

## **DRAFT MINUTES – May 8, 2007**

Following a Community Conversation gathering, the meeting was called to order by President Barbara Falcigno. The April 2007 minutes were approved with no corrections or additions. The agenda was accepted with one addition.

### **PUBLIC COMMENTS**

- Arnie Gordon noted that Norbeck Meadows CA is holding its annual meeting on June 6<sup>th</sup> at Cashell Elementary with a presentation by MD Senator Mike Lenett, Dist. 19 and by the State Highway Administration (SHA) on the Inter-County Connector (ICC) as it passes through Norbeck Meadows
- Helene Rosenheim reviewed the schedule of events for Olney Days 2007 on May 18<sup>th</sup> -20<sup>th</sup> and noted which events she still needed volunteers for.
- Barbara Falcigno noted that the Olney Library is looking teen s to work on a design for a teen website and that Helene Rosenheim had been nominated for this year's Athena Award presented jointly by the Olney Chamber of Commerce and the Brooke Grove Foundation to women making noteworthy contributions professionally and/or as volunteers. The winner will be announced at an upcoming luncheon at Brooke Grove Nursing Home.

### **SPECIAL PRESENTATION**

#### **Legislative Wrap-up – Districts 14 & 19**

Barbara Falcigno welcomed our State Senators and Delegates from Districts 14 and 19 to give a wrap up of the 2007 Legislative Session that had just ended.

#### **District 19 Delegation: Senator Mike Lenett, Delegates Ben Kramer, and Roger Manno ( Del. Hank Heller was not able to attend).**

Senator Lenett noted how pleased he was to be on such a strong team with Del Heller as the senior mentor to the others who are all in their first term. Mike added that he worked principally in 5 areas, public safety, consumer protection, environment, , and health care. He chaired the Renewable and Clean Energy Subcommittee. The legislation he supported or even introduced related to:

- A fire safe cigarette that has a feature to self-extinguish if left unattended.
- A ban on assault weapons that failed
- A prohibition on hand-held cell phones while driving he introduced, but failed and he will re-introduce next year.
- Making it a felony to practice medicine without a license which the Governor has signed
- Opening credit counseling and debt management to for-profit entities to which he added amendments providing for free credit reports and informed consent training.
- Voter rights documents to be handed out at polling places
- Health care delivery and financing
- A prohibition to smoking in a car with children under 6 years of age he introduced, but failed and he will re-introduce next year.
- Promoting embryonic stem cell research that failed
- Clean indoor air making all public indoor spaces smoke-free
- Global warming which failed
- Election Paper trail which passed
- Early Voting which passed with a requirement be a question on 2008 ballot and if passed in place by the 2010 election

Delegate Kramer noted that he served on the Judiciary Committee which dealt with a number of controversial issues such as the death penalty, abortion, and gun control. Del. Kramer noted that Montgomery County tends not to be treated well in the budget process, and he felt it was important to let the Governor know it is important that our County gets back a reasonable percentage of the amount of money we give to the State. Of the \$35

million expected for Montgomery College, the County got \$1 million. Montgomery County has more students receiving free and reduced meals at school than some counties have in their whole school systems, and more ESOL students than any other county. The cost of living is higher here than in many other counties, so teacher salaries need to be higher. So it costs a lot more to operate a school system here than in most of the other counties in the State.

Delegate Kramer noted that legislation passed that allows residents to file a complaint with the Insurance Commission. Individuals will be able to sue an insurance company and the company will have to show that they acted in good faith. If it is found that they did not, the individual gets a correct amount and legal fees and court costs. They also passed a modification of Jessica's law which requires that sex offenders committing crimes against children under 13 years receive mandatory minimum sentences by eliminating the possibility of parole. They also passed an anti-gang law that imposes stiffer sentence to youth who are members of gangs known for committing criminal activities. The effort to repeal the death sentence failed, but he expects it will be taken up again next year.

