

The Town of
GLEN ECHO
Chartered 1904

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Town Council Meeting Minutes
December 9, 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: Captain Sean Gagen, Commander of the Second Police District; Sarah Hedlund, Archivist and Librarian, Montgomery History.

Residents: John Barrett (Wellesley Circle), Raya Bodnarchuk (Harvard Ave), Pete Epanchin (Wellesley Circle), Aaron Hirsch (University Ave), Emily Parsons (The Echo), Martha Shannon (Wellesley Circle), Edie Springuel (Vassar Circle), Renny Springuel (Vassar Circle).

GUEST SPEAKER: CAPTAIN SEAN GAGEN

CM Stiglitz introduced Captain Gagen, Commander of the Second Police District which includes Glen Echo. CM Stiglitz is on the Police Advisory Board. Captain Gagen discussed his top three priorities for the District, which is the second largest in population of the six districts in the County. His priorities are: improving safety (reducing crime and improving the quality of life including improving traffic issues); developing community relationships with Towns and other communities; and building community trust with the police.

In terms of crime, violent crime is the lowest in the second district, however property crime such as burglary and automobile theft in this district ranks second in the County. The most important way to deter these crimes is to lock cars and houses and remove valuable items from cars.

CM Stiglitz asked when the pedestrian signal will be completed at Princeton and MacArthur. Captain Gagen will look into this. The topic of trucks that exceed weight limits driving on Town streets was addressed. The Town can coordinate with the police department's certified truck inspectors when these trucks are expected in Town.

GUEST SPEAKER: SARAH HEDLUND, ARCHIVIST

Sarah Hedlund gave an update on her work with the Town's archives. Her report is attached to the minutes. The budget estimate was for \$4,480 and the actual amount spent is \$4,075. The remaining work is to go through former Mayor Debbie Beers' records and photographs on CD. Ms Hedlund created a Town records list and an

archives finding aid. She will develop guidelines for accessing documents in Town Hall so that documents will be preserved and protected. She offered as an option that some documents could be donated to Montgomery History for protection, including issues of The Echo.

ACTION ON NOVEMBER 11, 2019 COUNCIL MEETING MINUTES:

Minutes of the November 11, 2019 Council meeting were approved as amended.

Motion to Approve: CM Stiglitz, 2nd CM Spealman. Approved 4-0.

INTRODUCTION OF DATA SECURITY POLICY 19-12:

Maryland State Law requires that Towns adopt a data security policy.

Motion to Adopt Policy 19-12 as amended: CM Stiglitz, 2nd CM Spealman. Approved 4-0.

Policy 19-12 is attached.

DISCUSSION OF ORDINANCE 19-05: DUMPSTERS, PODS AND HEAVY EQUIPMENT:

The Council discussed whether to require a dumpster cover and what type of cover. Attorney Bolt will add language to the ordinance allowing for a permit to require a dumpster cover. The Council can determine the right-of-way bond fee when it amends the fee schedule. A hearing on Ordinance 19-05 will be held at the January 13, 2020 Council Meeting.

Motion to Introduce Resolution 19-05 as amended: CM Stiglitz, 2nd CM Wilson. Approved 4-0.

DISCUSSION OF ORDINANCE 19-06 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 the 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 requested that a hearing/work session be scheduled on Ordinance 19-06. This is scheduled for December 16, 2019 at 7pm and will include a presentation by Paul Mortensen from M-NCPPC. CM Spealman will share his comments with the Council and Attorney Bolt. The County's Zoning Text Amendment 19-01 on Accessory Dwelling Units will go into effect December 31, 2019.

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

The month of November was an average month as far as revenues and expenses.

The Town paid the balance of \$3,000 to LSWG for the FY19 audit. The Bird and Butterfly Garden installation so far was \$3,290, for which the Town budgeted \$5,000. If the Environmental Committee is able to fundraise for the cost of the plants this may come in under budget.

An upcoming expense is leaf removal which began October 30 and will continue for 8 weeks. The Town budgeted \$15,600.

Another area of expense will be road repairs on Vassar Circle. Joe Toomey has observed, while monitoring the work of the roadway widening contractor, is that in some areas the roadway base, below the 2 to 3 inch thick surface course, consists of nothing more than 3 to 4 inches of 1-1/2 inch stone, held together with an asphalt binder. In the areas where alligating has occurred, this base has failed. The proper repair involves excavating the surface asphalt and base material to the roadway subgrade, and building up the roadway with a new 4 inch asphalt base prior to the final 2 inch full roadway width mill and overlay pave.

In Joe's review of the areas that show signs of alligator failure, he and Mayor Polak marked and measured 5 areas. At a cost estimate of \$5 per square foot for cutting out the area to the subgrade, and placing a new 4 inch base, Joe developed the following cost estimate. The Town will need to work with a contractor chosen by the developer (Mr. Hirsch), to tie this work into the work of the final mill and overlay pave.

The five areas of concern are:

Area 1- #13 & #15 Vassar Circle
25' long by 18' full width wide = \$3,150

Area 2 - #1 Vassar Circle
25' long by 4' wide = \$500

Area 3 - #3 Vassar Circle
37' long by 8' wide = \$1,500

Area 4 - #5 Vassar Circle
13' long by 9' wide = \$585

Area 5 - #11 Vassar Circle
31' long by 9' wide = \$1,395

The estimated total for this work is \$7,130. Mayor Polak suggests budgeting \$10,000. The Town has budgeted \$15,000 for street repair for FY2020.

The Town received tax revenue of \$44,606 for November 2019 Local Income Tax Distribution.

Budget Amendment to Consider:

The Town Engineer and Building Inspector (budget number 21.9) is at 75% of budget (\$7,493 of \$10,000). The Council may need to consider a budget amendment for these costs. Joe Toomey and Wayne C Fowler will continue to monitor the development at Vassar Circle especially the needed road repairs that were recently found (see above).

TC Boa also requested that the Council consider a budget amendment for dues, subscriptions and conferences since 75% of this has been spent already (\$1,815 of \$2,500) and TC Boa would like to attend the MML Conference in June in Ocean City. The registration fee is approximately \$500 plus there is the cost of the hotel. So far, the dues for MML were \$1,114 and the fall MML conference was \$531. The MML Legislative Dinner cost \$120 for TC Boa and Mayor Polak.

