

Minutes
May 10, 2011

President Matt Zaborsky called the meeting to order at 7:30 p.m. Arnie Gordon approved the agenda, and Ed Weisel seconded. Then Arnie Gordon approved the minutes, and Ed Weisel seconded.

PUBLIC COMMENTS:

1. Matt Zaborsky reminded us that Natalie Cantor, Director of the Mid-County Regional Service Center, and County Councilmembers Nancy Navarro and Craig Rice or their staff members would meet at Starbucks in Olney on May 19, 10:00 a.m. to 11:00 a.m.
2. Lori Wilen announced that Clarissa Libertelli, a 7th grade Wood Middle School student who wants to be a writer, is one of 40 finalists for the Doodle4Google contest and asked us to vote for her.
3. Jackie Benn stated there are potholes on Prince Philip Drive between Route 108 and Spartan Road.
4. Arnie Gordon stated the American Chestnut Foundation (TACF) is working to restore chestnuts in U.S. forests and asked if we know anyone with \geq five acres who would plant the 4th generation American/Asian hybrid trees.
5. The Sandy Spring Museum's 30th Strawberry Festival is scheduled for June 4, 10:00 a.m. to 4:00 p.m.
6. Danny Benn reminded us of the American Cancer Society Relay for Life at Sherwood High School on June 6th, 2011.
7. Sue Payne informed us of the movement to overturn the Maryland Dream Act that enables students of illegal immigrants to pay in-state tuition if they meet a number of conditions and gave us the website: www.mdpetitions.com.

SPECIAL PRESENTATION: Maryland Legislators from Districts 14 and 19

1. **District 14 Senator Karen Montgomery** stated the primary task in Annapolis is to balance the budget, and although money is scarce the legislators acquired money for Montgomery County and protected the teachers' pensions. The budget was balanced by cutting expenditures and by increasing the alcohol tax from 6% to 9% beginning July 1, 2011. Olney Theatre and the Olney Boys and Girls Club sports facility benefitted, and a bill to reduce the incidence of sudden infant death through infant screening for inherited heart problems passed.

Regarding Maryland:

- a. Maryland benefits from its proximity to Washington D.C., its highly educated population, and because for the third year in a row it has the second highest number of millionaires in the country.
 - b. Although we are considered #1 in the country for education, there is room for improvement.
 - c. Maryland is 40th in the country for caring for people with developmental disabilities.
2. **District 19 Senator Roger Manno** stated the legislators balanced a \$34 billion budget, a rate of increase of 2% over last year, and reduced a \$2 billion structural shortfall 45% this year. They set aside \$41 million for snow emergency assistance and completely averted the teacher pension transfer to the county while decreasing out-of-pocket health care costs for the county. Over \$800 million was delivered to Montgomery County for K-12 education and libraries and for District 19 capital projects at the B'nai B'rith Homecrest House and Cardinal McCarrick Center. And for the environment the legislation passed SB 751 to strengthen the penalties for violations of the 2007 phosphorus ban.
 3. **Delegate 14 Delegate Eric Ludtke** shared the state is providing Montgomery County Public Schools (MCPS) with a \$40 million increase plus \$10 million for school construction and successfully delayed for one year the penalty for not meeting the maintenance of effort funding. Maryland's new venture capital fund will use ideas from the University of Maryland and technological industries to create new jobs in and beyond the 270 corridor. One of his bills helps strengthen the Maryland Farm to School Program to ensure healthier school lunches. His other bills included a bill to give local boards of elections the ability to decide safe standing distance measures and the Human Trafficking Victim Protection Act which provides educators with information from the trafficking hotline.
 4. **District 19 Delegate Sam Arora** stated Governor Martin O'Malley today signed his bill to close a loophole in gun laws regarding serial numbers. Other bills includes a bill that makes reading and text messages illegal and levies a \$500 penalty; but a bill that makes it illegal for backseat passengers to not wear seatbelts stalled. One new bill sends drivers to three years in jail if they kill a person while driving in a "criminally negligent manner." Another bill expands the participation in the Ignition Interlock program for those who have been convicted of driving under the influence of alcohol or are required by court order to participate. However the blood alcohol lower limit of 0.15 is too weak according to Sam Arora and other legislators who favor a limit instead of 0.08. For privacy protection, another bill finally prohibits public disclosure of personal data from senior centers. For safety, the legislators are working on a bill that will enable victims of sexual crimes to discover where the attackers live so they can avoid them.

