the applicant requests that copies of a public record be mailed or delivered to the applicant or to a third party, the custodian may charge the applicant for the cost of postage or delivery.

1.16 Time and Place of Inspection.

A. An applicant may inspect any public record of the Town that the applicant is entitled to inspect during the normal working hours of the Town.

B. The inspection shall occur where the public record is located, unless the custodian, after taking into account the applicant's expressed wish, determines that another place is more suitable and convenient.

Chapter 2 - Correction or Amendment of Public Records

2.01 Scope. This chapter sets out procedures under which a person in interest may request the correction or amendment of public records of the Town.

2.02. Definitions. In this chapter, the terms have the meanings indicated in section 1.03.

2.03 Who May Request. A person in interest may request that the Town correct or amend any public record that:

- A. The Town keeps; and
- B. The person in interest is authorized to inspect.

2.04 Contents of Request.

A. A person in interest shall make a request to correct or amend a public record in writing on a form provided by the Town, if the Town maintains such form.

B. The request shall:

- (1) Identify the public record to be corrected or amended;
- (2) State the precise correction or amendment requested;
- (3) State the reason for the correction or amendment; and
- (4) Include a statement that, to the best of the requester's belief, the public record is inaccurate or incomplete.

2.05 Addressee. A request to correct or amend a public record shall be addressed to the custodian of the record. If the custodian is unknown, the request may be addressed to the Town Clerk.

2.06 Return of Nonconforming Request.

A. The Town shall accept a request to correct or amend a public record when it is received if it reasonably complies with sections 2.04 and 2.05 of this chapter.

B. If the request does not reasonably comply with sections 2.04 and 2.05 of this chapter, the Town shall return the request to the requester with:

- (1) An explanation of the reason for the return; and
- (2) A statement that, on receipt of a request that reasonably complies with sections 2.04 and 2.05 of this chapter, the request will be accepted.

2.07 Response to Request. Within 30 days after the Town receives a request for correction or amendment that reasonably complies with sections 2.04 and 2.05 of this chapter, the custodian shall:

A. Make the requested correction or amendment, and inform the requester in writing of the action; or

B. Inform the requester in writing that the Town will not:

- (1) Make the requested correction or amendment, and the reason for the refusal; or
- (2) Act on the request because:
 - (a) The requester is not a "person in interest";
 - (b) The requestor is not authorized to inspect the record; or
 - (c) Of any other reason authorized by law.

2.08 Refusal of Request. If the Town refuses to make a requested correction or amendment, a person in interest may file with the Town a concise statement of the reasons for:

- A. The requested correction or amendment; and
- B. The person's disagreement with the refusal of the Town to make the correction or amendment.

2.09 Requirements for Statement of Disagreement. The statement submitted under section 2.08 shall:

- A. Be on pages no larger than 8½ x 11 inches in size;
- B. Use only one side of each page; and
- C. Consist of no more than five (5) pages.

2.10 Providing Statement of Disagreement. If a person in interest files a statement of disagreement concerning a public record under sections 2.08 and 2.09 of this chapter, the Town shall provide a copy of the statement whenever the Town discloses the public record to a third party.

2.11 Administrative Review.

- A. A person may request administrative review under this regulation if the Town:

(1) Has refused the person's request to correct or amend a public record under section 2.07 of this chapter;

(2) Has rejected the person's statement of disagreement under section 2.08 of this chapter; or

(3) Has not provided a statement of disagreement to a third party under section 2.10 of this chapter.

B. A request for review shall be filed with the Town Clerk within 30 days after the requester is advised of the Town's action.

C. The review proceedings shall be conducted in accordance with the Act and the administrative hearing requirements of the Town.

Resolution No.: 19-10
Introduced: November 11, 2019
Adopted: November 11, 2019
Effective Date: November 11, 2019

THE TOWN OF GLEN ECHO

**SUBJECT: A RESOLUTION TO AMEND THE PERMIT FEE AND
BOND SCHEDULE**

WHEREAS, the Town of Glen Echo Code, Section 3.1.B.7, Section 3.1.G, and Section 17.2.B provide that the fees for building permits and bonds will be in such amounts as may be established from time to time by resolution of the Town Council; and

WHEREAS, the Town Council finds that the resolution as hereinafter set forth is necessary in order to assure the good government of the municipality, to protect and preserve the municipality's rights, property, and privileges, to preserve peace and good order, to secure persons and property from danger and destruction, and to protect the health, comfort and convenience of the citizens of the Town, and otherwise advantageous and beneficial to the Town; and

WHEREAS, this Resolution was considered in open session on the 25th day of September, 2019; and the 11th day of November, 2019.

NOW, THEREFORE, BE IT:

RESOLVED that the permit fees and bond amounts provided on the attached schedule be and are hereby adopted; and

RESOLVED, that this Resolution shall be effective immediately upon adoption and shall be filed by the Clerk-Treasurer and kept available for public inspection.

Attest:

I hereby attest that the above Resolution was duly adopted by the Town Council on the 11th day of November, 2019 by a vote of ____ in favor and ____ in opposition.

Clerk-Treasurer

**Town of Glen Echo
Schedule of Permit Fees
(Article 3, Building Code)**

PERMIT	FEE
Building permit (Art. 3)	*
(a) New home construction	\$4,000.00
(b) Addition or accessory structure (more than 400 s.f.)	\$1,000.00
(c) Addition or accessory structure (201 to 400 s.f.)	\$ 500.00
(d) Addition or accessory structure (up to 200 s.f.)	\$ 100.00
(e) Porch or deck	\$ 100.00
(f) Stoop or steps	\$ 75.00
(g) Fence or wall	\$ 50.00
Demolition permit (Art. 3)	\$ 0.00
Street and sidewalk (Art. 17)	\$ 100.00
Gas line connection (Art. 17)	\$ 300.00

* New home construction includes a project that involves replacement or alteration to three or more exterior walls.

BOND	AMOUNT
Right-of-way restoration	\$ 3,000.00

Town of Glen Echo
Ordinance
(Accessory Dwelling Units)

Ordinance No.: 19-06
Introduced:
Adopted:
Effective Date:

SUBJECT: AN ORDINANCE TO AMEND THE CODE OF ORDINANCES TO ADD BUILDING REQUIREMENTS APPLICABLE TO ACCESSORY DWELLING UNITS; TO ADD PROVISIONS REGARDING BUILDING PERMIT AMENDMENTS AND EXTENSIONS; AND TO AMEND THE STANDARD FOR VARIANCE REQUESTS

WHEREAS, Maryland Code, Local Government Article, Section 5-202, as amended, grants to the legislative body of every incorporated municipality in Maryland, including the Town of Glen Echo, general power to pass such ordinances not contrary to the Constitution of Maryland, or the public general law, as deemed necessary in order to assure the good government of the municipality, to protect and preserve the municipality's rights, property, and privileges, to preserve peace and good order, to secure persons and property from danger and destruction, and to protect the health, comfort and convenience of the citizens of the municipality;

WHEREAS, Maryland Code, Local Government Article, Section 5-211, as amended, authorizes the legislative body of each municipal corporation in the State of Maryland to make reasonable regulations concerning buildings to be erected within the limits of the municipality, including a building code and the requirement for building permits;

WHEREAS, Maryland Code, Land Use Article, Section 20-509 grants to the legislative body of incorporated municipalities in the Maryland-Washington Regional District general power to adopt building regulations for the protection of the public health, safety, and welfare; the preservation, improvement, and protection of lands, water, and improvements in the municipal corporation; and to regulate the construction, repair, or remodeling of buildings on land zoned for single-family residential uses at it relates to fences, walls, hedges, and similar barriers; signs; residential parking; residential storage; the location of structures, including setback requirements; the dimensions of structures, including height, bulk, massing, and design; and lot coverage, including impervious surfaces;