Delegate Manno noted that he served on the Economics Matters Committee which deals with matters such as utilities issues, energy, and business regulation. Several of the bills he noted that were passed included:

- A Clean Indoor Air Act which Montgomery County already has one and this extends to the whole State.
- A Living Wage Bill, a significant bill because Maryland is the first State to have one.
- A Consumer Protection Bill that provides for freezing assets in the event of identity theft.
- A Clean Energy Initiative which makes it easier to access alternative energy sources more easily
- A Medicare B & D Prescription Bill he introduced which failed – the bill that passed had a large loophole for senior citizens
- An Omnibus Medical Health Bill which also failed, but will likely be reintroduced next year that he hopes will roll in prescription drugs.

Del Manno noted that Montgomery County did receive 16% more than in last year's budget, but that we are still lacking sufficient amounts for such things as education and transportation.

**District 14 Delegation: Delegates Herman Taylor and Karen Montgomery (Senator Rona Kramer and Del. Anne Kaiser were unable to attend)**

Del. Taylor commented the new members of the District 19 delegations for doing a good job this year and thanked them for their support of the Living Wage bill he introduced. The passage of the Living Wage Bill sends a message to the country about the way we treat men and women here who we feel deserve a living wage. Individuals will receive \$340-\$380 weekly which helps get the economy going when people are unemployed. He also introduced a bill brought to him by Art Brodsky relating to broadband providers to require them to report to the Utilities Commission on their programs. The goal is to keep Internet content neutral. The bill failed, but he will introduce it again next year. He also worked on a bill that would require inspection of new propane tanks and water heaters similar to those for gas tanks. He noted that the House passed a bill that closed a loophole in the prescription drug purchases that prevents vendors from taking the full deductible amount if the actual cost of a medicine is less than the deductible.

Del Montgomery noted that she now serves on the Health and Government Services Committee. She noted that we are being ripped off in the management of health care, but there are some good things happening such as Government Open which deals with many of the government contracts. She also noted that we did get \$50 million for school construction and some of the money needed for transportation. We are facing a structural deficit with a budget plan that spends more than we take in, especially with real estate values going down. Governor O'Malley chose to not raise any taxes this year, but next year they will be making an effort to raise some taxes. She noted that we have the most expensive healthcare system of all the industrialized nations, but the care provided is rated 13<sup>th</sup> or 14<sup>th</sup> in the world. She suggested that GOCA have a discussion in the near future on our healthcare system. She noted that they passed a bill that requires schools to have epipens provided either by the parents or supplied some other way. Another concern is that doctors are receiving smaller and smaller amounts in payment from insurance companies; something that has affected Montgomery General Hospital to the point that it is now looking for a financial partner. She also noted the bill requiring the paper trail for voting did pass the House and Senate, but has not been signed by the Governor yet, and is not funded. She suspects that Mike Miller will want to pay for this with slot machines, and if so, she would rather have the bill fail.

In the discussion that followed, Barbara Falcigno noted that we need to communicate with the Governor our support or opposition to bills and that GOCA is trying to set up a Yahoo Group with our local civic and

homeowners association that could be used to transmit information about proposed legislation. And, it seems to her that regardless of whether slots get approved, there will need to be tax increases, so the question is what taxes and who pays them. Del. Manno felt that it is likely slots and taxes will be tied together, however slots wouldn't bring in any funding for 2 years, so something else will need to be done in the meantime. Del. Montgomery noted that some of the things that have hurt the funding in the State are the Thornton legislation and the reduction of taxes former Governor Glendenning enacted back in the 90's. And, we are still using a tax system created when we were a manufacturing state that we are not now; so we need to revise our tax system to reflect our current economy. There is also talk of moving funding for the Teachers Pension and Retirement Fund to the counties. But this will hurt Montgomery County the most because of the cost of our school system and we need to let the Governor know that.