5. **District 14 Delegate Craig Zucker** is working on a bill to suspend home state tax credit if a person does not pay child support; this would save the county and state about \$220,000 and \$20,000 respectively. An increase in title and tags fees will give the counties \$8 million and localities \$5 million. The school construction money mentioned by Delegate Ludtke provides \$290,000 for Olney Elementary's roof, \$160,000 for Sherwood Elementary School's addition, and \$225,000 towards Sherwood High School's roof. From the transportation environment subcommittee, \$5 million was secured for the Chesapeake Bay Trust Fund.
6. **District 19 Delegate Bonnie Cullison** stated the only new revenue for the state besides minor fees is from a reduction in the pay and benefits of state employees. The health and government committee has set up the health care exchange boards required by the Affordable Care Act and also passed a bill to set up a task force to study medical marijuana issues. Meanwhile, if you are caught with marijuana in your car or in your clothing and can prove it is for medical purposes, you will not be charged. Other bills enable the most vulnerable families to receive family planning, enable legislators to monitor PEPCO, and enable adults to order wine from a winery and have it delivered to their home. Ms. Cullison and her aide Matt Weiss have been working to improve the intersection of Route 97 and Georgia Avenue. Ms. Cullison remarked that the best legislators work during the interim and encouraged us to contact her.
7. **District 14 Delegate Anne Kaiser** agreed that legislators need to be active throughout the year and asked us to contact her. She revealed that Mr. Lewis pointed out that some neighbors were abusing the new residents benefit. All eight Montgomery delegates voted for the Dream Act sponsored by Delegate Sheila Hixson. Delegate Kaiser pointed out that because the United States immigration system is broken, states need to create their own laws. The Dream Act addresses the need to educate immigrants' children. College tuition is rising, and the in-state tuition for the University of Maryland is \$8,000 a year. The requirements needed to qualify for the Dream Act are:
 1. The student must be enrolled in high school for three years and must graduate or obtain a GED.
 2. The student's parents or guardians must have paid taxes for three years.
 3. The student must first attend two years at a community college and must continue to pay taxes.
 4. The student must prove he or she has filed for selective service in high school.

Over 36,000 people, likely illegal immigrants, file state taxes through a federal ID, and students with parents in this population fulfill requirement #3.

8. **District 19 Delegate Ben Kramer** stated the purpose of the Priority Lien Bill is to resolve the problem of homeowners not paying dues and homeowners associations not recouping the legal fees associated with foreclosures. Banks have fought legislation for years and were successful in obtaining a compromise. The legislators tried to obtain six months of compensation for the homeowners associations, but the banks lobbied for only two months of compensation; the result is that homeowners associations will receive four months of revenue capped at \$1200. Residents cannot choose who moves into the neighborhoods, but the banks can choose to whom they give mortgages. PEPCO will establish regulations, and fines up to \$25,000 per incident can be levied against PEPCO. The offshore wind bill that did not pass had included subsidies by residents for the next 25 years and allowed the wind farms to be built in other states and therefore not provide jobs for Maryland residents.

Questions/Comments on Legislative Reports:

When Bob Beard stated that much money had been taken from the transportation fund, Roger Manno said the pension fund had also been raided, and the cuts without additional tax revenue are too painful for social services, small businesses, and the poor. The alcohol tax would bring in \$85 million. Karen Montgomery added that a bill to increase taxes on the wealthy and a combined reporting bill that would have closed gaping corporate loopholes used by companies like Walmart to evade their fair share of taxes needed to support schools and other public services did not pass. However she believes millionaires can afford to pay more and remarked many think it is worthwhile to live in Montgomery County. Craig Zucker stated that the \$100,000 revenue from transportation and pensions was split \$60/\$40 between the general fund and the rainy day fund.