WHEREAS, Sections 413 and 415 of the Charter of the Town of Glen Echo authorize the Town Council to pass ordinances not contrary to the Constitution and laws of the State of Maryland or the Charter of the Town of Glen Echo (the "Town");

WHEREAS, after proper notice to the public, the Town Council introduced the following Ordinance in an open meeting conducted on the ___ day of _____, 2019;

WHEREAS, to comply with Maryland Code, Land Use Article, Section 20-509, on the ____ day of _____, 2019, a copy of following Ordinance was submitted to the Montgomery County Council for its comments;

WHEREAS, the Montgomery County Council acknowledged receipt of the Ordinance by letter dated _____, 2019;

WHEREAS, after proper notice to the public, and after at least thirty days from the date a copy of the following Ordinance was transmitted to the Montgomery County Council, the Town Council considered the following Ordinance in public session assembled on the ____ day of _____, 2019;

WHEREAS, the Montgomery County Council, by Zoning Text Amendment 19-01, effective December 31, 2019, authorized the establishment and construction of detached accessory dwelling units in single-family zones, and removed some of the restrictions applicable to attached units;

WHEREAS, due to narrow street widths, and the existing density and motor vehicle use and traffic in and around the Town, the Town Council finds that existing parking congestion and shortages would be exacerbated by the allowance of accessory dwelling units, unless sufficient measures are implemented to mitigate the impacts;

WHEREAS, due to the limited open and green space existing in the Town as a result of contemporary construction, and due to the inadequacy of the existing public stormwater drainage system, the Town Council finds that current stormwater drainage problems would be exacerbated by the allowance of accessory dwelling units, unless sufficient measures are implemented to mitigate the impacts;

WHEREAS, the Town Council finds that the Town building regulations do not currently separately address accessory dwelling units and should therefore be amended;

WHEREAS, the purposes of the Town building regulations include maintaining privacy and space between properties, ensuring adequate light, air, and safe passageways between buildings; encouraging appropriately-sized construction in keeping with lot sizes and the character of the Town; minimizing the flow of stormwater from lots by encouraging the maintenance of open spaces and the reduction of impervious surfaces; and the preservation and perpetuation of neighborhood character;

WHEREAS, the Town Council finds that the allowance of accessory dwelling units would be detrimental to the purposes of the Town building regulations, unless sufficient measures are implemented to mitigate the impacts;

WHEREAS, the Town Council finds that the ordinance as hereinafter set forth is necessary in order to assure the good government of the municipality, to protect and preserve the municipality's rights, property, and privileges, to preserve peace and good order, to secure persons

and property from danger and destruction, and to protect the health, comfort and convenience of the citizens of the Town, and otherwise advantageous and beneficial to the Town.

NOW, THEREFORE, the Town Council does hereby adopt the foregoing Ordinance.

BE IT ORDAINED AND ORDERED, this ____th day of _____, 2019, by the Town Council, acting under and by virtue of the authority given it by the Maryland Code and the Town of Glen Echo Charter, the Town Code be and is hereby amended as follows:

* * *

ARTICLE 3 BUILDING CODE

Section 3.0 Definitions

The following terms used in this Article has have the following meanings:

“Accessory dwelling unit” means a second dwelling unit that is located within a main building or an accessory building.

* * *

Section 3.1 Building Permits

A. Building Permit Required.

1. No structure of any kind or description shall be erected or replaced, nor any modification made to the exterior of any portion of an existing structure, within the corporate limits of the Town which requires a building permit from Montgomery County, without first having obtained a permit for same from the Town Clerk or Mayor.

2. **No accessory dwelling unit shall be erected or replaced, nor any existing structure modified, converted or renovated, or any part thereof, into an accessory dwelling unit, within the corporate limits of the Town, without first having obtained a permit for same from the Town Clerk or Mayor.**

B. Application; Approval. An application for a building permit shall be submitted to the Town Clerk containing the following information. Additional information may be requested by the Mayor. Such application shall be filed with the Town Clerk no later than seven (7) calendar days after issuance of a building permit by Montgomery County for the identical work for which the applicant seeks a permit from the Town of Glen Echo. The Town Council may prepare and require an application form. An application may be denied by the Town Clerk or Mayor for failure to provide the requested information. The Town Clerk or Mayor, upon written request of the applicant, may waive the time period for submitting the application required pursuant to this paragraph. The application shall include:

1. The signature of the owner and/or his authorized agent;
2. The street address, of the lot upon which the proposed work is to be performed;
3. The full name and address of each owner;
4. A brief description of the work to be performed for which the building permit is requested, **and a stormwater drainage plan if the project includes an accessory dwelling unit;**
5. An electronic copy of the building plans and all other documents submitted or anticipated to be submitted to Montgomery County as part of the application for building permit issued by Montgomery County. **No Town building permit for construction related to an accessory dwelling unit shall be issued until a copy of the Montgomery County landlord license for the proposed accessory dwelling unit has been submitted to the Town;**
6. A certification by the applicant that the applicant provided to the owners of adjoining and confronting private properties within the Town of Glen Echo, and to the occupants of said property if the owners are not the occupants (collectively, "neighbors"), a reasonable opportunity to inspect the building permit plans. The certification shall include an explanation of the steps taken to comply with these requirements and to identify those neighbors who have inspected the plans. Unless there are unusual circumstances, initials of those neighbors who have inspected the permit plans are required on the building permit application;
7. An application fee in the amount set forth on the fee schedule approved by the Town Council from time to time; and
8. Photographic proof of the condition of adjoining streets and sidewalks prior to the beginning of construction.

C. Criteria for Issuance of Permit. The Town Clerk or Mayor shall consider, in approving or disapproving an application, such factors as:

1. Whether the application is complete and conforms to the requirements of this Section; and,
2. Whether the proposed work complies with all other applicable Town ordinances, including but not limited to all of the provisions of this Article regarding setbacks, and all of the provisions of Article 17, Streets and Sidewalks, specifically including the provisions of Section 17.2 which require a separate permit. No permit for any building shall be issued by the Clerk or Mayor or Council unless the building complies with the setback requirements of the Montgomery County Zoning Code.

In making its findings, the Town Council may rely upon the findings of the County in the issuance of the County permit. The Town Council may impose conditions on a permit as deemed

necessary to assure compliance with the Town Code and/or protect the public health, safety or welfare. Such conditions may include, but are not limited to: (a) prohibiting or limiting the parking of contractors' or other construction-related vehicles in the public right-of-way or on private property; (b) limiting the locations upon public and private property where materials, equipment, and dumpsters may be stored; (c) limiting the locations where portable toilets may be placed or maintained; (d) requiring tree protection measures to protect public and private trees during construction; and I limiting the permissible work hours.

At the request of any one of the following: the applicant, the adjoining or confronting property owners, or a member of the Town Council, a public hearing may be held on the application prior to the issuance of a building permit. In such case, the Town Council shall decide whether a building permit should be issued.

D. Permit Contingent on County Permit. The Town of Glen Echo building permit is effective and valid only for the identical work authorized by a valid building permit issued by Montgomery County, as may be modified by the terms and conditions of the Town permit. The Town of Glen Echo building permit is effective and valid only for that time period for which the Montgomery County permit is valid, or such other time as may be specified in the Town permit. The Town Clerk or Mayor may grant a request for an extension, upon such terms and conditions as the Town Clerk or Mayor may find necessary to protect the public health, safety, and welfare, upon a reasonable showing by the permittee that there has been no material change in circumstances since the issuance of the permit and despite due diligence by the permittee, additional time is necessary to accomplish the approved construction. Such a request shall be accompanied by the extension fee in the amount set forth on the fee schedule approved by the Town Council from time to time.

