

July 14, 2015
Buffington RE/MAX Olney Community Room
3300 Olney-Sandy Spring Road

- 7:30 CALL TO ORDER
1. Introductions (Name, Association, Representative/Alternate/Guest)
 2. Approval of June Minutes
 3. Approval of July Agenda
- 7:35 PUBLIC COMMENTS & ANNOUNCEMENTS
- 7:45 SPEED CAMERA RESOLUTION (see page 2 of the Agenda)
- 8:15 OFFICERS/COMMITTEE/LIAISON REPORTS
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| Transportation Committee | Barbara Falcigno |
| (Brookeville Bypass Resolution – see page 4 of Agenda) | |
| Mid-County Citizen’s Advisory Board | Greg Intoccia |
| Public Policy & Community Affairs Committee | Matt Quinn |
| Olney Town Center Advisory Committee | Kathy Curtis |
| Correspondence Report | Jackie Benn |
| Chamber of Commerce Report (www.olneymd.org) | Joe Buffington |
- 8:25 NEW BUSINESS
- 8:30 ADJOURNMENT
- 8:35 HOA FORUM (see page 5 of the Agenda)

Next Meeting: **September 8, 2015**

Debate Rules

Each Representative will have 2 minutes for remarks. If you have no remarks, please yield your time to the next Representative. After each Representative speaks, each Representative will have 30 seconds for additional remarks in rebuttal. If we do not finish in the allotted time, we will optionally continue in the final week of August.

**DRAFT GOCA Resolution on the
County Speed Camera Program**

Whereas the geographic area within Montgomery County with the highest number of speed camera citations is Olney-Sandy Spring with 85,451 citations and \$3.4 million in fines in calendar year 2013, significantly higher than any other locale in the County; and

Whereas Olney had three of the top five grossing speed cameras in Montgomery County and five of the top twenty grossing cameras in calendar year 2013; and

Whereas in calendar year 2013 Olney-Sandy Spring received 31 percent more citations than the second highest ranking speed camera locale, Silver Spring, despite having 7.7 million or 30% fewer vehicle passes, and Olney-Sandy Spring citations were more than all ten Bethesda speed cameras combined, and were more than twice the number of tickets than Montgomery Village's six speed cameras combined; and

Whereas Olney-Sandy Spring speed camera citations in CY 2013 were 5.7 times greater than the overall county average by geographic location and vehicles traveling in Olney-Sandy Spring were 3.4 times more likely to pass a speed monitoring camera than elsewhere in Montgomery County; and

Whereas accident rates in the Olney area, either before or after camera installation, do not explain the high number of Olney-Sandy Spring camera locations or citations;

Now therefore be it resolved that the Greater Olney Civic Association (GOCA) should formally transmit the Camera Task Force Report to the Montgomery County Executive, the County Council, the Montgomery County Police Department (MCPD) and ATEU, the Montgomery County Inspector General, appropriate District Delegates, and the State Highway Administration, asking that the County's elected officials take action to eliminate the disproportionate impact of the camera program on the Olney-Sandy Spring area by implementing the following recommendations:

1. Consistent with the Montgomery County Executive's stated commitment to transparency, the ATEU should publish to its website on a monthly basis speed camera citations and vehicle pass volumes by camera location.
2. Montgomery County should revise the Citizen's Advisory Board for Traffic Issues (CAB-TI) applicable to the speed camera program, ensuring the Board is selected independently of the MCPD and ATEU, has established term limits, represents the full spectrum of views on the efficacy of speed camera usage, and that its views shall be considered by the ATEU.
3. Montgomery County should appoint, fully independent of the MCPD, ATEU, and Local Designee, a Citizen's Advocate to represent the citizens and communities regarding speed camera use, placement, and other concerns.

