

Volume 46, No. 6 December 17, 2001

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## **Mayor, Council Nominations 2 Months Away**

In little over two months, on **Monday, March 5** to be precise, residents will nominate their favorite candidates for Mayor and two Council seats. Election day (evening) in Somerset will be **Monday, April 1**.

The Town Charter requires its elected officials to be:

- Citizens of the United States;
- Residents of Somerset for at least 18 months preceding the election; and
- Qualified voters in the State of Maryland

Although residents who are legal aliens may not hold office, they may vote in Town elections, provided they are registered in Somerset. Please call the Town Hall for registration information.

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## **Critical Town Survey Coming in February**

By Long-Range Planning Committee

The “best cities in our country” report has just been released. Somerset is not on the list. Surprised? Probably not. Soon, though, you will have the opportunity to participate in Somerset’s own version of what makes this the best place to live.

In early February, you will receive a survey in the mail that is unlike any Town survey you have ever received. Put together by an opinion research professional, this questionnaire will give you the first of several chances to tell Town government what you like, what you would change, how you choose to use Town facilities, your vision of the Town for the next 20 years, what is right and what can be improved.

Your Town is once again a leader. By crafting a fluid plan for growth and development, Somerset is building on its roots of democracy and resident participation by designing a blueprint for the Mayor and Council to use in daily governance.

**Just Another Survey?**

Will this be just another survey that will get analyzed, talked about and then disappear into Town archives -- never to be enacted or discussed further? Well, not exactly. Your Town, and in particular 19 members of the Long-Range Planning Committee, 24 volunteer residents selected at random, two professionals and a smattering of others from inside and outside Somerset will have spent numerous hours and some dollars putting together a research vehicle for planning Town growth and development over the next 20 years.

Fill it out, mail it in, read the results in the *Town Journal* and elsewhere, and attend any of the four public meetings in early spring - **be part of the most exciting process to hit the Town since paved streets, indoor plumbing and shoveled sidewalks!** Look for the survey in your mail by mid-February. Curious? Can't wait? Read more on the Web site at <http://www.townofsomerset.com/lrpc/index.html>.

### **Mayor's Den**

By Walter J. Behr

### **More Discussion on Security Scheduled**

Further discussion of what Somerset as a Town should do -- if anything -- to bolster security in the hope of reducing burglaries and vandalism is scheduled for the next Town Council meeting, Monday, January 7, at 9:35 p.m. The Council will not act on the subject until the following meeting, Monday, February 4.

So far, debaters pro and con have assumed that the basic issue is whether or not to hire off-duty Montgomery County police officers. A subsidiary question is: Would it be preferable to hire them direct or through a private security company? Either way, the concept has been that they would drive along our streets in Montgomery County police cars four or more hours a day looking for suspects, but mostly serving as a deterrent to crime.

### **Disagreement on Rules for Police Cars**

However, there is a big question at the moment whether this may be done legally. Many of you may have read the first page story in the December 12 *Chevy Chase Gazette* headlined "Somerset Mulls Police Presence." The article states that, according to police spokesman Captain Bill O'Toole, officers may drive their cruisers to the job, but may not drive around the streets in the cruisers while on off-duty patrol.

We have received contrary information from the police union and from the head of a private security company, himself a County police officer, who "rents out" off-duty County officers. Both have stated categorically that off-duty officers may, indeed, cruise our streets in their police vehicles.

Because of these conflicting versions of the rules, I wrote the Montgomery County Ethics Commission for an official interpretation on the rule on squad cars. After considering the issue this week, the Ethics Commission referred the question to the Police Chief for a ruling.

### **Ethics Commission Defers to Police Chief**

Two other questions that we posed have been forwarded to Chief Charles A. Moose by the Ethics Commission. They are:

- May off-duty Montgomery County police officers working directly for the Town, or working for a security company, enforce STOP signs and speed limits?
- May off-duty County officers working for a security company wear security company uniforms while patrolling the Town in Police Department cruisers, or are they required to wear civilian clothes (since, we understand, they may not wear their official police uniforms)?

**To me, the key question is whether or not off-duty police officers may or may not cruise our streets in their official vehicles.**

Last month's *Town Journal* stated that if a security arrangement is ultimately approved, the cost for four hours a day, five days a week, would come to about \$100 per household per year and that eight hours a day, five days a week would amount to approximately \$200 per household per year. One resident wondered if that meant that each household would be assessed that amount.

Although the Town Council has not addressed this question, I assume that if a security program is approved, it will be paid from the Town treasury, not from special assessments. Of course, this substantial expense could, sooner or later, affect our Town property tax rate.