E. Permit Display and Enforcement.

1. Display. Upon issuance, the applicant shall promptly display the Town permit on the property in a manner visible to the public.
2. Enforcement.
3. It shall be unlawful to conduct construction except in strict compliance with the applicable Town permit, the approved plans and specifications therefor, and any and all conditions imposed by the Town Council in connection therewith. The Town Clerk or Mayor may grant a request for a modification to the approved permit, and the terms and conditions thereof, upon such further terms and conditions as the Town Clerk or Mayor may find necessary to protect the public health, safety, and welfare. Such a request shall be accompanied by the modification fee in the amount set forth on the fee schedule approved by the Town Council from time to time.

a. The Town Council may suspend or revoke a building permit, or issue a stop work order, if construction has been undertaken in violation of an applicable Town permit, the approved plans and specifications, therefor, and any and all conditions imposed by the Town Council in connection therewith. A stop work order issued hereunder shall be posted on the

property in a conspicuous location and shall be deemed sufficient service upon all persons physically on the property. If a stop work order is issued, it shall be unlawful to continue any construction activity until such time as the stop work order has been lifted by the Mayor, provided however, that any activity ordered to be undertaken by the Mayor in order to abate a violation may proceed as directed by the Mayor.

b. It shall be unlawful to remove a posted stop work order except under the express authority of the Mayor.

F. Judicial Review. Any person aggrieved by a decision of the Town Council with regard to an application for a building permit filed under the provisions of this Section and who appeared before the Town Council in person, by an attorney, or in writing, shall have the right to appeal the decision of the Town Council to the Circuit Court for Montgomery County, Maryland under the provisions of title 7, Chapter 200 of the Maryland Rules of Procedure.

G. Liability for Damage to Town of Glen Echo Property. As a condition for the grant of a permit, the permit holder shall be liable for any damage to Town of Glen Echo property and public rights-of-way and improvements thereon, including sidewalks, curbs, streets and green space. Permit holders shall be subject to the expense necessary to repair such damage as close to the original condition as possible. The Town may, by contract or otherwise and at the violator's expense, cause any necessary repairs to be made. The Town Council, in its discretion, may require as a precondition to issuance of a permit the posting of a bond or other security in a form and amount satisfactory to the Mayor (which amount shall not exceed twice the estimated cost of repair of damage caused to Town of Glen Echo property and public rights-of-way and improvements thereon), to be applied toward the cost of repair of damage caused to Town of Glen Echo property and public rights-of-way and improvements thereon.

(Ord. No. 04-01, effective 1/12/04; Ord. No. 06-02, effective 11/7/06; Ord. No. 16-02, effective 1/30/17; Ord. No. 18-01, effective 6/3/18)

Section 3.1.1 Setbacks of Houses and Building Requirements

A. Setbacks, Generally.

1. The **front** setback from all street lines for a house **main building** on a corner lot shall be at least twenty-five (25) feet.

2. **The front setback from all street lines for a detached accessory dwelling unit on any lot shall be at least twenty-five (25) feet. The rear setback from a rear lot line for a detached accessory dwelling unit on any lot shall be at least twenty (20) feet. The side setback from a side lot line for a detached accessory dwelling unit on any lot shall be at least eight (8) feet.**

3. **Setbacks are measured from the closest point of the building to the closest point of a lot line. No exemption is provided for projections, of any kind. A corner lot has two or more front lot lines. The interior lot lines can be designated by an owner as either the**

rear or side lot line so long as no existing structure is rendered non-conforming provisions of the Montgomery County Code or the Town Code.

B. This setback provision shall apply to: (i) a house main building for which a building permit is required from the Town of Glen Echo or Montgomery County or both and no such valid permit(s) was issued by the Town or the County or both as of January 12, 2004; or (ii) a house for which a building permit is required from the Town of Glen Echo or Montgomery County or both and for which all valid permits have been issued but actual physical commencement of some significant and visible construction has not occurred as of January 12, 2004.

C. Notwithstanding the provisions above, Any house main building existing as of January 12, 2004 on the effective date of this section situated closer than twenty-five (25) feet to the street line in accordance with §59-4.4.9.B.2, as amended, of the Montgomery County Zoning Code and which does not meet the setback requirements of this section, is a conforming building. Such a house may be:

1. Reconstructed after a fire, flood or similar event provided that the footprint of the house may not be closer to the street line to which this section is applicable than the pre-existing building or structure as of the effective date of this section; and

2. Altered, renovated, or enlarged provided that the location of such house may not be closer to the street line to which the section is applicable than the pre-existing house as of the effective date of this section.

D. Additional Requirements for Accessory Dwelling Units.

1. Parking. At least two (2) new dedicated on-site parking spaces shall be provided for any accessory dwelling unit, attached or detached. Existing parking area in a driveway or an existing garage may not serve as the required on-site parking spaces for an accessory dwelling unit.

2. Stormwater Drainage. No attached or detached accessory dwelling unit, including but not limited to the dedicated parking spaces related thereto, shall create any new stormwater runoff to adjacent public or private property. A stormwater drainage plan, approved by the Town, shall be implemented and maintained to prevent any such stormwater runoff. The plan shall include, at a minimum, sufficient stormwater drainage retention facilities to capture on the subject property the stormwater runoff resulting from all new impervious surfaces related to the accessory dwelling unit, including but not limited to the dedicated parking spaces.

Section 3.1.2. Variances; Judicial Review

A. The Town Council may grant a variance of the setback requirements of this Article, subject to the following limitations:

1. The Town Council finds after a duly noticed public hearing, based on the evidence before it, that good cause has been shown on either of the following grounds:

a. The proposed construction would not unduly interfere with light and air between residences or other structures, would not be unduly incompatible with the scale, massing, and character of the Town or of nearby residences or other structures, and would otherwise not unduly adversely affect the use, enjoyment or value of nearby properties. In making such finding, the Council may consider such factors as:

- i. Size and location of proposed ~~new-building~~ construction;
- ii. Size and location of existing and potential buildings and other structures on nearby lots; and
- iii. Topography and existing or planned vegetation of the lot on which the proposed construction will be located and of nearby lots. Should the Town Council be requested to consider planned vegetation, the applicant for the variance shall submit a landscape plan with the variance application, or

b. That the strict and literal application of this Section would result in ~~peculiar or unusual practical difficulties~~ **exceptional or undue hardship** to the owner of the lot on which the proposed new construction is to be located due to ~~longstanding pre-existing buildings on the specific parcel or property~~, exceptional narrowness, shallowness, shape, topographical conditions or other extraordinary situations or conditions peculiar to the specific parcel of property. The following do not constitute practical difficulties for the purposes of this section:

- i. The existence of nearby structures or buildings on other parcels of property which do not comply with this section; or
- ii. The granting of a variance on other lots.

2. The variance must be for the minimum reasonably necessary to avoid the above conditions or situations; and,

3. The Town Council may impose, in granting a variance, such conditions as it deems in the public interest and necessary to effectuate the purposes of this Article.

B. ~~E.~~ If any word, phrase, clause, item, sentence, paragraph, section or part in or of the ~~setback~~ provisions of the this Article shall judicially be declared to be invalid or the applicability thereof to any person or circumstances held invalid, the validity of the remainder of the provisions of this Article and the applicability thereof to other persons and circumstances shall not be affected thereby.

(Ord. No. 04-01, effective 1/12/04; Ord. No. 16-02, effective 1/30/17; Ord. No. 18-01, effective 6/3/18)

* * *

Bold Underline indicates new language

~~Strikethrough~~ indicates language deleted

Asterisks * * * indicate language unchanged

AND BE IT FURTHER ORDAINED AND ORDERED, by the Town Council, acting under and by virtue of the authority granted to it by the Maryland Code and the Town of Glen Echo Charter, that:

1. If any part or provision of this Ordinance is declared by a court of competent jurisdiction 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; and

2. This Ordinance shall take effect, twenty (20) days after passage by the Council and approval of the Mayor.

Attest:

I hereby attest that the above Ordinance was duly adopted by the Town Council on the ____th day of _____, 2019, by a vote of ____ in favor and ____ in opposition.