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

OPERATIONS REPORT: Social; Infrastructure; Administrative

Town Operations and Activities during the month of November include:

Social Activities:

- **Holiday Brunch:** This was held December 7 at 10-11:30am at the Town Hall. Mr Omelette catered.

Infrastructure Issues:

- **Waste/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. Is there any interest in pursuing this? The Village of Chevy Chase and the Town of Chevy Chase are meeting with Goode Companies regarding their contracts and will report back to TOGE.

Goode Companies may be discontinuing municipality work. The Council will wait to see if Goode Companies discontinues service before deciding whether to switch vendors. She will call and let Ken Shumaker of Montgomery County Sanitation and Recycling, Inc, that the Council has not decided whether to move services to them mainly due to their higher cost. TC Boa will arrange a tour of the Montgomery County Recycling Center next year.

- **Leaf Collection:** Hughes Landscaping started collecting leaves on October 30 and will continue for eight Wednesdays through December 18.
- **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 received an estimate of \$6,200 to install a gutter along the sidewalk for runoff. The Town has asked Hughes Landscaping for alternative ideas that are less costly.

Administrative:

- **Emergency Planning:** CM Wilson and TC Boa met to discuss emergency preparedness in Glen Echo. TC Boa will create an emergency preparedness web page. TC Boa took the County Emergency Operations Center Course in November. The Town can utilize the Web EOC in an emergency to get needs met. The staff at the EOC asked to set up a meeting with the Town to discuss communications in an emergency. TC Boa followed up December 2 and is waiting to hear back. We would also like to propose offering a CPR class for residents and hosting a speaker from Montgomery County Office of Emergency Management and Homeland Security next month.

- **Council Emails:** TC Boa was able to set up emails for the four Council Members. Please check your emails!
- **PNC Bank:** TC Boa contacted PNC Bank in Bethesda regarding moving the Town's checking, Money Market, and credit card accounts. TC Boa and Mayor Polak will meet with PNC Bank Tuesday at 2pm regarding paperwork.
- **Records Retention:** The Town has submitted the Records Retention Schedule to State Archives for final approval and signature.
- **MML Legislative Dinner Meeting:** TC Boa and Mayor Polak attended the dinner December 5.
- **MCCMA Luncheon:** TC Boa was invited to and attended the Maryland Cities Counties Management Association lunch meeting December 5 in Annapolis.
- **Christmas Week:** TC Boa will be out of the office December 23 and 24.

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. Attorney Bolt recommends the Council consider the Town requiring residents place an ADA Compliant rubber mat over the cables; tunnel under the sidewalk; or place the charging station at the curb in order to get a Town permit. The Council prefers requiring a mat.

LIVABLE COMMUNITY COMMITTEE:

CM Wilson gave an update from the Committee meeting on December 3. There will be a Winterlude Festival February 1, 2020. This will feature luminaries, fire pits, hot dogs, smores, hot chocolate, and cider. The candles will be sold as a charity fundraiser. The food costs will be between \$500-\$800. Town residents will be asked to bring a donation for the Greentree Road Family Shelter.

The Committee is looking into conducting a Town survey on aging in place to determine the need to join or create a "Village" to provide volunteer services. The Council will consider this at the January 13, 2020 Council Meeting.

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.

CLOSED SESSION:

At 10:05 p.m., Council member Stiglitz moved to enter closed session, per Maryland Code, General Provisions Article, Section 3-305(b)(7), to obtain legal advice regarding the Wild Bird Center. Council member Wilson

seconded the motion, and all voted in favor. Present for the session were Mayor Polak, all Council members, Ms. Boa, and Mr. Bolt. Legal advice was provided. Counsel was instructed to continue discussions with the Wild Bird Center. No action was taken.

ADJOURNMENT:

Motion to adjourn: CM Spealman, 2nd Wilson. All in favor. Meeting Adjourned 10:20 pm

Minutes Prepared by: Beth Boa, Town Clerk-Treasurer

Approved by: Willem Polak
Mayor, Willem Polak

Date: 1/14/25

TOWN OF GLEN ECHO ARCHIVES PROJECT
Summary Report: December, 2019
Sarah Hedlund, Contract Archivist

Scope of work: Completed

In the original Project Proposal prepared for the Mayor and Town Council presented in June, 2018 and approved in August, 2018, the following deliverables were outlined:

Archivist will be responsible for:

1. Initial research and analysis of Town governance functions to determine scope and structure of collection arrangement
2. Processing and rehousing of existing materials into acid-free folders and acid-free boxes for long-term storage and access
3. Creation of a comprehensive inventory of material, in the form of a standard, DACS-compliant finding aid containing:
 - a. Overview of both the history of the creating institution and the contents of the collection
 - b. Complete box-and-folder listing of contents sorted into series (categories) with date ranges
 - c. Location of numbered/labeled boxes
4. Recommendations for future digitization and digital curation plan for Town Council minutes and/or other material

Here is an accounting of what has been done by the Archivist on each point:

1. Initial research and analysis of Town governance functions to determine scope and structure of collection arrangement

This involved first reading and taking notes on Carlotta Anderson's book on Glen Echo's history, which helped immensely in gaining an understanding of the key people, events, and issues influencing the development of the town over the last 100 years. However, it was primarily the process of creating a preliminary inventory of all existing material kept in Town Hall that provided the context for understanding the scope of records kept and the potential historical value of each town function. This work was done within the first two months of the project (late September-early November, 2018) and took approximately 20 hours.

At the start of the project, I described the state of the materials as such:

The archival records of the Town of Glen Echo are in a significant state of disarray. Though it appears, with the possible exception of the 1990s, that records have been consistently retained, they have not been organized in a way that is comprehensible. Many file drawers and boxes contain disparate material from up to 4 different decades, interspersed indiscriminately and with no apparent order. There is evidence of several different filing systems that may have been partially imposed at various points in history; however, many of them have been lost or corrupted due to obvious re-boxing, interfiling, emptying or combining of file drawers, etc. Most of the material is in decent condition considering its

age, but a percentage of the material-- especially that stored in file drawers-- is in poorer condition, having sagged inside files or been overstuffed into folders or envelopes.