4. Montgomery County should modify the speed camera contract to stipulate that all data captured on each citation shall be the property of the County, not the vendor, and that such data on citations, citation camera location, ticketed speed, etc. will be provided to the ATEU and published on the county website (protecting all Personally Identifiable Information (PII)).
5. The ATEU should be provided with the appropriate funding to implement the internal controls, data integrity, and transparency improvements included in the GOCA Traffic Cameras Task Force report. Such funding should come from the positive net revenue generated by the speed camera fines, consistent with the stated public safety purposes for which speed camera net revenues are authorized to be used. This net revenue funding should also be utilized to address the substantial backlog of citizen’s requests for speed monitoring cameras.
6. The SHA should modify the speed limit east bound on Olney-Sandy Spring Road, beginning immediately after Spartan Road, to be 35 mph, providing for a safe incremental speed approaching the current 40 mph section of Olney-Sandy Spring Road east of Prince Philip Drive.
7. The SHA should modify the speed limit westbound on Olney-Sandy Spring Road, east of Prince Phillip Drive and immediately before Spartan Road, to be 35 mph, providing for a safe increment speed between the existing 40 mph roadway east of Prince Phillip Drive and the 30 mph area in the core Olney commercial center.
8. The Task Force Recommends that SHA return the 40 mph to 30 mph changeover point on Olney-Laytonsville Rd (Route 108, near the Post Office) to Homeland Drive for both east and westbound traffic. Moving the 40 mph point back to Homeland Drive returns the Olney-Laytonsville Road speed limit back to what it was in 2009, while maintaining the current 30 mph speed limit before the Olney Library and through the Olney core commercial center.
9. The SHA should modify the speed limit on Georgia Avenue between King William Drive and Sandy Spring Bank to be 35mph, providing for a safe incremental speed between the existing 40mph roadway south of King William Drive and the 30mph area in the core Olney commercial center.
10. Montgomery County should take steps to have a plebiscite determine the future direction of the Safe Speed Program.

Resolution in Support of the Brookeville Bypass

Whereas the town of Brookeville has historic significance that will be enhanced by the rerouting of through traffic around (as opposed to through) the center of town; and

Whereas trucks and cars have trouble navigating the hilly roads and sharp turns of the current configuration, evidenced by the damage to yards, houses, trees, cemetery, and lamp posts; and

Whereas truck vibrations crack the plaster walls of the historic homes; and

Whereas the intersection in the center of Brookeville and the narrow, winding route significantly impede traffic flow, creating back-ups that change the character of the town; and

Whereas the creation of the Bypass will have the result of improving the above problems,

GOCA hereby resolves to support the construction of the Brookeville Bypass.

HOA FORUM

4 rotations of 15 minutes each starting at 8:30PM and concluding at 9:30PM

Table 1: Craig Zaller

- HOA Fee collection issues
- Dealing with bank-owned properties for collections and covenants violations
- General enforcement of covenants

Table 2: Chris Majerle

- Using a professional property manager vs. self-managed HOA Board
- Homeowner participating (overcoming apathy)
- Budgeting sufficient funds to cover necessary community projects
- Impact of rentals on the HOA
- Legal aspects of managing delinquencies

Table 3: Robert Goff

- Code enforcement and building standards

Table 4: Rosie McCray-Moody

- Managing issues with tenant-occupied units in your HOA

Table 5: Jessica Fusillo

- Interactions between HOA covenants and County code
- Dealing with the permitting process

Table 6: Peter Drymalski

- HOA Director mandatory training law (effective January 1, 2016)
- Functions of the CCOC
- Effectively managing disputes between homeowners and the HOA

HOA Forum Speaker Bios

Craig B. Zaller



Craig is both a principal and the managing partner of Nagle & Zaller. He has spent the majority of his legal career with Nagle & Zaller, representing the interests of community associations throughout Maryland and in the District of Columbia. In addition to his core practice, Craig has also represented clients in the areas of corporate law, contract law, creditor's rights/collections, commercial law and real estate.

Craig is an active member of the Community Associations Institute (CAI). He is a past president of the Chesapeake Region Chapter and continues to lecture and teach frequently. He has written several articles for *Common Ground* and local CAI chapter newsletters. He has also been a speaker at national and regional conferences and local events on various issues relating to community associations. Craig has also participated in legislative and lobbying efforts undertaken by CAI at the state and national level.