Beth Boa, Clerk-Treasurer
Town of Glen Echo

Approved:

Willem Polak, Mayor
Town of Glen Echo

Date: _____

Proposal for Town of Glen Echo
The Nancy Long Bird and Butterfly Garden
Revised April 1, 2019,
Holly Shimizu

The Glen Echo Environmental Committee is proposing a Bird and Butterfly Garden Honoring Nancy Long for her life time of service to the Town of Glen Echo. The Garden will be located on the land along the Right-of-Way just above the Town Hall Parking Lot. The purpose of this garden is to plant native plants that support birds and butterflies and that assist with the current water issues caused by excess water that seeps through the wall and onto the parking lot. This can be a serious issue when water seeps down through the wall and then turns to ice in the parking lot. Water issues would be dealt with effectively as a part of this proposed project. This garden would be low maintenance and would attract a broad array of birds for nectar and fruit as well as butterflies for food and energy. We hope this will be the beginning of a series of right of way enhancements for the enjoyment of all Glen Echo residents. Moreover, these are environmental improvements, especially helping alleviate some of the water issues along the Right-of-way (ROW). This segment of the ROW, along the black fence, is approximately 60 feet long.



Revised Proposal Estimate

Removal of Ivy:	\$100.
Regrading of Soil:	\$1,800.
Soil improvement:	\$900.
Plants:	\$2200.

Revised Total request: \$5,000.

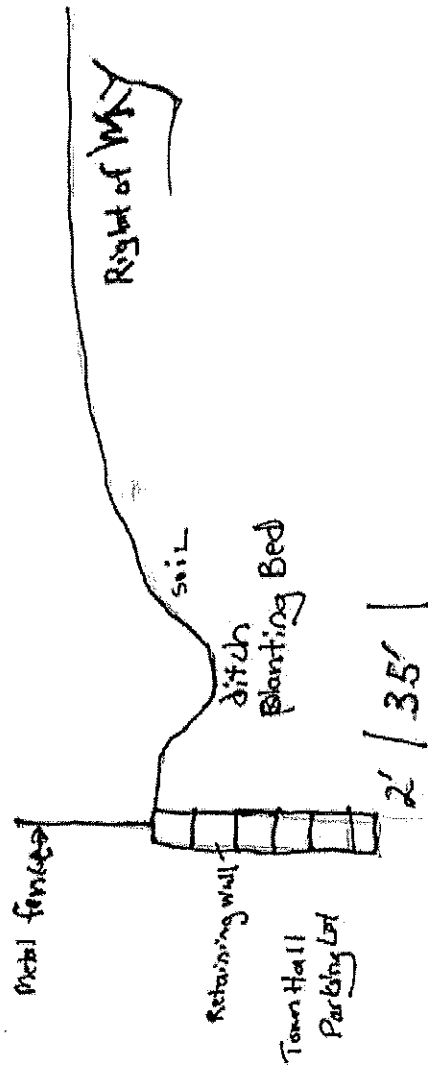
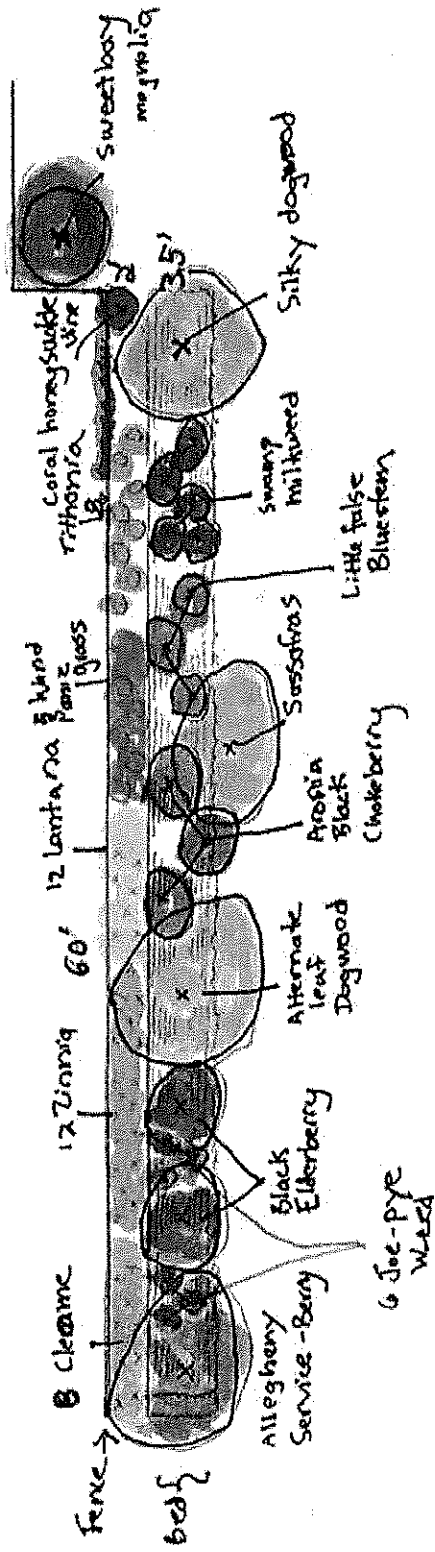
Proposed Plant List: (not all of these will be used – depends on availability and final design)

Allegheny service-berry	<i>Amelanchier laevis</i>	15-20'	
Alternate-leaf dogwood	<i>Cornus alternifolia</i>	15-20'	
American elderberry	<i>Sambucus nigra ssp. canadensis</i>	10-15'	
American hazelnut	<i>Corylus Americana</i>	8-16'	
Black cherry	<i>Prunus serotina</i>	60-100'	
Black Chokeberry	<i>Aronia melanocarpa</i>	3-6'	
Winterberry	<i>Ilex verticillata</i>	6-10'	
Highbush blueberry	<i>Vaccinium corymbosum</i>	6-12'	
Little false bluestem	<i>Schizachyrium scoparium</i>	2'	
Maple-leaf arrow-wood	<i>Viburnum acerifolium</i>	4-6'	
Northern spicebush	<i>Lindera benzoin</i>	6-12'	
Pink azalea	<i>Rhododendron periclymenoides</i>	6-12'	
Possumhaw	<i>Viburnum nudum</i>	5-6'	
Red Osier	<i>Cornus alba</i>	8-10'	
Sassafras	<i>Sassafras albidum</i>	30-50'	
Silky dogwood	<i>Cornus amomum</i>	6-12'	
Swamp milkweed	<i>Asclepias incarnata</i>	3-4'	
Sweetbay	<i>Magnolia virginiana</i>	20'	
Joe-pye-weed	<i>Eutrochium purpureum</i>	4-7'	
Wand panic grass	<i>Panicum virgatum</i>	3-6'	
Coral honeysuckle vine	<i>Lonicera sempervirens</i>		vine for fence

Garden Annuals will be added in spring to attract butterflies and birds. These will include Cleome, Zinnia, Lantana, and Tithonia

Nancy Long Bird & Butterfly Garden Proposal

March 28, 2019 #HS



Final Plant List Glen Echo Bee and Butterfly Garden

1 Allegheny service-berry

Amelanchier laevis

1 Alternate-leaf dogwood

Cornus alternifolia

2 American elderberry

Sambucus canadensis

3 Black Chokeberry

Aronia melanocarpa

3 Little false bluestem

Schizachyrium scoparium

1 Sassafras

Sassafras albidum

1 Silky dogwood

Cornus amomum

6 Swamp milkweed

Asclepias incarnata

1 Sweetbay

Magnolia virginiana

6 Joe-pye-weed

Eutrochium purpureum

6 Wand panic grass

Panicum virgatum

1 Coral honeysuckle (vine)

Lonicera sempervirens

12 Cleome

12 Lantana

12 Zinnia

8 Tithonia



16111 Morrow Road, Poolesville, MD 20837
Office (301) 330-4949 FAX (301) 977-4949
www.hugheslandscaping.com



Landscaping Proposal for:

Job Site Account # 72850

Glen Echo Town Hall

6106 Harvard Ave
Glen Echo, MD 20812

Phone: 301-320-4041
Email: townhall@glenecho.org

Hughes Landscaping & Supply Co., Inc. is pleased to bid the following for the property referenced above. Price includes all labor and materials required. All work will be performed in a professional manner and all of the debris will be hauled away unless otherwise indicated.