Size of the collection was estimated at 88 cubic feet, a number that would be significantly reduced in the processing, which is the next stage in the process.

2. Processing and rehousing of existing materials into acid-free folders and acid-free boxes for long-term storage and access

This was by far the most time-consuming portion of the project. 112 of the total 147 project hours to date has been spent on processing the material, which—in the case of the established disarray and corruption of original order—involved looking at nearly every piece of paper to determine:

- a) Its original function
- b) Its relation (in subject, creator or date) to either the papers it is with or papers it should be with
- c) Its uniqueness and/or historical value

The last point is where much of the reduction of material was achieved: I soon discovered that a large amount of the papers retained by various historians over the years had been copied, recopied, and recopied again, with all duplicates retained in multiple locations. Archival standards dictate that in most cases, only the original copy has lasting historical value, so disposition of thousands of duplicated materials was a large part of the processing. The final amount of processed material stands at approximately 20 cubic feet (about 1/4 of the original estimate), with an estimated additional 5-7 cubic feet of financial material that was left unprocessed in anticipation of its likely destruction according to an approved records retention schedule.

Processing also involves ordering and rehousing materials: placing like material in a logical order, in labeled acid-free folders, within larger series of intellectual order, in acid-free boxes of the proper size, while keeping track of where all material is housed—this last part is outlined in the next point below.

3. Creation of a comprehensive inventory of material, in the form of a standard finding aid to archival standards containing:

- a. **Overview of both the history of the creating institution and the contents of the collection**
- b. **Complete box-and-folder listing of contents sorted into series (categories) with date ranges**
- c. **Location of numbered/labeled boxes**

This eventually turned into a project in two sections. Starting in February of 2019, the Town shifted its goals to include the establishment of a records retention schedule in accordance with State law, to be submitted to the Maryland State Archives for approval. This schedule would apply retroactively to all existing official town records as well as those created going forward. This decision required a shift in my function—rather than processing a single archival collection, I was now processing two collections:

- 1) Official Town Records (any material created by town officials—mayor, town council, town clerk/town manager, etc.-- or used in the governance of the town)
- 2) Archival material that fell outside the records retention schedule (i.e., anything retained by town historians—photographs, correspondence, printouts, other ephemera-- that does not represent records created by town officials).

According to the new goals, I adjusted my output to include the following:

- 1) A box inventory of all Town Records, organized according to the records categories outlined in the records retention schedule, and their locations on the west wall of the town council room.
- 2) A traditional archival finding aid for the remaining archival material, written according to DACS, along with box locations for that material located on the east wall of the town council room

These two documents have been completed and attached, for your reference.

4. Recommendations for future digitization and digital curation plan for Town Council minutes and/or other material

This portion of the project is temporarily on hold, pending the approval of the records retention schedule currently submitted to the State Archives. A preliminary investigation into the cost and logistics of digitization was performed over the summer by Beth Boa, Town Manager, and reviewed by some members of the Council, but it was decided the cost of wholesale digitization of existing material was prohibitive and ultimately unnecessary. The current recommendation is to assess the material that remains once the records retention schedule is approved and the fate of the existing paper material is determined, and decide at that time selected portions of the material that might be digitized for a specific purpose (for example, the meeting minutes, for publication on the website, or a comprehensive digitization of the Echo). A potential digital curation policy might also be developed in the future, in conjunction with and dictated by the approved records retention policy.

Scope of Work: Additional

These remaining aspects of collection control could be accomplished with additional approved hours on the contract:

- 1) Rehouse oversized maps, drawings, and blueprints into new flat file drawers and update inventory to reflect new locations. (3-5 hours)
This has the added benefit of freeing more shelf space for boxes, possibly eliminating the need for the gray metal cabinet.
- 2) Assess collection of photos on CD-ROM, currently in the bottom drawer of the lateral file cabinet (2-3 hours)
These photos, if they have historic value, could be organized, inventoried, and transferred to a hard drive for easier access.
- 3) Processing and integration of additional files donated by former mayor Debbie Beers (3-4 hours)

Budget

In the original Project Proposal, I submitted two budgets: one representing a low-end estimate, and one representing a high-end estimate. These numbers attempted to take into account the evolving nature of archival processing, and what the scope of the project might possibly entail, for better or for worse as it developed.

Here are those original estimates:

BUDGET A (low end estimate)

Description	Quantity	Unit Price	Cost
Processing Archivist (hourly)	100	\$ 25	\$ 2,500
Boxes	30	\$ 5	\$ 135
Folders (priced per box; each box = 100 folders)	6	\$ 38	\$ 228
Shelving (depending on space and dimensions)	2	\$ 100	\$ 200
Total			\$ 3,063

BUDGET B (high end estimate)

Description	Quantity	Unit Price	Cost
Processing Archivist (hourly)	150	\$ 25	\$ 3,750
Boxes	50	\$ 5	\$ 250
Folders (priced per box; each box = 100 folders)	10	\$ 38	\$ 380
Shelving (depending on space and dimensions)	2	\$ 100	\$ 200
Total			\$ 4,580

5-drawer flat file cabinet (Optional, but highly recommended) \$ 2,500

Notes:

\$3650 has been spent to date on 146 hours of Processing Archivist services (still within budget according to Budget Proposal B)

Up to \$450 was budgeted for boxes and shelving, which was not used (cubic footage reduction made additional shelving unnecessary; my procurement of donated boxes made purchase of boxes unnecessary)

Folders were priced at \$38/box, but after the budget was drawn up, the cost raised to \$45/box, plus tax and shipping costs. Acid-free paper and plastic clips were also required, so the non-box supplies came in slightly over the higher budget estimate, at \$425.

\$2500 was recommended for the purchase of one 5-drawer flat file; my procurement and donation of three flat files at only moving costs to the Town made purchase of this equipment unnecessary. Moving costs were \$450.