Briefly we discussed redistricting and whether we would like Olney to be in one or two legislative districts. According to Senator Karen Montgomery, Olney has been interested for 12 -15 years in being in one district. However, that would result in less legislators vying for us, and we have benefitted greatly by the hard work from so many legislators.

Paul Jarosinski asked which legislators sponsored the amendments to the lien priority bill so we would know who is against the bill; Delegate Ben Kramer said the banks are conceding nothing, and Anne Kaiser said the committee votes are online.

Regarding the lack of gas tax, Delegate Eric Ludtke said at the beginning of the legislative session it would pass, but when gas prices rose, the tax was dropped although it has not been increased since 1992.

When Matt Zaborsky asked how Olney benefits from the legislation, Eric Ludtke shared the wins for Montgomery County would be found at www.montgomerycountydelegation.org.

Sue Payne expressed her displeasure with the Maryland Dream Act, but Delegate Eric Ludtke said that giving hard working children of taxpaying illegal immigrants the opportunity to go to college is the right thing to do.

OFFICERS/COMMITTEE/LIASON REPORTS

President's Report: Matt Zaborsky thanked the elected officials from District District 14 & District 19 who had come to the meeting and then discussed transportation issues. He acknowledged the frustration from commuters, including those who drive through the MD 97 and MD 28 intersection and the Hollowell Community regarding the 108/Price Philip intersection. He has contacted the Maryland State Highway Administration with a formal request for a left turn arrow for those traveling north on Route 97 and turning west on Route 28. In the correspondence binder there is a formal request for MD 108 to be studied at Spartan Road because now that the new Fair Hill center is open it is very difficult to turn left from Spartan Road onto eastward MD 108.

He announced that the "Lien Priority" Legislation was signed into law today.

Since Olney Days is quickly approaching, Mr. Zaborsky will be at the Farmers Market on Sunday handing out flyers and encouraging people to sign up for the parade and the event's contests. A complete schedule of events is on our website.

Councilmember Rice sent an email to Mr. Zaborsky indicating his support for Olney keeping the satellite police station, and Mr. Zaborsky read the below message from Sharon St. Pierre, Mr. Rice's Deputy Chief of Staff:

"You asked me earlier about Craig's position on the Olney police station. Craig feels that due to the Olney station's unique circumstance in which the community has paid for the facility, including the bikes, and helps staff the station, he supports keeping the police station in the Olney area.

Mr. Zaborsky strongly expressed the need for the entire Olney community to focus on improving the Routes 97 and 28 intersection because it is the "gateway" into Olney, so severe traffic congestion may ultimately affect our property values. He introduced Trish Toven from the Flower Valley Homeowners Association and invited all to the May 18 rally at the intersection of Routes 97 and 28.

Corresponding Secretary: Kathy Curtis was not present.

Chamber of Commerce: Joe Buffington thanked the legislators and the community for supporting the Athena Awards Dinner scheduled for June 16th and stated that this year some students with learning disabilities applied for the scholarship.

Olney Town Center Advisory Committee (OTCAC): Bob Beard shared that Jim Haddow's resignation has created an opening for a new member nominated by a homeowners association. He stated Baskin Robbins and Panera Bread are now open in the Fair Hill Center, and Grill Marx is expected to open in June. The committee is working on a list of projects on which to spend the \$154,000 mitigation payment from Safeway.

Civic Federation: Arnie Gordon announced the Civic Federation's Annual Award Ceremony scheduled for May 13th where legislators will present the awards to: the Montgomery County Friends of Library, the Organizational Reform Commission, and the Montgomery County Civic Federation Environment Committee. The federation opposes Montgomery County Park and Planning's zoning text amendment 11-01 because it increases the maximum building height to 65 feet in a mixed use zone and urges the maximum building height of 45 feet.