JOB: New Pathway at Oxford Road

DESCRIPTION OF WORK:

- Remove existing wood posts along the road
- Excavate pathway about 5-foot-wide along the side of the road
- Install a layer of tyar throughout the area that has been excavated to help prevent weeds from growing in the pathway
- Install either wood chips or stone along the walkway
 - Stone requires very little maintenance where woodchips would have to be added every year or at least every other year

Total cost with woodchips: \$1,982.00

Total cost with stones: \$2,468.00

Prepared By: **Wyatt Hughes**, Your Personal Landscape Manager

To accept this proposal please sign and return it to our office via mail, e-mail (mjchinchilla@hugheslandscaping.com) or fax to (301) 977-4949. Any approved work over \$1,000.00 requires a 1/3 deposit.

I have read the attached Contract for Services information and accept the terms as quoted.

Accepted: _____

Date: _____

Resolution No. 19-11
Adopted: November 11, 2019
Effective: November 11, 2019

**RESOLUTION OF
THE TOWN OF GLEN ECHO**

**SUBJECT: RESOLUTION TO APPROVE MEMORANDUM OF
UNDERSTANDING CONCERNING DEBRIS MANAGEMENT**

WHEREAS, Montgomery County, Maryland (the "County") implements a Debris Management Plan (the "Plan"), as approved by the Federal Emergency Management Agency ("FEMA"), which is part of the County's Emergency Operations Plan;

WHEREAS, the County has invited the **Town of Glen Echo** to participate in the Plan and therefore be able to use the provisions of the Plan for the clearing, collection, removal and processing of debris resulting from a Declaration of Emergency due to a significant disaster or hazard, and to be eligible for reimbursement from FEMA, as such participant; and

WHEREAS, the **Town of Glen Echo** finds that entering into the attached Memorandum of Understanding with the County would promote the good government of the Town and protect and preserve the Town's rights, property, and privileges.

NOW, THEREFORE, BE IT RESOLVED this 11th day of November, 2019, by the Council of the **Town of Glen Echo** that:

1. The **Town of Glen Echo** hereby authorizes the **Town Clerk-Treasurer** to execute the attached Memorandum of Understanding; and
2. This resolution is effective as of this 11th day of November, 2019.

I, **Elizabeth Boa**, **Town Clerk-Treasurer** of the Town Council, hereby certify that the foregoing Resolution was adopted by the Council at its open meeting on the 11th day of November, 2019.


Elizabeth Boa, Town Clerk-Treasurer

TOWN OF GLEN ECHO MOU WITH COUNTY FOR DEBRIS MANAGEMENT PLAN

RECOMMENDED STEPS FROM DEP TO GET STARTED:

1. Identify key debris operations staff in town.
 - Identify
 - Establish Roles & Responsibilities
2. Identify areas for potential temporary debris management sites. (Completed)
 - Arrangements will be made between FEDS/DEP/DOT /contractor
3. Execute MOU
 - This will allow for County resources of extensive equipment & specialized monitoring contractors to be made available upon declaration of a Federal emergency
 - Cost for the services already established
 - MOU contains the obligations and responsibilities the Town has to meet to activate the debris management plan.
4. Obligations:
 - Identify Jurisdiction Representative.
 - Create an Emergency Response Plan
 - Identify Monitors to observe and document clean up—County will do this.
 - Clear debris from the road the Town owns to open for County's Contractor.
 - Pay fees: they will be estimated depending on the severity of the event; County will estimate the disposal fees; Ancillary fees of County staff (based on actual costs proportionally divided among parties
 - What goes into the fee estimates /actuals: Severity of storm; county tipping fees
 - Provide detailed map of town

DECISION POINTS/FUTURE ACTIONS:

1. **Jurisdiction Representative** appointment
2. Development of **Emergency Response Plan** for the Town of Glen Echo, in particular a communications plan; consider generator
3. Develop an **agreement/plan** with a contractor to substitute for our lack of a Department of Public Works; How and who? Will DEP Train?
4. Explore **other muni's** Emergency Response Plans.
5. Beth to attend EOC Training for Emergency Preparedness Training. Consider others?
6. County willing to work with us to resolve any questions
7. MML has resources also.



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Marc Ehrlich
County Executive

Adam Ortiz
Director

Greetings,

The purpose of this letter is to invite your community to participate in the planning process of the Montgomery County Debris Management Plan (DMP). Montgomery County is currently updating the Federal Emergency Management Agency (FEMA) approved debris management plan that identifies the procedures, resources, and facilities involved in performing the debris clean-up after a severe weather event.

Participation in the planning process will involve your community sending its debris recovery operations leaders and critical staff to attend a planning meeting with Montgomery County. The greatest benefit of your community's involvement in the planning process will be the creation of a DMP that details specific debris recovery operation procedures tailored to your community's needs.

To best prepare for the planning meeting, the recommended steps are that your community establishes a list of roles and responsibilities for your key debris operations staff along with their contact information. Also, it is recommended that your community identifies land in your jurisdiction that could potentially be used as a temporary debris management site (DMS). The attached document with suggested criteria is to use when identifying potential sites.

The County has also established contracts with emergency debris management contractors with extensive equipment resources and a specialized monitoring contractor (to document activities for FEMA reimbursement). These resources will become available to your community at reasonable costs, already established within our contracts, through the execution of a Memorandum of Understanding (MOU) should you choose to participate in the overall plan. A draft MOU is attached for your information that more fully details the obligations and responsibilities of all parties during an emergency which requires activation of the debris management plan. For administrative purposes, FEMA will require that all plan participants sign a new MOU.

An initial planning meeting with the County Debris Management Planning team will be held at the Montgomery County Department of Environmental Protection (16101 Frederick Road, Derwood, MD 20855) at 10:00 AM on Wednesday, October 2, 2019. If you have additional questions, please feel free to reach out to Jamie Foster at 240-777-6574 or jamie.foster@montgomerycountymd.gov.

We look forward to working with your community on this plan and are available to answer any questions you may have.

Sincerely yours,

Don Birnesser

Resource Conversion Section
16101 Frederick Road • Derwood, Maryland 20855
www.montgomerycountymd.gov • Located one block west of the Rockville Metro Station
♻️ Printed on recycled and recyclable paper

MEMORANDUM OF UNDERSTANDING
BETWEEN MONTGOMERY COUNTY AND
THE _____

This Memorandum of Understanding ("MOU") is by and between Montgomery County, Maryland, a body corporate and politic, and a political subdivision of the State of Maryland ("County") and the _____, Maryland, a municipal corporation of the State of Maryland ("Jurisdiction").

RECITALS

1. The County has a Debris Management Plan, approved by the Federal Emergency Management Agency (FEMA) in December 2008, which is part of the County's approved Emergency Operations Plan.
2. The County is currently updating the Debris Management Plan and plans to have the project completed in the Fall of 2019.
3. The updated Debris Management Plan will include provisions for the clearing, collection, removal and processing of debris resulting from a significant hazard or disaster occurring in the County.
4. The County wishes to include the Jurisdiction as a party able to use the provisions of the Debris Management Plan for the clearing, collection, removal and processing of debris resulting from a Declaration of Emergency due to a significant disaster or other significant hazard or disaster occurring in the County, and under the terms of this MOU.
5. The Jurisdiction desires to be able to use the provisions of the Debris Management Plan for the clearing, collection, removal and processing of debris collected within the Jurisdiction or designated privately owned area resulting from a significant disaster occurring in the County, upon the County's activation of the Debris Management Plan and under the terms of this MOU.