Here is the accounting of actual cost so far:

BUDGET ACTUAL (as of December, 2019)

Description	Quantity	Unit Price	Cost
Processing Archivist (hourly)	146	\$ 25	\$ 3650.00
Boxes	50	\$ 0	\$ 0
Folders (priced per box; each box = 100 folders)	7	\$ 55 (incl. tax and shipping) \$ 40	\$ 385.00
Other Processing supplies (paper and clips)			\$ 40.00
Shelving (depending on space and dimensions)	0	\$ 0	\$ 0
Total			\$ 4,075.00

5-drawer flat file cabinets (donated)	3	\$ 2500 each	\$450.00
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Estimated budget for remaining scope of work:

Archivist Hours**8-12 hours \$25/hour \$200-300**

**Town of Glen Echo
6106 Harvard Ave
Glen Echo, MD 20812
301-320-4041 (Phone)**

DRAFT Policy No. 19-11

Data Security

As required by State law, the Town of Glen Echo (Town) hereby establishes the following written policies and procedures for the protection of personal information lawfully obtained by Town. They apply to all Town staff, the Mayor, Council members, volunteers, and contractors ("responsible parties" or "authorized individuals").

Definitions

For the purposes of this policy, the following words have the meanings indicated.

(a) "Personal information" means an individual's first name or first initial and last name, personal mark, or unique biometric or genetic print or image, in combination with one or more of the following data elements:

- (1) a Social Security number;
- (2) a driver's license number, state identification card number, or other individual identification number issued by a unit;
- (3) a passport number or other identification number issued by the United States government;
- (4) an Individual Taxpayer Identification Number; or
- (5) a financial or other account number, a credit card number, or a debit card number that, in combination with any required security code, access code, or password, would permit access to an individual's account.

"Personal information" does not include the following: (1) publically available information that is lawfully made available to the general public from federal, State, or local government records; (2) information that an individual has consented to have publically disseminated or listed; or (3) information that is disclosed according to other applicable law or judicial order.

(b) "Records" means personal information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

Security Measures

To protect personal information from unauthorized access, use, modification, or disclosure, the Town will employ the following security procedures and practices. All records shall be protected with a minimum of two layers of security, which may include but not be limited to, all three of the Town Hall doors being locked when the office is not in use; the Town Hall computers being password protected and locked when not in use by authorized individuals; and the Town Hall internet service being password protected. The Town will maintain appropriate network security, including firewalls, on all computers. Keys to the inner office will only be retained by the Town Clerk-Treasurer, Mayor, Council Members, and archivist.

Destruction of Records

The Town will retain records in the Town Hall in accordance with the Town's State-approved document retention schedule. When a record meets the criteria for removal under the retention schedule, it will be purged, destroyed (e.g, by shredding paper files), deleted, or returned to the submitting source as required.

Reporting Violations

Responsible parties will promptly and without unreasonable delay report any and all violations of this policy to the Town Clerk-Treasurer, Mayor, or Town Council, as appropriate.

Investigating a Possible Breach

The Town Clerk-Treasurer, Mayor, or Town Council, or Town contractors, as appropriate, will investigate the circumstances of a possible breach to determine whether the unauthorized acquisition of personal information has resulted in or is likely to result in the misuse of the information. The results of such investigation shall be shared promptly and without unreasonable delay.

If/When a Breach is Confirmed

Notification

The Town Clerk-Treasurer, Mayor, or Town Council, as appropriate, will work with the Town's legal counsel to notify impacted individuals promptly and without unreasonable delay. Notification should be made in writing as soon as practicable to the most recent address of the impacted individual(s). Alternatively, notice may be provided by e-mail or telephone.

Notifications shall include the following: (1) to the extent possible, a description of the categories of information that were, or are reasonably believed to have been, acquired by an unauthorized person, including which of the elements of personal information were, or are reasonably believed to have been, acquired; (2) contact information for the responsible party making the notification, including an address, telephone number, and toll-free telephone number if one is maintained; (3) the toll-free telephone numbers and addresses for the major consumer reporting agencies; and (4) (i) the toll-free telephone numbers, addresses, and Web site addresses for: 1. the Federal Trade Commission; and 2. the Office of the Attorney General; and (ii) a statement that an individual can obtain information from these sources about steps the individual can take to avoid identity theft.

Before giving the notification, the responsible party shall provide notice of a breach of the security of a system to the Office of the Attorney General and to the Department of Information Technology.

If, after the investigation is concluded, it is determined that notification is not required, the responsible parties shall maintain records that reflect its determination for 3 years after the determination is made.

Containment

If a breach is confirmed, the Town Clerk-Treasurer, Mayor, or Town Council, as appropriate, working with the responsible parties and individuals impacted, shall take the following steps to limit the scope and effect of the breach without unreasonable delay.

1. Stop any unauthorized practice;
2. Recover the records, if possible;
3. Shut down the system that was breached;
4. Change passwords;
5. Change locks on cabinets or doors;
6. Correct weaknesses in security practices; and
7. Notify the appropriate authorities including the Montgomery County, MD Police Department, if the breach involves, or may involve, any criminal activity.

Enforcement

If, after a thorough review, any responsible party is found to be in violation of this policy as it pertains to the gathering, collection, use, retention, destruction, or disclosure of records, the Town will:

1. Immediately suspend access to Town information systems by the person(s) involved in the violation.
2. If an individual is a Town employee or contractor, he or she will be referred to the Town Clerk-Treasurer for disciplinary action, up to and including termination of employment or their contract with the Town.

3. If the individual is the Town Clerk-Treasurer, he or she will be referred to the Mayor and/or Council for disciplinary action, up to and including termination of employment.
4. If appropriate, refer the violation to the appropriate law enforcement authority to initiate a criminal investigation in their sole discretion.

The Town reserves the right to restrict the qualifications and number of individuals having access to Town information and to suspend or withhold service and deny access to any individual.

Prevention

In order to ensure the Town maintains the most current approach to the protection of personal information, this policy may be periodically updated as deemed necessary by the Mayor and Town Council. It may also be updated following any confirmed breach to implement any resolution plan resulting from an investigation of the circumstances of the breach, its root cause(s), and any remaining risk(s).

The Mayor or Council, in its sole discretion, may dispense with the above requirements in the rare case of an emergency in order to protect the health, safety, comfort, and welfare of the Village and its residents.