### **Vandals Hit Another Car**

Last month, we reported \$2,200 in damage inflicted by vandals to a car parked in the 4800-block of Cumberland Avenue and an unsuccessful effort to enter a house in the 5500-block of Greystone Street. The only incident reported since occurred the afternoon of December 11. Vandals smashed the rear window of a van parked in a driveway at a different house in the same block of Greystone.

Whether or not we decide to hire off-duty police officers, it is important for all residents to keep their eyes and ears open for individuals who appear to be up to no good. Police will respond to investigate if you call 911 even if you prefer not to give your name.

Other common-sense reminders are:

- Install dead-bolt locks on hinged doors, and be sure all doors, including garage doors, are locked at all times.

- Check windows for sturdy locks and sliding doors for good locks or charlie bars.
- Light your house with timers when you are away and even when you are not away this time of year if you get home after dark.
- If you're not sure how to make your house safe, call Community Service Officer Dana Matthis at 301-657-0119 to arrange for a free inspection.

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### **Please Remember Our Leash Law**

Earlier this month, a resident of "Little" Surrey and his small dog were attacked by an angry, aggressive, loose dog that might have been a pit bull. Fortunately, the resident and his pet were able to retreat to safety before any harm was done.

Apparently someone in Town is unaware of our Animal Ordinance, which requires dogs to be **on a leash** when off of their owner's property. In consideration of your neighbors - and because it is the law - I urge you to leash your dog when it is off of your property.

### **Income of Town Residents Slips**

The Town just received information from the State Comptroller's office that Year 2000 **net taxable income** of Somerset residents decreased 12 percent from 1999. Similarly, **State income tax liability** was down 12.2 percent for the same period. Income in 2000 was \$69, 263,802. State income tax liability that year was \$3,332,568.

This decrease in State income tax liability of Town residents will, undoubtedly, result in a reduction in the Town's largest source of income in the current fiscal year, FY-02, compared with FY-01, namely, a portion of State income tax paid by Somerset residents. (Clearly, interest income will also be lower because of the numerous interest rate reductions.)

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### **Scholarship Rules Favor Town Residents**

Two \$1,500 college scholarships will be awarded again this year to Montgomery County high school and/or college students with at least average grades who are involved in community service and who plan a career in government or public service. Preference will be given to residents of Somerset and the 20 other County municipalities and special taxing districts.

The scholarships are being offered by the Montgomery Chapter of the Maryland Municipal League.

Applicants must provide their education objectives and career goals. They should explain why the award is merited and how it would be used. Also required are an essay on the

importance or function of municipal government, transcript of scholastic records and two letters of recommendation.

Application blanks and announcements are available at the Town Hall, at the Montgomery College Office of Financial Aid and from high school counselors. Completed applications with attachments must be received in the Somerset Town Hall by **April 8**.

If you have questions, feel free to call me at 301-654-1258.

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### **Schlossberg Named Player of Year**

Congratulations again to Somerset resident and Bethesda-Chevy Chase High School junior Elizabeth Schlossberg! Since last month's announcement that she was goalie of the State champion field hockey team, the *Montgomery Journal* has named her the Player of the Year, with the following accolade:

Kept an unusually young and inexperienced B-CC team afloat for most of the season against a brutal schedule. Led the Barons (13-2-2) to the Montgomery County Public Schools Division III title, the 2A West Region crown and a share of the 2A State championship. The State title was B-CC's eighth in a row, which broke a national field hockey record. Had 16 saves in the Barons' double-overtime tie in the State final.

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### ***NEW YEAR'S WISH***

*My wish for all of us is that images of the dastardly September 11 attacks will gradually recede to the extent that in the New Year we can focus on the future - of the free world, of our country and, yes, of our small Town.*

*This I promise: Councilmembers and I and the staff will do our utmost to make the government closest to the people dependable, efficient and responsive to the needs of our "customers," the residents of Somerset. We welcome your questions, suggestions and - yes - even your concerns. We look forward to serving you in 2002.*

*Walter J. Behr*

*Mayor*

### **Neighborhood "Bag Lunch"**

By Councilmember Anne Proctor

I know, I know. This is a terrible idea. We are all much too busy. But let's try this anyway! Mark your calendars for Thursday, January 10, noon to 1 pm (one hour, no more!). Bring to the Town Hall a sandwich (cut in quarters to share), a side of munchies (e.g., carrots, chips, to share) and your own beverage. Nothing more than "grabbing your quick bite to eat" is planned, no guest speakers, no agenda.