NOW THEREFORE, in consideration of the terms of this MOU, the parties agree as follows:

1. The recitals are incorporated herein as if fully set forth.
2. **Definitions**

Ancillary Fees -Ancillary Fees are those costs associated with debris removal that are not covered by specific transportation and disposal charges. They include, but are not limited to, administrative and data management costs, staffing costs for monitors and others directly associated with the debris management operations, supplies, temporary utilities and other justifiable expenses necessary for conducting debris management operations.

County Representative- The County Representative will be the Montgomery County Department of Environmental Protection, Division of Solid Waste Services Division Chief or his designee.

Debris Management - The collection, processing, and recycling or disposal of items and materials broken, destroyed, or displaced by a natural or man-made significant disaster.

Debris Management Plan-The County's plan, and part of the County's Emergency Operations Plan, for the collection, processing, and recycling or disposal of debris generated by a significant disaster.

Declaration of Emergency-A formal declaration by the Governor of Maryland that a state of emergency exists, making jurisdictions within the State eligible for reimbursement for certain emergency related expenditures.

Eligible Material - Eligible Material refers to material whose management costs are eligible for reimbursement under FEMA guidelines such as debris blocking roads. While Eligible Material generally refers to debris on public roads and along public rights-of-way, under specific circumstances outlined in FEMA policy and regulatory documents, FEMA may also designate material on private roads and property as Eligible Material. In these cases, specific guidance from a FEMA official would be required before materials on private roads or property would be included for management under the Debris Management Plan.

Estimated Disposal Fee - Prior to knowing actual management and disposal costs and the final level of FEMA reimbursement for debris management, the County will set an Estimated Disposal Fee to cover ongoing costs for management of debris which should approximate the actual costs for management of the material. This will be an amount calculated to cover the cost per ton or per cubic yard of processing, recycling or disposal of debris that will be paid at the gate or invoiced to parties bringing material to temporary or permanent debris management facilities.

Facility - A Facility is a building, works, system, equipment, or an improved or maintained natural feature.

Federal Emergency Management Agency (FEMA) - The federal agency which oversees the federal response and financial reimbursement to jurisdictions when a formal declaration of emergency has been issued.

Final Adjusted Fee-The Final Adjusted Fee considers all costs and reimbursement and may result in a rebate to jurisdictions that paid the Estimated Disposal Fee during the clean-up of debris.

Jurisdiction - One of the nineteen (19) legally defined municipalities or two (2) special taxing districts within Montgomery County, Maryland that is managed by a public body or individual and has explicitly defined boundaries.

Jurisdiction Representative - The Jurisdiction Representative is the individual authorized to mobilize resources and make financial commitments on behalf of a jurisdiction relative to debris management.

Jurisdiction's Vehicles and Equipment-Jurisdiction's Vehicles and Equipment includes all types of dump trucks, stake body trucks, demolition trailers, walking floor trailers, front end loaders, cranes, grapples, wood chippers and grinders, and any other equipment used in the collection, management and transportation of debris.

Loading Location - Loading Location refers to the specific street and address or approximate address of where debris is loaded into a vehicle and recorded on a ticket by a Monitor.

Monitors - Monitors are individuals under contract to Montgomery County or participating jurisdictions whose job it is to document the loading and receipt of debris for the purpose of preparing necessary information to obtain FEMA reimbursement for the costs of managing Eligible Material. This term may be used in the singular or plural form.

Permanent Debris Management Site - An existing waste management facility with required federal, State and local permits, routinely operating in accordance with applicable laws and regulations that is part of the County's permanent integrated waste management program.

Monitoring Contract - A contract between Montgomery County and a firm qualified to observe and document the clean-up after an emergency event and prepare all necessary documents for submittal to FEMA for reimbursement of debris management costs.

Temporary Debris Management Site - A Temporary Debris Management Site is any site approved by Montgomery County for the short-term receipt, processing and reloading or transfer of debris to meet the short-term needs for debris storage in response to an emergency.

3. Obligations of the County when this MOU is Signed by a Jurisdiction

- A. The County agrees that the Jurisdiction will be able to use the provisions of the Debris Management Plan for the clearing, collection, removal and processing of debris collected within the recorded boundaries of the Jurisdiction resulting from a significant hazard or disaster occurring in the County, upon the County's activation of the Debris Management Plan and under the terms of this MOU.
- B. The County agrees to allow the Jurisdiction to piggyback/bridge the County's contracts with debris management contractors and Monitoring Contract(s), upon the County's activation of the Debris Management Plan and under the terms of this MOU.

- C. The County allows the Jurisdiction to deliver debris or cause debris to be delivered to the Temporary and Permanent Debris Management Sites listed in the Debris Management Plan or any other County-approved site, upon the County's activation of the Debris Management Plan and under the terms of the MOU.
- D. The County contractor's debris management Monitors at the Temporary and Permanent Debris Management Sites will determine the total volume of debris and the amount of debris with sufficient and proper documentation such as completed load tickets to be submitted for debris management cost reimbursement, delivered or caused to be delivered by each Jurisdiction.
- E. Jurisdictions eligible to apply directly to FEMA for reimbursement must do so. The County will not submit reimbursement requests to FEMA on their behalf, if FEMA will accept applications directly from the Jurisdiction. If for some reason the Jurisdiction is not eligible to apply directly to FEMA for reimbursement, the County will reimburse them for any FEMA reimbursement received relative to their Eligible Material.

4. Obligations of the Jurisdiction

The Jurisdiction agrees that in exchange for the preceding commitments of the County and as conditions precedent to the County's commitments, the Jurisdiction will comply with all applicable paragraphs below:

- A. Pay the County an Estimated Disposal Fee* per cubic yard of debris for each cubic yard of debris collected within the recorded boundaries of the Jurisdiction by the Jurisdiction, the Jurisdiction's contractors and County contractors** and delivered to the Temporary and Permanent Debris Management Sites, upon activation of the Debris Management Plan, within thirty (30) days of invoicing by the County. Some portion of this fee may be reimbursed at a later date, depending upon the amount of federal and State reimbursement the County receives.
- B. Pay an Ancillary Fee* per cubic yard of debris for each cubic yard of debris collected within the recorded boundaries of the Jurisdiction by the Jurisdiction, Jurisdiction's contractors and County contractors** and delivered to the Temporary and Permanent Debris Management Sites, the Ancillary Fee will be based on work that County staff or County contractor staff must perform that is not directly related to collecting and disposing or recycling the debris.
- C. Settle with the County on the Final Adjusted Fee which may result in a rebate or an invoice to the Jurisdiction depending upon levels of reimbursement and whether the Estimated Disposal Fee is over- or under-estimated actual costs.

* Estimated Disposal Fees and Ancillary Fees will be established at the time of a Declaration of Emergency and will vary depending upon the severity of the event and the level of outside resources required. Estimated Disposal Fees will be based on the current tipping fees at the Shady Grove Processing Facility and Transfer Station plus any additional per ton costs related to the emergency. Ancillary Fees will be based on actual non-disposal costs related to the emergency proportionally divided among parties delivering debris to County facilities.

**Exclusive of costs associated with debris removed from County, federal and State maintained roads and property within the Jurisdiction which are the responsibilities of the respective parties.

D. Provide, or cause to be provided, properly trained Loading Location Monitors at locations within the recorded boundaries of the Jurisdiction where debris is collected and loaded onto vehicles.