Policy Number: 19-11

Action/Adoption:

Effective Date:

Town of Glen Echo

Ordinance

(Dumpsters, Portable Storage Units, and Heavy Equipment; Street Closures)

Ordinance No.: 19-05

Introduced:

Adopted:

Effective Date:

SUBJECT: AN ORDINANCE TO REQUIRE A PERMIT FOR A DUMPSTER, PORTABLE STORAGE UNIT, AND HEAVY EQUIPMENT USED IN THE RIGHT-OF-WAY, AND TO REGULATE STREET OBSTRUCTIONS AND CLOSURES

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, 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, Section 802 of the Charter of the Town of Glen Echo authorizes the Town Council to do whatever it deems necessary to establish, operate, maintain, or close the public ways of 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, after proper notice to the public, the Town Council considered the following Ordinance in public session assembled on the ___ day of _____, 2019;

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 June, 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 have the following meanings:

"Dumpster" means a large container, including, but not limited to, a detached wheeled trailer, designed or used to store rubbish, construction and/or demolition debris, or other material to be discarded.

"Heavy equipment" means vehicles and machinery used to perform tasks such as excavating, grading, heavy lifting, demolition, or removal of large trees, including, but not limited to, cranes, bulldozers, or other items which may damage the public right-of-way when placed upon or moved across the street surface, curb, or sidewalk.

"Portable storage unit" means a large portable container designed or used for the outdoor storage of personal property, including, but not limited to, portable containers that are leased for temporary use.

* * *

Section 3.3 (Reserved) Dumpsters, Portable Storage Units, and Heavy Equipment.

A. Dumpsters and Portable Storage Units. No person shall place or maintain a dumpster or portable storage unit on private property within the Town without obtaining a permit from the Town Clerk or Mayor. The Town Clerk or Mayor may condition such permit upon such terms or restrictions as the Town Clerk or Mayor deem necessary to protect the public health, safety or welfare, including, but not limited to, a limit on the number of consecutive days a dumpster or portable storage may be placed or maintained on private property. Unless the Town Clerk or Mayor approves otherwise, no person shall place or maintain any portable storage unit or dumpster on public property or in the public right-of-way.

B. Heavy Equipment. No person shall place any heavy equipment upon or move any heavy equipment over an improved street surface, curb, or public sidewalk within the Town without obtaining a permit from the Town Clerk or Mayor. The Town Clerk or Mayor may condition such permit upon such terms or restrictions as the Town Clerk or Mayor deem necessary to protect the public health, safety or welfare.

*any construction
while work
in progress.*

*on
property
in the
town.*

C. Required Bond. No permit will be issued under this Section unless the permittee has deposited with the Town a bond or other security in such amount and/or form as the Town Clerk or Mayor deems necessary or appropriate to ensure the restoration or repair of any damage to the public rights-of-way, sidewalks, curbs, or roadways and that the placement and use of the dumpster, portable storage unit, or heavy equipment will be in accordance with the terms of the permit issued in connection therewith. The bond may be applied to repair or correct any damage or injury to public property, including treatment or replacement of trees and plantings, as the Town Clerk or Mayor in their discretion shall determine. Upon removal of the dumpster, portable storage unit, or heavy equipment for which the permit was issued, the balance of the bond, less any amounts retained by the Town pursuant to this subsection, shall be returned.

E. Permit Fee. An application for the placement or use of a dumpster, portable storage unit, or heavy equipment shall be submitted to the Town Clerk along with an application fee in the amount set forth on the fee schedule approved by the Town Council from time to time.

* * *

ARTICLE 17 STREETS AND SIDEWALKS

* * *

Section 17.6 ~~Warning Devices and Barriades Required~~ Obstruction of Streets

In addition to requirements contained elsewhere in this Article, it shall be unlawful to obstruct or close any street, sidewalk or other public right-of-way ~~with construction material, equipment, debris or excavated materials after local sunset and before local sunrise without marking said material, equipment, or debris with reflective warning signs, barricades, and such other devices as may be required by the Town to the front and to the rear of said construction.~~ During daylight hours all such obstructions shall be clearly marked and barricaded to insure the safety of pedestrians and vehicular traffic without obtaining a permit from the Town Clerk or Mayor. The Town Clerk or Mayor may condition such permit upon such terms or restrictions as the Town Clerk or Mayor deem necessary to protect the public health, safety or welfare, including, but not limited to requiring a bond or other security to to ensure the restoration or repair of any damage to the public rights-of-way, sidewalks, curbs, or roadways and compliance with with the terms of the permit issued in connection therewith. An application for the obstruction or closure of a street, sidewalk or other public right-of-way shall be submitted to the Town Clerk along with an application fee in the amount set forth on the fee schedule approved by the Town Council from time to time.

* * *

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: _____

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

Ordinary Income/Expense**Income**

	Jul - Nov 19	Budget	\$ Over Budget	% of Budget
01. Real Estate Property Tax	105,573	130,000	-24,427	81%
02. Personal Property				
02.1 Corporate	1,136	2,000	-864	57%
02.2 Unincorporated	0	100	-100	0%
02.3 Public Utility	0	22,000	-22,000	0%
Total 02. Personal Property	1,136	24,100	-22,964	5%
03. State Income Tax	46,964	115,000	-68,036	41%
04. Highway	1,932	16,643	-14,711	12%
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.	10,633	31,899	-21,266	33%
06.2 T H Rental	4,335	12,000	-7,665	36%
06.3 Parking Lot--Tulane	1,500	3,600	-2,100	42%
Total 06. Rental Inc	16,468	47,499	-31,031	35%
07. Interest	430	1,500	-1,070	29%
08. County Revenue Sharing	0	20,762	-20,762	0%
09. Cable Franchise	851	3,500	-2,649	24%
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	174,382	364,904	-190,522	48%

Expense

Reconciliation Discrepancies	234			
20 Payroll				
20.1 Salary	20,453	46,800	-26,347	44%
20.2 Employer Taxes	1,570	4,500	-2,930	35%
20.3 Staff Training	709	2,000	-1,291	35%
Total 20 Payroll	22,732	53,300	-30,568	43%
21 Professional Services				
21.1. Auditor	7,327	8,000	-673	92%
21.2. Legal				
21.21 Town Attorney	8,523	25,000	-16,477	34%
21.22 Specialized Legal Svcs.	0	10,000	-10,000	0%
Total 21.2. Legal	8,523	35,000	-26,477	24%
21.4 Oth Prof Svcs	75	5,000	-4,925	2%