Think of it as a way to keep a finger on your neighborhood's pulse without having to go to a Town meeting. I'll be there and so will the Mayor. I hope some of you will be, too. That means YOU! If you are on a walker, we'll help you walk right in. If you have triplets in a stroller, we'll help you sit right down. If you work at home or at a nearby office, let your mind roll on to other subjects.

### **Town Hall Tidbits**

By Tom Carter

HOLIDAY GREETINGS from the staff at Town Hall.

Tom Carter

Corrie Morsey

Larry Owens

Felix Vasquez

Enrique Cabrera.

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### **Office Hours**

Tom is back, but on limited hours for the next few weeks while he continues to take physical therapy. He will try to be in from 10:30 a.m. to 3:00 p.m. Monday, Tuesday, Wednesday and Friday. Please call before coming to the Town Hall to be sure he is in.

Thanks to all who sent cards or called to see how he was doing. Your concern was deeply appreciated.

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### **Christmas, New Year's Schedule**

Town Hall office will be closed Christmas Eve, December 24, Christmas Day, December 25, and New Year's Day, January 1, which are Federal holidays. The Mayor will be in Town and may be called either at home or at Town Hall. Some of the maintenance personnel will be in, so

if you need their help, please call 301-657-1992 and leave a message. One of them will return your call as soon as he gets back in the garage.

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### **Holiday Trash Pickup**

J&J, Inc. will be picking up recyclables (commingles, paper and yard waste) and refuse on **Wednesday, December 26**, rather than on Tuesday, Christmas Day. Normal refuse service will resume on **Friday, December 28**, and on **Tuesday, January 1**, “blue bin”, yard waste and refuse service will be provided.

Reminder: Yard waste will be collected on Wednesday, December 26, and then on Tuesdays only during January and February. Friday service will resume in March, and, of course, Tuesday pickup will continue.

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### **Christmas Tree Disposal**

Christmas trees will be picked up by J&J, Inc. on **Tuesday, January 8**. This is the only day for collection this year. J&J will make only one pass through Town that day, so be sure to have your tree at the curb no later than 7:00 a.m. Trees must be free of tinsel, lights and ornaments, removed from any bases or stands and not in plastic bags.

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### **Leaf Season Ends**

Leaf collection season ends on **December 28**. The way to get rid of any remaining leaves is to put them in your mulch pile or at the curb on Tuesdays in **paper** bags or reusable containers.

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### **Permits Granted**

The following permits were issued by the Mayor during the past month. (Building permits are approved by the Town Council.)

**Trees:** John and Juliette Weinstein, 4705 Falstone Avenue, to remove a mulberry at the top of their drive way, near the property line.

**Fences:** Walter/Mary Wisniewski and David Buffington/Ellen Berkowitz, 5401 Greystone Street, 5019 River Road, to erect a vertical board fence between their properties and along the River Road lot line of 5401 Greystone Street.

Debbie Rutenberg, 5410 Trent Street, to erect a picket fence alongside rear property line.

Barbara Zeughauser, 5412 Trent Street, to erect picket fence alongside rear and side property lines in back yard.

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### **Last Chance For 2002 Calendars**

2002 League of Women Voters calendars are still available at the Town Hall for \$5, or call Betty Palmer at 301-654-1115.

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### **Legislation**

At the December 3 regular meeting, the Town Council introduced an amendment to Section 4-103 of the Town Code to delete the requirement that residents clear snow and ice from sidewalks in front, and on the side, of their property.

### **Council Activity**

At the December 3 meeting, the Council:

1. Heard a report from the Town Audit Committee regarding the public accounting firm audit of Fiscal Year 2001 operations.
2. Confirmed the Mayor's reappointment of Bonnie Thomson to the Board of Supervisors of Elections for a three-year term expiring December 31, 2004.
3. Set dates for nominations of Mayor and two Councilmembers for two-year terms on Monday, March 5, and for elections on Monday, April 1.
4. Set tennis fees for the 2002 season at \$5 per household.
5. Discussed purchase of a defibrillators for Town Hall and swimming pool. Action on a purchase is scheduled for the January meeting.
6. Established a committee to recommend Mayor's salary for term beginning in 2002.
7. Renewed three-year contract with J&J, Inc. for refuse and recycling service at a cost of \$6,500 a month, \$78,000 a year, beginning in February, with adjustments in 2003 and 2004 for cost of living.