- E. Train or retain Loading Location Monitors to estimate cubic volumes of debris loaded into vehicles, measure the dimensions and estimate the capacity of each vehicle transporting debris to the temporary or permanent debris management sites, and document the type of debris loaded on the load ticket.
- F. Use the County's load tickets or develop a load ticket that includes sufficient criteria listing information to identify vehicles transporting debris, the vehicle's debris carrying capacity, type of debris, date, identification of the Loading Location Monitor, location where the debris was loaded and other relevant information, including a detailed map of the Jurisdiction including street names and boundaries. The load ticket must also indicate whether the vehicle was machine loaded and compacted or hand-loaded (note: hand-loaded vehicles are only eligible for reimbursement for 50 percent of the vehicle capacity).
- G. Assure that all of the Jurisdiction's Vehicles and Equipment and other equipment that the Jurisdiction uses or causes to be used for debris hauling must be in compliance with all applicable federal, State and County rules and requirements.
- H. Assure that all the Jurisdiction's Vehicles and Equipment and other equipment that the Jurisdiction uses or causes to be used for debris hauling must be capable of unloading debris without the assistance of other equipment.
- I. Assure that the Jurisdiction's Vehicles and Equipment and other equipment that the Jurisdiction uses or causes to be used is capable of holding debris to be transported without spillage and able to be filled to capacity.
- J. Assign and affix a number on each side of the equipment in at least three inch high lettering. The lettering must be easy to read in contrast to the color of the equipment where the identification is affixed. There must also be a sign showing the maximum volume, in cubic yards, of the load bed to each piece of equipment assigned to transport debris that is easily visible by Monitors. The Jurisdiction may use the County's records for identification purposes of the vehicles provided that the County has inspected these vehicles and issued the vehicles a County solid waste license.
- K. Assure that the Loading Location Monitors must have the following information for each piece of equipment used to haul debris: Provide the County Representative or his/her designee information about the type of vehicle; make and model; license plate number; equipment number; and maximum measured volume, in cubic yards, of the load bed for each piece of equipment to haul debris. All vehicles used to haul debris will be jointly measured by a Jurisdiction Representative and a county representative before such vehicle or trailer is placed into service.

- L. Assure that all debris is safely secured on each vehicle hauling debris. The Jurisdiction Representative or his/her representative must inspect each load before departure to Temporary and Permanent Debris Management Sites or other approved destinations. Debris must be covered by a tarp or equivalent covering during transport. Debris may not extend beyond the vehicle's bed.
- M. Observe side boards on trucks and trailers so that they do not exceed a height of three (3) feet above the metal truck bed or trailer body.
- N. Prohibit hand loaded trailers unless approved by the County Representative. Approved hand loaded trailers will have their measured volume reduced by 50 percent.
- O. Provide maps to the County and a complete list of streets with the Jurisdiction's recycling and municipal waste disposal collection routes.

5. Terms

This MOU is effective on the date executed below by the County's Chief Administrative Officer. Either party may terminate this MOU upon 60 days written notice to the other party.

(SIGNATURE PAGE TO FOLLOW)

IN WITNESS WHEREOF, the parties have executed this agreement this ____ day of _____
20____.

SIGNATURES

MONTGOMERY COUNTY, MARYLAND

City Manager

Andrew Kleine
Chief Administrative Officer

Date

Date

Recommendation:

Recommendation:

Director of Public Works

Adam Ortiz, Director
Department of Environmental Protection

Date

Date

APPROVED AS TO FORM AND LEGALITY
BY THE OFFICE OF THE _____
ATTORNEY

APPROVED AS TO FORM AND LEGALITY

By: _____
Date _____

Terrilyn E. Brooks, Associate County Attorney
Office of the County Attorney

Date

Town of Glen Echo
Revenue/Expenses Actual vs Budget
 July through October 2019

	Jul - Oct 19	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
01. Real Estate Property Tax	97,441	130,000	-32,559	75%
02. Personal Property				
02.1 Corporate	1,128	2,000	-872	56%
02.2 Unincorporated	0	100	-100	0%
02.3 Public Utility	0	22,000	-22,000	0%
Total 02. Personal Property	1,128	24,100	-22,972	5%
03. State Income Tax	0	115,000	-115,000	0%
04. Highway	0	16,643	-16,643	0%
05. License/Permits				
05.1 Admissions & Amusement	912	300	612	304%
05.2 Build Perm	100	3,500	-3,400	3%
Total 05. License/Permits	1,012	3,800	-2,788	27%
06. Rental Inc				
06.1 Post Off.	7,975	31,899	-23,924	25%
06.2 T H Rental	2,825	12,000	-9,175	24%
06.3 Parking Lot--Tulane	600	3,600	-3,000	17%
Total 06. Rental Inc	11,400	47,499	-36,099	24%
07. Interest	237	1,500	-1,263	16%
08. County Revenue Sharing	0	20,762	-20,762	0%
09. Cable Franchise	0	3,500	-3,500	0%
10. Echo Newsletter				
10.1 Advertisements	0	2,000	-2,000	0%
10.2 Subscriptions	0	100	-100	0%
Total 10. Echo Newsletter	0	2,100	-2,100	0%
11 Misl Revenue				
11.1 Walking Tour Book	16			
Total 11 Misl Revenue	16			
Total Income	111,234	364,904	-253,670	30%
Expense				
Reconciliation Discrepancies	234			
20 Payroll				
20.1 Salary	17,345	46,800	-29,455	37%
20.2 Employer Taxes	1,212	4,500	-3,288	27%
20.3 Staff Training	709	2,000	-1,291	35%
Total 20 Payroll	19,266	53,300	-34,034	36%
21 Professional Services				
21.1. Auditor	4,327	8,000	-3,673	54%
21.2. Legal				
21.21 Town Attorney	7,748	25,000	-17,252	31%
21.22 Specialized Legal Svcs.	0	10,000	-10,000	0%
Total 21.2. Legal	7,748	35,000	-27,252	22%
21.4 Oth Prof Svcs	0	5,000	-5,000	0%

Town of Glen Echo
Revenue/Expenses Actual vs Budget
 July through October 2019

	Jul - Oct 19	Budget	\$ Over Budget	% of Budget
21.5 Traffic Study Consultant	0	2,000	-2,000	0%
21.6 Records Ret./Archiving	1,471	5,000	-3,529	29%
21.7 IT Support	355	2,000	-1,645	18%
21.8 Arborist	525	750	-225	70%
21.9 Town Engineer/Bld. Insp.	5,520	10,000	-4,480	55%
21.10 Office Temporary Help	380	1,500	-1,120	25%
Total 21 Professional Services	20,326	69,250	-48,924	29%
22. Fixed Op Ex				
22.1 Office & TH Utilities				
22.11 Electrical	1,021	2,100	-1,079	49%
22.12 Gas	44	1,200	-1,156	4%
22.13 Telephone/Internet	731	3,200	-2,469	23%
22.14 WSSC	140	1,200	-1,060	12%
Total 22.1 Office & TH Utilities	1,936	7,700	-5,764	25%
22.2 Office				
22.21 Office Supplies	247	2,500	-2,253	10%
22.22 Software/Domain	531	1,500	-969	35%
22.23 Copier Rental	494	1,500	-1,006	33%
Total 22.2 Office	1,272	5,500	-4,228	23%
22.3 Bank Fees	43	250	-207	17%
22.4 Website	0	3,000	-3,000	0%
22.5 Ins & Bond	1,896	3,000	-1,104	63%
22.6 Dues, Subs., Conf.	1,695	2,500	-805	68%
22.7 Admin				
22.71 Admin. Payroll Fee	550	1,500	-950	37%
22.72 Flyer Delivery Charges	20	300	-280	7%
22.73 Misl. Admin Fee	194	1,000	-806	19%
Total 22.7 Admin	764	2,800	-2,036	27%
22.8 Echo	757	3,200	-2,443	24%
22.9 Town Hall				
22.91 TH Supplies	829	2,250	-1,421	37%
22.92 TH Cleaning Service	1,015	3,500	-2,485	29%
22.93 TH Maintenance	1,020	4,000	-2,980	26%
22.94 TH Elevator Maintenance	0	6,000	-6,000	0%
Total 22.9 Town Hall	2,864	15,750	-12,886	18%
22.11 T H Improv	400	6,000	-5,600	7%
22.12 Office Furniture & Equip.	0	2,000	-2,000	0%
Total 22. Fixed Op Ex	11,627	51,700	-40,073	22%
23 Streets				
23.1 Streetlights	2,575	9,500	-6,925	27%
23.2 Street Sweeping	1,120	4,000	-2,880	28%
23.3 Street Signs	0	5,000	-5,000	0%
23.4 Parking Lot--Town Hall	0	20,000	-20,000	0%
23.5 Street Repair	0	15,000	-15,000	0%