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

	Jul - Nov 19	Budget	\$ Over Budget	% of Budget
21.5 Traffic Study Consultant	0	2,000	-2,000	0%
21.6 Records Ret./Archiving	1,771	5,000	-3,229	35%
21.7 IT Support	355	2,000	-1,645	18%
21.8 Arborist	525	750	-225	70%
21.9 Town Engineer/Bld. Insp.	7,493	10,000	-2,507	75%
21.10 Office Temporary Help	380	1,500	-1,120	25%
Total 21 Professional Services	26,449	69,250	-42,801	38%
22. Fixed Op Ex				
22.1 Office & TH Utilities				
22.11 Electrical	1,153	2,100	-947	55%
22.12 Gas	77	1,200	-1,123	6%
22.13 Telephone/Internet	974	3,200	-2,226	30%
22.14 WSSC	397	1,200	-803	33%
Total 22.1 Office & TH Utilities	2,601	7,700	-5,099	34%
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	618	1,500	-882	41%
Total 22.2 Office	1,396	5,500	-4,104	25%
22.3 Bank Fees	43	250	-207	17%
22.4 Website	0	3,000	-3,000	0%
22.5 Ins & Bond	1,996	3,000	-1,004	67%
22.6 Dues, Subs., Conf.	1,815	2,500	-685	73%
22.7 Admin				
22.71 Admin. Payroll Fee	666	1,500	-834	44%
22.72 Flyer Delivery Charges	40	300	-260	13%
22.73 Misc. Admin Fee	194	1,000	-806	19%
Total 22.7 Admin	900	2,800	-1,900	32%
22.8 Echo	757	3,200	-2,443	24%
22.9 Town Hall				
22.91 TH Supplies	854	2,250	-1,396	38%
22.92 TH Cleaning Service	1,305	3,500	-2,195	37%
22.93 TH Maintenance	1,271	4,000	-2,729	32%
22.94 TH Elevator Maintenance	425	6,000	-5,575	7%
Total 22.9 Town Hall	3,855	15,750	-11,895	24%
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	13,763	51,700	-37,937	27%
23 Streets				
23.1 Streetlights	3,335	9,500	-6,165	35%
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 November 2019

	Jul - Nov 19	Budget	\$ Over Budget	% of Budget
23.6 Sidewalk Repair	0	5,000	-5,000	0%
Total 23 Streets	4,455	58,500	-54,045	8%
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	1,530	7,200	-5,670	21%
24.23 Environmental Imp Project	3,182	5,000	-1,818	64%
Total 24.2 Landscape	6,130	19,700	-13,570	31%
24.3 Snow Removal	0	25,000	-25,000	0%
24.4 Refuse/Recycling	14,235	40,000	-25,765	36%
24.5 Town Trees				
24.51 Town Tree Pruning	0	3,000	-3,000	0%
24.52 Town Tree Removal	1,650	5,000	-3,350	33%
Total 24.5 Town Trees	1,650	8,000	-6,350	21%
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	30,200	120,800	-90,600	25%
Total Expense	97,833	353,550	-255,717	28%
Net Ordinary Income	76,549	11,354	65,195	674%
Net Income	76,549	11,354	65,195	674%

Town of Glen Echo

Revenue/Expenses by Month

July through November 2019

	Jul 19	Aug 19	Sep 19	Oct 19	Nov 19	TOTAL
Ordinary Income/Expense						
Income						
01. Real Estate Property Tax	294	7,726	27,299	59,765	10,489	105,573
02. Personal Property	0	909	0	219	8	1,136
03. State Income Tax	-8,859	8,859	0	2,357	44,606	46,963
04. Highway	-768	768	0	0	1,932	1,932
05. License/Permits	100	0	0	912	0	1,012
06. Rental Inc	2,833	5,708	0	3,608	4,318	16,467
07. Interest	-115	181	170	166	27	429
09. Cable Franchise	0	0	0	0	851	851
11 Misc Revenue	16	0	0	0	0	16
Total Income	-6,499	24,151	27,469	67,027	62,231	174,379
Expense						
Reconciliation Discrepancies	0	234	0	0	0	234
20 Payroll	3,703	4,528	4,360	6,675	3,465	22,731
21 Professional Services	-2,201	4,812	7,355	10,361	6,122	26,449
22. Fixed Op Ex	5,187	1,487	2,214	2,738	2,137	13,763
23 Streets	606	1,743	651	694	760	4,454
24 Town Services	5,633	3,775	4,882	8,610	7,300	30,200
Total Expense	12,928	16,579	19,462	29,078	19,784	97,831
Net Ordinary Income	-19,427	7,572	8,007	37,949	42,447	76,548
Net Income	-19,427	7,572	8,007	37,949	42,447	76,548

Town of Glen Echo
Account Balances New

As of November 30, 2019

Nov 30, 19

ASSETS

Current Assets

Checking/Savings

MD Local Gov't Investment Pool 83,143.39

SunTrust Cash-Checking 46,548.55

SunTrust MM 564,425.16

Total Checking/Savings 694,117.10

Total Current Assets 694,117.10

TOTAL ASSETS 694,117.10

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

Long Term Liabilities

Wynne liability 6,100.00

Total Long Term Liabilities 6,100.00

Total Liabilities 11,300.00

TOTAL LIABILITIES & EQUITY 11,300.00

Town of Glen Echo
Expenses by Vendor Summary
November 2019

	<u>Nov 19</u>
Advance Business Systems	124
Blue Crab Contracting, LLC	1,163
Bolt Legal, LLC	775
Case Design/Remodeling, Inc	251
Evans Tree Service	1,100
Goode Companies, Inc.	2,910
Hughes Landscaping & Supply Co. Inc.	3,290
Joseph F. Toomey Associates, Inc	810
Kencor, Inc	425
LSWG	3,000
Maid Brigade	290
Mary Ruttkay	75
MML/Montgomery County Chapter	120
PEPCO - (streetlights)	892
Renz Johnson	20
Sarah E. Hedlund	300
The Hartford	100
Verizon - Phone Line	243
Washington Gas	33
TOTAL	<u><u>15,921</u></u>

Town of Glen Echo

Ordinance

(Accessory Dwelling Units; Permit Amendments and Extensions; Variances)

Ordinance No.: 19-06

Introduced: November 12, 2019

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, INCLUDING FEES; 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 11th day of November, 2019;

WHEREAS, to comply with Maryland Code, Land Use Article, Section 20-509, on the 12th day of November, 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 November 14, 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.