Mr. Gordon stated the Montgomery County Council passed the bag tax 8:1 on May 3, 2011.

Membership Committee: Jodi Finkelstein was not present; Matt Zaborsky stated five homeowners associations had not yet paid their dues.

Transportation Report: Paul Jarosinski read an email from Carla M. Julian, the community liaison for the Intercounty Connector. The final paving for Route 97 from International Drive to MD 28, northbound and from MD 28 to Bachelors Forrest Road on the northbound and southbound lanes, was delayed by spring rain and is now scheduled for mid-June. The sidewalk area on the northbound lanes after Bachelors Forrest Road where the trees have been cleared will be widened for the bike path after the MD 97 lanes are paved. Landscaping is ongoing for the area close to the old golf center and will be completed for the northbound MD 97 lanes after the widening and paving. The light at the park and ride lot started as a flashing light and has turned to full color to allow motorists coming from The Preserves to turn onto northbound MD 97. This was completed earlier than expected to address The Preserves' safety issues.

Paul noted that the Washington Examiner published today (5/10/2011) that the ICC traffic is running less than 50% of the predicted volume during weekdays while spending \$1.4 million in advertising over the first two months of operation. If you go to the on-line article, you can see the exact counts. If you do the math on these numbers, you will learn that the ICC is spending twice as much on advertising as it is taking in with the tolls receipt amounting to approximately a \$700,000 loss for the State for the first 60 days of toll collection!

It was noted earlier that the State borrowed another \$100 million from the State Transportation Fund to balance the budget. This makes \$1.7 Billion taken from the Transportation Fund for other budget matters in just 7 years. This is one of the prime reasons our transportation improvements are not getting done.

Regarding 97/28 Paul reported that he had received an 8 page document from Flower Valley about deficiencies at the intersection of 97/28 related to the removal of the second left turn lane. Complaints centered around prolonged delays to make left turns from 97N, but included other delays and traffic making lefts from the through lane. This report also revealed a number of short cuts through Manor Park and The Preserve/Sycamore Acres and well as U-turns that were being used to bypass the lack of capacity in the remaining single left turn lane on 97N. Lee Lofthus has been compiling a long list of failures at the intersection related to the loss of the second left turn lane whereby the traffic wanting to turn left from 97N to 28W backed up into the through lane blocking through traffic from using that lane.

To address the new deficiencies, the Transportation Committee met at Karen Montgomery's house on 4/21/2011 to discuss the problem. Senator Manno and Delegates Cullison and Kramer were present. The decision was to try to take our case to Neil Pederson, Head of the State Highway Administration, since he was the one who signed the letter promising an additional through lane at 97/28 rather than one substituted for one of the left turn lanes.

Karen Montgomery reported back that she was only offered meeting dates with Neil Pederson in July. Since the ICC planned to be finished all the Olney work by that time, this meeting would be too late to fix the problem. Karen suggested our only recourse at this point was to hold a rally at the intersection to bring attention to the problem. Paul met with Larry White of White's Hardware and they agreed to let us use parking lot for the rally as they were keening aware of the problem we described and mentioned several others. The rally is set for 5 PM on May 18th and everyone was encouraged to attend.

Treasurer: Ruth Laughner reported a balance of \$13,000.

Unfinished Business:

1. Ed Weisel expressed concern about the inappropriate vocal behavior of one of the visitors to the meeting, and Ellen Bogage asked if GOCA had any guidelines for visitors' behavior at the GOCA meetings.
2. Matt Zaborsky stated the South East Rural Olney Civic Association (SEROCA) had reached an agreement with the Wheaton church and would work with the new configuration.
3. Arnie Gordon had attended a webinar about the Promethean Project and urged us to begin organizing it. Knowing it would require financial backing, Mr. Gordon suggested we solicit money from community members, and Mr. Zaborsky asked Mr. Buffington if the chamber would be interested in helping it.
4. Arnie Gordon read the Manor Oaks resolution on the Freeman proposal:

GOCA Resolution on Proposed Development of Parcel 103

WHEREAS Carl M. Freeman Development proposes to build 11 townhouses and 5 single-family homes on Parcel 103 (at the intersection of Georgia Avenue and Owens Road); and
 WHEREAS the development as proposed will directly and negatively impact congestion and safety on Georgia Avenue – which is already overly congested and plagued with speeding, significantly limited lines of sight and visibility, and excessive points of entry/egress – for residents of the Greater Olney and Brookeville communities who all rely on an assurance of regular and safe passage over Georgia Avenue and Owens Road.

NOW THEREFORE BE IT RESOLVED THAT GOCA opposes allowing the proposed development on Parcel 103 to connect directly to Georgia Avenue for entry/egress and requests that Owens Road receive significant improvements to accommodate the additional load and the additional entry/egress activity resulting from the proposed development in a safe manner.

The motion was passed unanimously.

New Business:

Matt Zaborsky summarized the Danshes property which is southeast of the Route 108/Route 97 intersection and next to the fire station. According to the Master Plan, the property would not utilize water or sewer, so the builders are seeking a category change because they plan to build an assistive living facility. SEROCA is

concerned that Montgomery County Park and Planning did not seek input from the county council or the community and is concerned about the increase in traffic. Arnie Gordon stated the proposal is inconsistent with the Master Plan, but it was pointed out that master plans can be disrupted by permitted exceptions.

The meeting adjourned at 10:12 p.m.

Respectfully submitted,
Theresa Kyne Robinson, Recording Secretary

People in attendance: Gina Angiola ((Norbeck Hills), Sam Arora (Maryland State Delegate), Bob Beard (Homeland Village), Jackie Benn (Fair Hill Farm), Ron Berger (Norbeck Meadows), Ellen Bogage (Victoria Springs), Brad Branch (Olney Mill), Joe Buffington (Olney Chamber of Commerce), Steve Cohen (Oak Grove), Bonnie Cullison (Maryland State Delegate/Bel Pre – Strathmore), Patti Edwards Devlin (Flower Valley), Neeta Datt (Office of Senator Karen Montgomery), Sharon Dooley (James Creek), Della A. Dorsey (Camelback Village), Merry Eisner (Office of Sam Arora), Lori Goodwin (Hallowell), Arnie Gordon (Norbeck Meadows), Chuck Graefe (Southeast Rural Olney Civic Association), Jim Haddow (Hallowell), Mary Haddow (Hallowell), Terri Hogan (Gazette), Paul Jarosinski (Cherrywood), Aleka Kapatou (Tanterra), Ben Kramer (Maryland State Delegate), Ruth Laughner (Williamsburg Village), Larry Lauer (Olney Mill), Lee Lofthus (Oatlands), Eric Luedtke (Maryland State Delegate), Roger Manno (Maryland State Senator), Deborah Maselka (Manor Oaks),), Robert K. McCary (Cherrywood), Joe McKenna (Manor Oaks), Amit Mistry (Damascus), Karen Montgomery (Maryland State Senator), Sue Payne (Damascus), Lydia Rappolt (Camelback Village), Theresa Kyne Robinson (Olney Oaks), Helene Rosenheim (Highlands of Olney), Ann Marie Saporito (James Creek), Louis Saporito (James Creek), Martha Schaerr (Bowie Mill Estates), Selena Mendy Singleton (Office of Congressional Representative Donna Edwards), Larry Soloman (Norbeck Grove), Sharon St. Pierre (Office of Montgomery County Councilmember Craig Rice), Anne Stretch (Cherrywood), Trish Toven (Flower Valley), Ina Ungar (Office of Maryland Delegate Bonnie Cullison), John Webster (Manor Oaks), Ed Weisel (Norbeck Meadows), Matt Weiss (Office of Delegate Bonnie Cullison), Lori Wilen (Cherrywood), Matt Zaborsky (Norbeck Meadows)