Town of Glen Echo
Revenue/Expenses Actual vs Budget
 July through October 2019

	Jul - Oct 19	Budget	\$ Over Budget	% of Budget
23.6 Sidewalk Repair	0	5,000	-5,000	0%
Total 23 Streets	3,695	58,500	-54,805	6%
24 Town Services				
24.1 Community Contribution	4,000	4,000	0	100%
24.2 Landscape				
24.21 TH Landscaping	1,418	7,500	-6,082	19%
24.22 Town Right of Way	1,422	7,200	-5,778	20%
24.23 Environmental Imp Project	0	5,000	-5,000	0%
Total 24.2 Landscape	2,840	19,700	-16,860	14%
24.3 Snow Removal	0	25,000	-25,000	0%
24.4 Refuse/Recycling	11,325	40,000	-28,675	28%
24.5 Town Trees				
24.51 Town Tree Pruning	0	3,000	-3,000	0%
24.52 Town Tree Removal	550	5,000	-4,450	11%
Total 24.5 Town Trees	550	8,000	-7,450	7%
24.6 Leaf Removal	0	15,600	-15,600	0%
24.7 Community Events	4,185	8,500	-4,315	49%
Total 24 Town Services	22,900	120,800	-97,900	19%
Total Expense	78,048	353,550	-275,502	22%
Net Ordinary Income	33,186	11,354	21,832	292%
Net Income	33,186	11,354	21,832	292%

**Town of Glen Echo
Account Balances****As of October 31, 2019**Oct 31, 19**ASSETS****Current Assets****Checking/Savings**

MD Local Gov't Investment Pool 82,995.80

SunTrust Cash-Checking 78,795.41

SunTrust MM 563,486.98

Total Checking/Savings 725,278.19**Total Current Assets** 725,278.19**TOTAL ASSETS** 725,278.19**LIABILITIES & EQUITY****Liabilities****Current Liabilities****Other Current Liabilities****Bond Deposit**

Town Hall Deposit 200.00

Right of Way Bond 5,000.00

Total Bond Deposit 5,200.00**Total Other Current Liabilities** 5,200.00**Total Current Liabilities** 5,200.00**Total Liabilities** 5,200.00**TOTAL LIABILITIES & EQUITY** 5,200.00

Town of Glen Echo
Expenses by Vendor Summary
October 2019

	<u>Oct 19</u>
Advance Business Systems	124
Blue Crab Contracting, LLC	3,338
Bolt Legal, LLC	5,662
GEPPAC	2,000
Glen Echo Fire Department	2,000
Goode Companies, Inc.	2,910
Hughes Landscaping & Supply Co. Inc.	942
Joseph F. Toomey Associates, Inc	720
Julia A. Wilson	20
Maid Brigade	290
PEPCO - (streetlights)	907
Print 1 Printing & Copying	190
Shaun Markham	330
Sun Trust Bankcard, N.A.	2,270
The Hartford	100
University of MD	250
Verizon - Phone Line	241
Washington Gas	11
TOTAL	<u><u>22,305</u></u>

Town of Echo

Revenue/Expenses by Month

July through October 2019

Ordinary Income/Expense

	Jul 19	Aug 19	Sep 19	Oct 19	TOTAL
Income					
01. Real Estate Property Tax	294	7,726	27,299	62,122	97,441
02. Personal Property	0	909	0	219	1,128
03. State Income Tax	-8,859	8,859	0	0	0
04. Highway	-768	768	0	0	0
05. License/Permits	100	0	0	912	1,012
06. Rental Inc	2,833	5,708	0	2,858	11,399
07. Interest	-115	181	170	0	236
11 Misc Revenue	16	0	0	0	16
Total Income	-6,499	24,151	27,469	66,111	111,232
Expense					
Reconciliation Discrepancies	0	234	0	0	234
20 Payroll	3,703	4,528	4,360	6,675	19,266
21 Professional Services	-2,201	4,812	7,355	10,361	20,327
22. Fixed Op Ex	5,187	1,487	2,214	2,738	11,626
23 Streets	606	1,743	651	694	3,694
24 Town Services	5,633	3,775	4,882	8,610	22,900
Total Expense	12,928	16,579	19,462	29,078	78,047
Net Ordinary Income	-19,427	7,572	8,007	37,033	33,185
Net Income	-19,427	7,572	8,007	37,033	33,185

From: Joseph F. Toomey, Permit reviewer for the Town of Glen Echo
To: Willem Polak, Mayor, Town of Glen Echo
Subject: Progress report on Vassar Circle Development and Construction
Date: November 8, 2019

The status of the Vassar Circle development, as of Friday morning, November 8, 2019, shows progress on the roadway widening paving, and finish work at #4 Vassar Circle.

With the concrete curb and gutter in place, work on widening the asphalt pavement began last week. The work started at the higher elevation area of the circle, with excavation, gravel base placement, and paving working towards the lower elevations. By starting at the higher elevation, runoff of storm water, mud, and silt will be minimized. Approximately forty percent of the circle has been completed. The work required to widen the pavement includes excavating the existing soil to a suitable sub-base level, placing and compacting a gravel base, and spreading the coarse base layer of asphalt. The present finished level is two inches lower than that which will be the final finished level, as the whole street width will be milled and overlaid paved when all of the heavy site work has been completed.

Siding installation of #4 Vassar Circle is now three-quarters complete, and electric service has been connected. A long list of work still remains. This work includes completion of siding, front porch finish and trim, installation of the porch and dormer standing seam metal roof, concrete driveway and driveway apron, gutters and downspouts, front walk, water and sewer connection from the curb to the house, finished grading, storm water management facility, and landscaping and sod. Interior finish work also exists. Final Montgomery County permit inspections have not been held, and a County occupancy permit has not been issued.

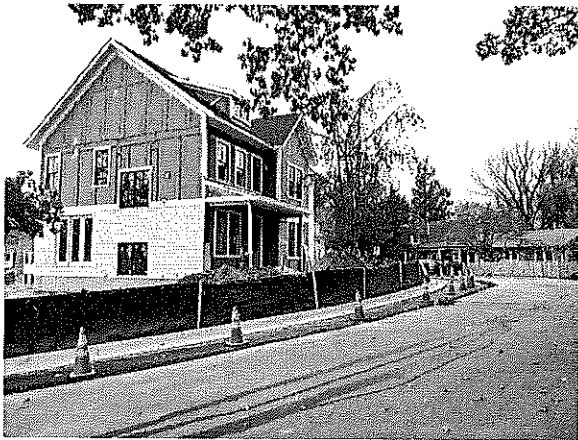
I have attached photographs of the project as it appeared Thursday, November 6th and 7th.



Excavation underway to a suitable base, and filled with compacted gravel for the pavement base.



Asphalt placement and compaction.



#4 Vassar Circle, Thursday, November 7, 2019.

November 8, 2019

Update on Code Enforcement Activities by Wayne C Fowler, Town Code Enforcement Officer

- Visited Vassar Circle site regularly – enforced dirt clean up on site, silt fence sediment leak clean up, truck routes; monitored utility installation by Pepco, Washington Gas, and WSSC. Monitored curb installation and sidewalk repairs.
- Cornell Ave – required port a potty be moved on site; sidewalk and street clean up after landscaping.
- Posted new truck route signs.
- Monitored and ensured paving work on Bryn Mawr by WSSC was completed according to Town's requirements.