Our State Senators and Delegates can be contacted as follows:

| <b>District 14</b>        |  |              |                         |
|---------------------------|--|--------------|-------------------------|
| Senator Rona Kramer       | <a href="mailto:rona.kramer@senate.state.md.us">rona.kramer@senate.state.md.us</a>         | 301 858-3625 | 1800 492-7122 ext. 3625 |
| Delegate Anne Kaiser      | <a href="mailto:anna.kaiser@house.state.md.us">anna.kaiser@house.state.md.us</a>           | 301 858-3036 | 1800 492-7122 ext. 3036 |
| Delegate Karen Montgomery | <a href="mailto:karen.montgomery@house.state.md.us">karen.montgomery@house.state.md.us</a> | 301 858-3110 | 1800 492-7122 ext. 3110 |
| Delegate Herman Taylor    | <a href="mailto:herman.taylor@house.state.md.us">herman.taylor@house.state.md.us</a>       | 301 858-3056 | 1800 492-7122 ext. 3056 |
| <b>District 19</b>        |  |              |                         |
| Senator Mike Lenett       | <a href="mailto:mike.lenett@senate.state.md.us">mike.lenett@senate.state.md.us</a>         | 301 858-3151 | 1800 492-7122 ext. 3151 |
| Delegate Henry Heller     | <a href="mailto:henry.heller@house.state.md.us">henry.heller@house.state.md.us</a>         | 301 858-3528 | 1800 492-7122 ext. 3528 |
| Delegate Ben Kramer       | <a href="mailto:benjamin.kramer@house.state.md.us">benjamin.kramer@house.state.md.us</a>   | 301 858-3485 | 1800 492-7122 ext. 3485 |
| Delegate Roger Manno      | <a href="mailto:roger.manno@house.state.md.us">roger.manno@house.state.md.us</a>           | 301 858-3883 | 1800 492-7122 ext. 3883 |

## OFFICERS/COMMITTEE REPORTS

**Treasurer's Report** – Roy Peck reported that the current balance is \$7,711.19.

**Correspondence Report** – No report

**Olney Chamber of Commerce Report** – Joe Buffington reported that the Chamber's Community Night will be on October 3<sup>rd</sup> this year.

**Olney Town Center Advisory (OTCAC) Committee Report** – Helene Rosenheim reported that the OTCAC is beginning to work with an architectural firm doing some pro bono work for the Committee to assist in beginning to put together the illustrative concept for the town center. She noted that the Committee is beginning to add some background information to their website, [www.olneytowncenter.org](http://www.olneytowncenter.org) and encouraged people to visit the website and to attend their monthly meetings on the 3<sup>rd</sup> Monday of each month, 7:30-9:30 pm in the Olney Room in the rear of the Sandy Spring Bank on Georgia Avenue.

**Civic Federation Report**– Arnie Gordon reported that on May 14<sup>th</sup> the Federation will get a presentation on the Annual Growth Policy proposed changes by Park and Planning staff. Also, Jim Humphrey, a Civic Federation member who has focused on development issues for many years is being honored by the Federation the following Friday.

**Membership Committee** – Bob Beard reported that we have collected \$1,700 in dues to date and received \$1,300 in donations toward Olney Days expenses. He is continuing to follow-up with associations that have fallen out of good standing including Olney Village, Manor Oaks, North Creek, Olney Oaks, Perspective Woods, SEROCA, and Tanterra. He asked anyone that knows of contacts for any of these associations to let him know.

**Land Use Report:** Barbara Falcigno reported that the Park and Planning staff recommend denial of the site plan for Ashton Meeting Place. The Planning Board did not make a decision at the hearing, but referred the plan back to the staff to prepare answers to a number of questions they had relating, in part, to some of the underlying concepts in the Rural Village Center Overlay Zone used both in Ashton and Sandy Spring.

Also, a proposal for town houses on the Muncaster Mill side of the Rte 28/97 intersection, behind the hardware store, has been stalled until the State Highway Administration (SHA) decides on the design of the ramps for that intersection's proposed above grade intersection design. Also, the Leisure World development has been working

with Winchester Homes, but is still opposing the proposed Winchester development of 300+ units on the northeast corner of that intersection because of the impact on traffic that many units would have.