“Detached accessory dwelling unit” means a dwelling unit that is a detached accessory building or part thereof.

“Dwelling unit” means a building or portion of a building providing complete living facilities for not more than one household, including, at a minimum, facilities for cooking, sanitation, and sleeping.

“Height” means the vertical distance measured from the average elevation of the ground along the front of the structure to the highest point of the roof surface or parapet wall for a flat or shed roof, or, for a gable, hip, mansard, or gambrel roof, the mean height between the eaves and ridge of the roof. For the purpose of determining building height, the average front elevation used will be based on either the pre-development grade or the finished grade, whichever is lower. If the structure has no roof, height is measured to the highest point. The height does not include weather vanes, cupolas, or similar ornamental features.

* * *

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 (e) 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 ~~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. At the time of the erection of any detached accessory dwelling unit, or at the time any accessory structure is modified or renovated to include an accessory dwelling unit, the building must meet the required setback and other requirements of this Article.**

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 to the provisions of the Montgomery County Code or the Town Code.**

B. This setback provision shall apply to: (i) a house **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 **building** 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 ~~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 main building may be:**

1. **Reconstructed after a fire, flood or similar event provided that the footprint of the house ~~house~~ main building 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 main building 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 the time of the erection of any detached accessory dwelling unit, or at the time any accessory structure is modified or renovated to include an accessory dwelling unit, or at the time any accessory dwelling unit is added to a main building, a minimum of two (2) new dedicated on-site parking spaces shall be provided. 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. Each automobile parking space provided according to this section shall not be less than 180 square feet and the same shall be connected by an adequate driveway to a paved street.

2. Height. The height for any building containing an accessory dwelling unit, other than a main building, shall not exceed twenty (20) feet.

3. Stormwater Drainage. No attached or detached accessory dwelling unit, including but not limited to the dedicated off-street 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.

(1) The drainage plan must specify the design or provisions for the control or conveyance of any increase in runoff, including but not limited to runoff from the dedicated off-street parking spaces.

(2) The design or provisions for the control or conveyance of runoff can be met with dry wells, rain barrels, cisterns, natural topography or buffers, rain gardens, biofilters, storm drains, yard drains, swales, pervious pavers, rooftop gardens, or other measures approved by the Town Council. Conveyance to a public right-of-way shall be allowed only where onsite control is not feasible, as determined by the Town Council.

(3) The development and design of the drainage plan must be consistent with the format and requirements specified in the *Town of Glen Echo Guidelines for Control of Water Runoff*, as amended, or other accepted design criteria approved by the Town Council.

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: _____

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: December 8, 2019

The status of the Vassar Circle development, as of Friday, December 6, 2019, shows the roadway widening base paving work has been completed.

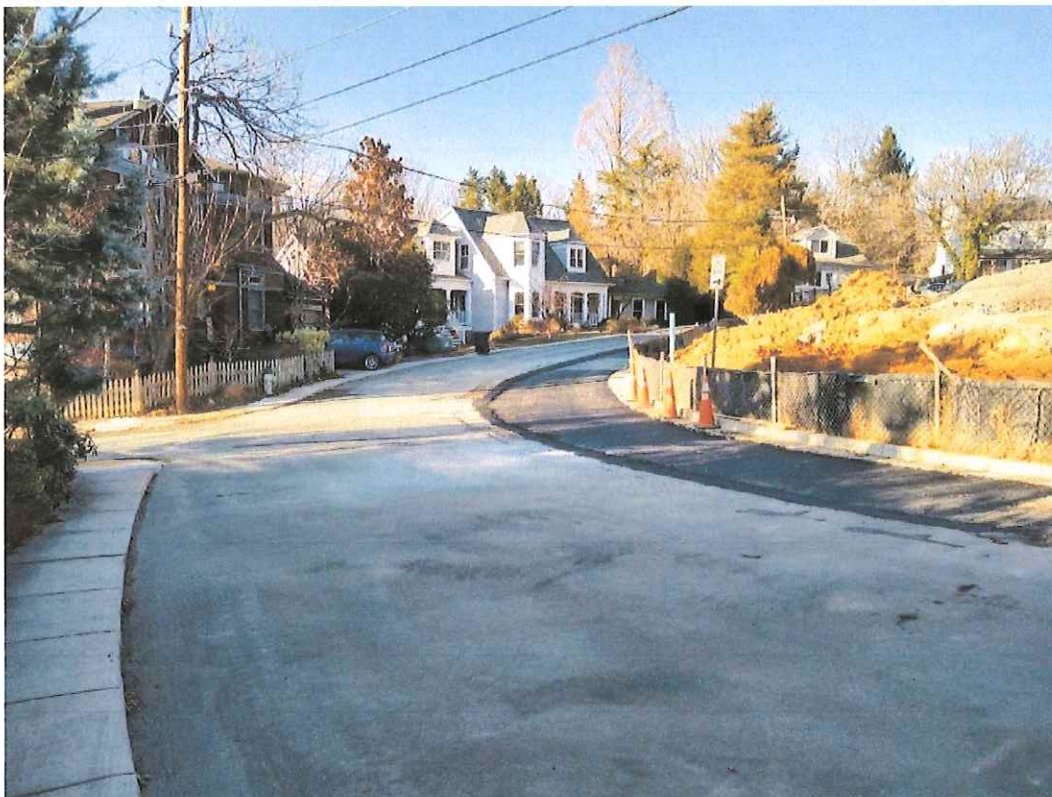
The asphalt work for the roadway widening was started on November 4th, and was finally completed on December 6th. Work was performed over a period of eight days, but was interrupted several times by contractor schedule conflicts, weather, and the WSSC water and sewer installation work for the fourth lot. 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. Although the curb and gutter, and the base paving has been completed around the entire circle, the excavation over-dig, or spoils from the roadway base excavations, must still be removed. The roadway excavation spoils must be removed in order to consider the roadway widening work to be completely finished. The large piles of un-stabilized excavated material poses a danger of sedimentation runoff and potential damage to the road and community in a heavy rain.