8. Discussed hiring off-duty Montgomery County police officers to patrol Somerset streets and enforce compliance with stop signs and parking restrictions. Further discussion will take place at the January meeting.
9. Directed Batting Cage Committee to revise rules.
10. Approved \$1,800 for a consultant to oversee survey preparation and analysis for the Long-Range Planning Committee.

### **Investigate Before Investing – In Security**

At the December 3<sup>rd</sup> meeting, discussion was held about the proposed hiring of a Town security officer during the daytime when residents are at work. We are concerned by the lack of adequate information to support this proposal which is critical for its consideration.

It appears that the proposal has been initiated because of an increase in residential burglaries in the Bethesda District (from 59 to 100 during the past year). However, it was apparent from the discussions that the Bethesda District is a very large area and that the number of such incidents in Somerset was actually 10! No information was available as the WHEN they occurred (most within a brief period? scattered over the course of the year?); or the TIME OF DAY when they occurred although discussion indicated at least some occurred at night. The only “expert” available to comment was an off-duty Montgomery County police officer who has a security firm that provides the proposed services. No response was given to questions regarding the cost-benefits for such services (estimated to cost close to \$50,000 per year for even a 4-hour daily patrol). As to whether the Montgomery County police should be more responsive to these concerns, it was noted that the police are having difficulty recruiting officers and for this reason only 15 are available at any one time for the entire Bethesda District.

Before we even consider the hiring of a special security officer, we strongly urge the following:

1. Identify the nature of the crime problem(s) we need to be addressing: find out the type of crime occurring; the dates it has occurred; the time of day; whether it was a random act or part of a crime series, etc.:
2. Invite Montgomery County Police Chief Moose (and possibly the Park Police, if crime on the bike path appears to be a problem) to meet with residents to discuss deployment of officers for Somerset to address these problems; and
3. Explore a range of strategies to address whatever problem(s) is/are identified, including a Neighborhood Watch and similar community based strategies.

We also urge that focus be on the security aspect of the proposal – which appears to be the principal reason for its consideration – rather than on other incidental functions suggested that the officer could perform (monitoring speeding, stop sign and parking violations; and picking up

newspapers from homes where the occupants were way.) Before any decision is made and any public funds obligated (which could cost up to several hundred dollars per household annually), the citizens of Somerset need to be given the opportunity to fully participate in this important decision.

We are not oblivious to criminal activity in Somerset and have been victims and/or know of others who have been. But, based on the information presented thus far, the hiring of an off-duty officer a few hours a day would have little or no impact on the likelihood of preventing these crimes and would certainly not make us feel – let alone be - any safer.

Stan & Joan Weiss, Essex Avenue

Caroline & Howard Cooper, Cumberland Avenue

Bahram & Miriam Soroush, Dorset Avenue

Leslie Caplan and Robin Barr, Essex Avenue

Leonard & Joyce Reed, Dorset Avenue

### **Town Historic District Featured in New Book**

By Lesley Anne Simmons

The 1966 Congress enacted laws to ensure that our nation's historic resources were identified, designated and protected through regulations restricting demolition and inappropriate renovation. It also authorized financial incentives to help fund preservation. A decade later an inventory of historic resources, which identified sites with the potential for historic designation in Montgomery County, was prepared. The Town of Somerset was among them. And in 1990, 54 homes in our Town were designated as a historic district.

It's hard to know where our historic district begins and ends: Many modern homes are interspersed within the historic district, and some historic homes lie outside of it. But meander along the 5700 and 5800 blocks of Warwick Place and Surrey Street, the 4700 block and 4800 blocks of Dorset Avenue and Cumberland Avenue, and the north side of the 700 block of Essex Avenue and you'll have covered it.

Somerset's historic district and some of its homes are featured in a new book, *Places from the Past: The Tradition of Gardez Bien in Montgomery County, Maryland*. (Gardez Bien is the County motto adopted in 1976, meaning to guard well or take good care.)

Homes on Dorset, Warwick and Cumberland are included in this celebration of protected places from the County's past. The heavily (black and white) illustrated, 357-page book, launched at a reception at Strathmore Hall on December 5, documents the history of our Town - along with all the other historic districts and individual historic sites in the County. A speaker at

the reception pointed out, “A lot of times we forget about these things that have made us.” The book certainly reminds us of the homes and buildings that have made us. And the author, Clare Lise Cavicchi, is diligent about noting the importance of individual property owners’ efforts in protecting the County’s historic sites. “Each of these people is a hero and it is to them that this book is truly dedicated,” she writes in the introduction.