Barbara also noted some development activity in Glenmont of note. The County and WMATA are proposing to build a 1,200 car garage on the west side of Georgia Avenue opposite the existing Glenmont garage. A developer is proposing a 1,500 unit, mixed-use development on the Privacy World site on Glenallen Avenue between Georgia Avenue and Layhill Road. This is the density proposed in their sector plan because of its proximity to the Glenmont Metro Station. There is also a 700+ unit development proposed on the Indian Springs Country Club site. Both of these will impact traffic on Georgia Avenue and Layhill Roads. They raise the questions relating to the Annual Growth Policy of whether the infrastructure is in place for these.

**Transportation Report** – Dave Eskenazi noted that GOCA has not been getting a good response from the SHA and asked our State representatives to see if they can pressure the agency to be more responsive, e.g. addressing the parking situation on Georgia Avenue in front of the Willow Grove development. Roy Peck noted that with the congestion at the Rte. 28/97 intersection, emergency vehicles are having difficulties making runs from Leisure World to Montgomery General Hospital.

**President's Report** – Barbara reported that she is trying to get more participation from the homeowners and civic associations in the area and the Community Conversations held immediately prior to the GOCA meeting is working towards that goal. She noted, though, that it is sometimes difficult to locate board members for the associations because we do not always get updated information as officers change. She also noted that some issues we want to look at in futures meetings is stream qualities and activities teens want to do.

## **OLD BUSINESS**

**Proposed Doherty Property Sewer & Water Category Change** – Barbara Falcigno noted that there is nothing on this on the Planning Board agenda yet and we will discuss this more next month.

The motion as Arnie Gordon made it at the March meeting, and was seconded by Sharon Dooley reads that:

### **GOCA OPPOSE THE SEWER AND WATER CATEGORY CHANGE BEING APPLIED FOR BY THE WHEATON FIRST BAPTIST CHURCH FOR THE PROPERTY ON EMORY CHURCH ROAD.**

The motion passed with 2 abstentions and 1 opposed.

**Olney Days 2007** – Helene Rosenheim noted several of the new events that will be part of the this year's Olney Days Fun Fair at Olney Manor Park including Little Hands Kindermusik activities, and the Build a Cup of Worms Dessert Contest which will be a kick-off for a fundraiser GOCA is doing with the Dream Dinners in Cloverly. When people purchase dinner and go to Dream Dinners to assemble them for use later, GOCA gets a donation from Dream Dinners. There is no additional cost to the person purchasing the dinner, and they go home with prepared entrees that just need to be cooked when they are ready to use them. She reminded anyone interested in volunteering or know of others interested to contact her.

**Inter-County Connector (ICC)** – Arnie Gordon noted that only one of five in office oppose construction of the ICC. If we do not want it we need to let our elected officials' know of our opposition and send letters to Governor O'Malley. He noted that this is a toll road that will cost \$7 to travel end to end which means \$2,800 per year. He expects that this will become a road full of trucks. There are 3 litigation actions in process, but there are no injunctions on land takings because it is felt that there is no irreversible damage. Also, the State has issued a design and build contract, so the State's engineers will not design the road and then go out for bids to their specifications. The contractor who designs it with some oversight from SHA will build the road. Dave Eskenazi noted that there are 2 sides to this issue. GOCA has historically opposed this road, but there is another side that support the road. He added that the goal of the discussion at this meeting is not to discuss the merits of the road, but how people can provide input to the decision-making process.

Greg Smith, a long-standing advocate in opposition to the ICC reported that 2 law suits in Federal Court in Greenbelt, Maryland and 1 in DC. The lawsuits are being pursued by environmental advocate groups contend that the State refused to study alternative solutions since their studies disclose environmental impacts. The result is that there have not been open discussions of the roads real impacts. Only one has a date scheduled on a docket for briefing. The cases in Maryland are based on an argument that the State knows the review process was flawed, but is moving ahead with the construction of the road. The 3<sup>rd</sup> case involves a partial taking of

property that the Shady Grove Woods HOA is challenging because the State did not look at alternatives, especially transit. Arnie noted that associations can make contributions to the litigation funds.