Craig has achieved many victories in the community association field that have defined the state of the law over his twenty year career. He was instrumental in turning the tide of Federal Communications Commission rulings following the enactment of the Telecommunications Act of 1996. Prior to the case in which Craig prevailed on behalf of his condominium client, the FCC had been ruling in favor of homeowners in virtually every case; but, Craig was successful in persuading the FCC that no condominium owner's satellite dish could extend into the common element area beyond where the owner had exclusive control. The ruling made in Craig's case was the first in what has become a line of cases favoring condominiums who sought to protect their right to control the manner in which satellite dishes are installed and maintained by unit owners. The subsequently developed "cellophane wrap rule" has since been applied consistently to describe the outer limits of the area in which a unit owner has the unfettered right to maintain a satellite dish or other device protected by the federal statute. Craig has seen it all in the field of community association law, having handled some of the most complex cases at the trial and appellate levels, dealing with real estate, restrictive covenant and rule enforcement, construction defect litigation, and a broad range of transactional and operational issues, giving him the knowledge and experience to handle anything in the community association field. He has been commended by colleagues and clients alike for his sharp mind, relentless pursuit of improvements in the law, and zealous advocacy on behalf of his clients.

Chris Majerle



More than 35 years of real estate experience including sales, sales management, resident manager, rental manager and community manager. Extensive background in property maintenance and restoration.

Specialties: Condominium Management, Home Owners Association Management, Residential Rental Management. Our "Fresh Start for Your Community" program restores communities.

Chris has also worked on Multi Family Condo Rehab, where he and his team completed a total rehab of a 4 unit multi family condo in the District of Columbia. The scope of work included the complete renovation of all kitchens and bathrooms, drywall, painting, replacement windows, relocation of hot water heaters, HVAC repairs, landscaping, electrical heavy-up and custom carpentry. The job was not only completed ahead of schedule but under budgeted costs for the owner!

Robert Goff

Robert Goff is currently a Program Manager for Code Enforcement in Montgomery County. The Code Enforcement Section is responsible for the preservation and improvement of housing and property standards through the enforcement of Chapter 26, Housing and Building Standards, Chapter 48, Solid Waste and Chapter 58, Weeds, of the Montgomery County Code.

Rosie McCray-Moody

Rosie McCray-Moody currently works as a Landlord/Tenant Affairs Manager in Montgomery County. The Office of Landlord-Tenant Office is responsible for ensuring fair and equitable relations between landlord and tenants including mediating and arbitrating disputes, providing information and technical assistance, and taking legal actions as necessary.

Rosie worked for the Department of Landlord/Tenant Affairs for 14 years as an Investigator before moving up to her current position.

Jessica Fusillo



Using her education in Mass Communication and Public Relations to her advantage; Jessica has steadily stayed involved in her community. As former Board Member and Chair for the Silver Spring Citizen's Advisory Board, Jessica has worked on Silver Spring issues concerning commercial development. Developed Taste the World in Fenton Village to support small businesses outside of Silver Spring's Central Business District (CBD). Secured grants from County Council and Dept. of Economic Development for the Taste the World event.

Jessica also worked as Program Specialist/Outreach Coordinator for Montgomery County, while still being hands-on as a Media Consultant for Fusillo & Associates.

Jessica currently works as Community Outreach Manager for Montgomery County's Department of Permitting Services.

Peter Drymalski



Peter is the staff attorney to the Montgomery County (MD) Commission on Common Ownership Communities (www.montgomerycountymd.gov/ccoc). It is the only government agency in the US to accept and resolve complaints by both homeowners and community property associations against each other. Peter assists in the dispute resolution process and writes its newsletters and case digest, as well as responds to inquiries from both sides about State and local laws on community property matters.

Peter also recently published a historical article: "Trial By Combat: Lawyers on the Battlefields of the Civil War," in the May, 2014 issue of the New York State Bar Association Journal.