Copies of the book are available from the M-NCPPC information section, 8787 Georgia Avenue, Silver Spring or by going online at [www.mc-mncppc.org/historic](http://www.mc-mncppc.org/historic) or by calling 301-495-4610. It will also be available at local bookstores: price, \$35.

### **Somerset’s Day of Service**

By Councilmember Anne Proctor

Thanks to the many residents and neighbors who attended our first Town-wide “community service” gathering at the Town Hall on October 28. Somerset Elementary 5th grader Jana London was chief organizer of the event. She helped lead the participants through the steps (some simple, some not!) of making sandwiches for the Gude Drive Men’s Shelter and folding paper cranes to present to members of the Bethesda-Chevy Chase Rescue Squad who responded to the September 11 attacks. It was remarkable to witness the energy that people of goodwill - parents and their young children, soccer team players, our more senior residents, teenagers on their own, and friends that live in nearby neighborhoods - generate when they combine their effort. There was lots of interest expressed in planning another “service” gathering sometime soon. Any ideas for a project? Send them along to Anne Proctor: 301-652-4717 or [aneproctor627@erols.com](mailto:aneproctor627@erols.com).

### **Pool Manager Bids Farewell**

I wanted to write this to thank everyone for their support during the years I’ve been your pool manager/instructor. Due to things beyond my control, I won’t be returning this upcoming season.

It’s funny: after the first year if a different opportunity had arisen, I would have jumped for it. I guess I not only won a lot of you over, but you won me over as well.

I’ll miss a lot of the residents, young and old. I plan to keep in touch with the friends I made. In closing I want to wish the swim team much success in the 2002 season.

Health & Happiness

Karen Kay

### **Agenda**

## **REGULAR MEETING OF TOWN COUNCIL**

**MONDAY, JANUARY 7, 2002 – 7:30 P.M.**

1. Approval of minutes of the December 3 regular meeting – 7:30.
2. Clerk-Treasurer's explanation of reconciliation of auditor's report with Town records – 7:35.
3. Introduction of Long-Range Planning Committee consultants Ann Bisconti and Michela Perrone by Nat Finkelstein – 7:40.
4. Action on building permit application by James Berry and Hali Edison, 4900 Essex Avenue, to add a second story and front porch – 7:45.
5. Action on demolition, building and tree removal permit applications by Sandy Spring Builders to construct new house and attached garage at 4715 Essex Avenue for Joel Winston and Susan Goda – 7:50.
6. Mayor's report, including emergency expenditure of \$1,360.34 for repair of Town truck – 8:00.
7. Developments/plans in the vicinity of Somerset – 8:15.
8. Suggestions and questions from residents – 8:25.
9. Discussion of 2001 swimming pool financial report – 8:35.
10. Action on a proposal by the B-CC Rescue Squad that the Town participate in community early defibrillation by purchasing, placing and manning one or two automatic external defibrillators within Town – 8:45.
11. Action setting Mayor's salary for term beginning in 2002 – 8:55.
12. Action on bid of \$39,505 from Highway and Safety Services, Inc., of Gaithersburg to repair bridge abutment and creek erosion from torrential August storms – 9:05.
13. Interim Long-Range Planning Committee report by Chairman Nat Finkelstein and action on committee budget – 9:15.
14. Further discussion of hiring off-duty Montgomery County police officers to patrol Somerset streets and enforce compliance with stop signs and parking restrictions (action in February) – 9:35.
15. Action on hourly fees of Town Attorney Norman Knopf and partner effective January 1: \$175 for Norman (up from \$170); \$150 for associate (up from \$135) – 10:00.

16. Action on ordinance to amend Section 4-103 of the Town Code to delete requirement that residents clear snow and ice from sidewalks in front, and on side, of their property – 10:05.

17. New business – 10:10.

### **Emergency Preparation Forum**

Hear what Montgomery County has done since September 11 to expand security and improve our emergency and public health systems. County Executive Doug Duncan will head a community forum entitled “Coming Together After September 11” on Tuesday, January 8, at 7:30 p.m. in the Tilden Center, 6300 Tilden Lane in North Bethesda.

### **Get Your Driver’s License Nearby**

For your convenience, the Motor Vehicle Administration has a mobile office that comes to Friendship Heights once a month - usually on the fourth Monday and always from 10 a.m. until 3 p.m. The next visit will be Monday, January 28.

The mobile office parks on Friendship Boulevard, opposite North Park Avenue, on the west side of the Friendship Heights Village Center.

Among the services provided are:

- Renewal or duplicate of driver’s license
- Renewal or original ID card
- Renewal of vehicle registration
- Registration to vote or donate an organ.

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