Greg added that while there may be some legitimate needs for improved east-west transportation, the cost of the ICC is not approaching \$3.1 billion and that SHA doesn't really say this to the public or the legislators. While the SHA hasn't done any recent studies, independent studies show a 20% increase over the already anticipated increase, at a time he feels cost should be lowered, in light of the global warming situation. Del Manno noted that there is no legislation currently before the legislature relating to funding of this road.

Roy Peck noted that the State is proposing at-grade pedestrian crossings at the ICC interchange at Georgia Ave. He suggested, that as we had done earlier with this interchange, that if the road is going to be built, GOCA may want to take a position supporting pedestrian overpasses at this interchange. With no control devices and the volume of traffic, the 6 breaks in the path for pedestrians across the ramps will be very dangerous for pedestrians along Georgia Avenue. The State has said that they will put up signs marking the crosswalks. Dave Eskenazi suggested that we may want to look at the need for signalized ramps. Del. Montgomery suggested that GOCA may need to work with SHA to come up with the best solution.

**Roy Peck moved that:**

**GOCA SUPPORT OVERPASSES ACROSS THE RAMPS FOR THE ICC INTERCHANGE AT RTE. 97 FOR THE HIKER-BIKER PATH.**

**Due to the lateness of the hour, the motion was tabled until the June meeting.**

**NEW BUSINESS**

**New RFP for the 32-acre Bowie Mill Rd Site** – Barbara Falcigno reported that a new request for proposal for the development of the 32-acre site on Bowie Mill Road. She noted that the County Executive is not the final decider on this action, but the decision will be made by the head of the Dept. of Housing and Community Affairs (DHCA). The key difference is that a swap of the affordable housing density to another development is not getting the emphasis it had in the earlier request. Applicants are being required to make presentations to GOCA which has been asked to compile the community comments. The Selection Committee DHCA is putting together is suppose to include a representative from GOCA. Ron Berger noted that the selection of the representative was really up to the president with ratification by the other officers and delegates, and that because of her previous involvement with this site in the master plan process and the first RFP process, Barbara was probably the best representative.

**Ron then moved that:**

**GOCA APPOINT BARBARA FALCIGNO TO SERVE ON THE SELECTION COMMITTEE FOR THE 32-ACRE BOWIE MILL SITE.**

**The motion was seconded by Steve Cohen and passed unanimously.**

**ANNOUNCEMENTS**

Following a few other announcements, the meeting was adjourned

Respectfully Submitted,

*Danny Benn*

Danny Benn, Recording Secretary

**People in attendance:**

Gina Angiola (Norbeck Hills), Gracy Baker (Montgomery County Partnership), Bob Beard (Homeland Village), Jackie & Danny Benn (Fairhill Farm), Ron Berger (Norbeck Meadows), Benny Bienvenue (Our House), Art Brodsky (Cherrywood), Joe Buffington (Olney Chamber), Steve Cohen (Oak Grove), Joe Corbett (Williamsburg Village), Sharon Dooley (James Creek), Dominique D'Anna (Olney Mill), Dave Eskenazi (Norbeck Meadows), Barbara Falcigno (Olney Oaks), Jay Feinberg (Olney Oaks), Arnie Gordon (Norbeck Meadows), Rita Grotzky (Olney Oaks), Terri Hogan (Gazette), Kay Howard (Olney Oaks), Del Ben Kramer – Dist 19, Daniel Llaish (Cherrywood), Walter Lee (Environ/OTCAC), Sen. Mike Lenett – Dist 19, Del Roger Manno – Dist 19, Del Karen Montgomery – Dist 14, Roy Peck (Norbeck Meadows), Theresa Kyne Robinson (Olney Oaks), Helene Rosenheim (MCRSC), Robin Shea (Oatland Farms), Don Schmelter (Highlands), Greg Smith, Jim Smith (Oatland Farm), Del Herman Taylor – Dist 14, Daniel Walsh (Cherrywood), and Ed Weisel (Norbeck Meadows)