With the roadway widening work completed, except for the final mill and pave of the entire roadway, Aaron will have completed the work that the Council required for obtaining a County final building inspection and occupancy permit, and for the Town to issue subsequent permits for the other three lots.

Aaron has expressed an interest in continuing with the roadway work, with the possibility of performing the final mill and pave of the entire width of the roadway before the winter weather sets in. My recommendation is that all of the utilities must be in place, and the rough grading of the entire site must be completed prior to the final mill and pave work. The gas line to the fourth lot will be installed this week. A repair is needed for a second gas service line. Base repairs are still needed for the recent WSSC work and the future Washington Gas work.

Siding installation of #4 Vassar Circle is now complete. Sections of the front of the house are still to be covered with a masonry veneer. Remaining work still includes the 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. The final Montgomery County permit inspections can not be made, and a County occupancy permit can not be issued, until those items are complete.

Photographs of the project as it appeared Thursday, December 5th and 6th, showing the completed asphalt base paving, are attached.



TO: The Mayor and Council at The Town of Glen Echo

FROM: Wayne C. Fowler, Blue Crab Contracting, LLC

DATE OF MEMO: December 5, 2019

SUBJECT: Code Enforcement November 2019

11/03, FW: Undercutting & Geotech Monday

I believe this will be pretty cut and dry. If Geo Tech says the ground is not dry enough at the excavated 1 foot then I believe they excavate to 2 feet. This has been discussed between the contractor and developer in the field in the presence of Geo Tech and the County DOT. I will be available by email and text during that time. I can check in afterwards as needed. Please advise. Thank you.

11/05, 4 - 10 Vassar Cir Compacted Road Base, 4 - 20 Vassar Cir Loose Road Base, 10 Vassar Cir Utilities Marked, 20 Vassar Cir Utilities Marked,
6000 Bryn Mawr Ave WSSC Restoration & Landscaping, 7310 Columbia Ave on Yale Avenue WSSC Traffic Markings Repainted,

11/08, Re: Wellesley Cir at Radcliffe Ln Free Firewood REMOVED,
Vassar Circle First Sections of Asphalt Base Installed,

11/15, Pre construction meeting on-site with WSSC and Town of Glen Echo,

11/21, RE: WSSC Contractor on Vassar WEDNESDAY, Vassar Circle Utility Service Installation in Progress

11/22, RE: WSSC Contractor on Vassar WEDNESDAY, Vassar Circle Utility Service Installation in Progress
15 Vassar Cir: Fence Repair Needed

11/25, Fwd: Hole at bottom of Vassar this am at WSSC utility installation site, Vassar Circle Final Utility Service Installation in Progress
15 Vassar Cir Fence Repair Completed

11/26, WSSC Contractor on Vassar WEDNESDAY, Vassar Circle Utility Service Installation in Progress,

11/27, Oberlin Ave Storm Drain All Clear, Errant Ballard at University & Yale Aves Returned

**Glen Echo Environmental Committee Report
For Glen Echo Town Council Meeting
December 9, 2019**

Right-of-Way Longer Term Plans

Robin Kogelnik and Speke Wilson have agreed to lead this effort. We understand that this will be a multi-pronged approach and require an integrated design approach to include many individuals and organizations. We want to apply for a Chesapeake Bay Trust grant and will be setting up a meeting with Jeffrey Poppf who manages the Grant Program. In order to do this we will partner with **501(c)(3)** organization such as friends of Cabin John Creek. We are currently getting soil tests done for the Right-of-Way so we know what we are working with.

Becoming a Sustainable Maryland Town

We have decided to continue our work towards becoming a certified Sustainable Maryland Town. Our Town Clerk, Beth Boa, has agreed to assist with the data management necessary for certification. Beth and Holly will be meeting with Mike Hunninghake who heads up the program and they will be also be working on the necessary steps to join Tree City, including the establishment and Council approval of a Glen Echo Tree Ordinance.

Interesting Speakers for Glen Echo Residents

We will set up some environmental educational programs, to be held in the Town Hall, that we hope will interest our residents and support our programs. We are going to investigate Chesapeake Bay Certification for Residential Gardens and some of us are going to get our gardens certified.

**The Town of
GLEN ECHO**

**Chartered 1904 Town Hall • 6106 Harvard Avenue • Glen Echo • Maryland 20812 •
(301) 320-4041
townhall@glenecho.org**

**TOWN OF GLEN ECHO
LIVABLE COMMUNITY COMMITTEE MEETING MINUTES
December 3, 2019**

7:00 pm at town hall.

Present: Committee members Dan Spealman, Julia Wilson, Angela Hirsch, Jan Shaut

Resident Gloria Levin

Guest speaker Pazit Aviv, Village Coordinator, Montgomery County Aging and Disability Services

The meeting began at 7 pm. Ms. Aviv gave an overview of the purpose of forming a volunteer-run village to provide those who need help with rides of simple handyman services.

She suggested the town start with a survey to gauge residents' interest. She also mentioned the possibility of joining with a neighboring, already existing village, such as Bannockburn or Little Falls.

Julia will bring this up at the next Council meeting.

Winterlude is the new name of the winter festival being planned, and 2/1//20 is the new date, pending approval from Council.

The committee is planning fire pits, baked potatoes, hot dogs, s'mores and apple cider. Other beverages will be BYOB. Dan will work up a budget to present to the Council. Donations will be requested for luminaries to line Harvard and the money will be donated to the Greentree Family Shelter.

Jan Shaut reported that the **Minnehaha creek cleanup** was well-attended, with 8 adults and 3 children and bags of trash were collected. She said the feedback was positive. The committee decided to do the event twice yearly, in spring and fall.

The meeting adjourned at 9 pm.