



# SOMERSET TOWN JOURNAL



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## Storm Water Management Code Amendment To Be Considered By Council

Over the past year, the Town Council has made storm water management plans a requirement for building applicants, but this is not a rule formalized in the Code. The **Mayor** requested Town Attorney **Norman Knopf** to draft a code amendment to address this gap. The Council will be taking action on this amendment on an emergency basis at the next meeting.

The text of the amendment can be found on the Town's website. Comments from residents are encouraged.

CWP's findings, should attend. CWP will also talk about steps homeowners can take on their own property (which may be more cost-effective than constructed controls on public land).

The locations CWP has identified for possible storm water management structures are listed below. Details on each of these sites can be obtained from Robin Barr. It is important to understand that CWP has not made recommendations; it has only identified options for the Town to consider. These will be the starting point as the committee and the

*continued on page 2*

## Town Meeting on Storm Water Report

By George Wyeth, Co-Chair, Environment Committee



By now you've probably heard something about the impact storm water has on **our creek, the Potomac River, and the Chesapeake Bay**. It has been discussed in the **Town Journal**, the **Washington Post**, and in connection with the proposed changes at the Town pool. Somerset, like all communities in the Metropolitan area, contributes to this problem (and our contribution has grown over time).

Earlier this year the Town retained the nationally-recognized **Center for Watershed Protection** (CWP) to take a comprehensive look at options for managing storm water on public property in Somerset. CWP has now completed that study, which identifies five possible locations where rain gardens or other storm water control methods could be used. The report's summary can be found on the Environment Committee's website, [www.townofsomerset.com/environment/\\_Storm\\_Water.html](http://www.townofsomerset.com/environment/_Storm_Water.html). Full copies of the report, including detailed plans and sketches too large to post on the website, can be obtained by contacting **Robin Barr** on **Essex Avenue** (he can be contacted via the website).

A CWP representative will present the findings on **November 4** at 7:30 p.m. at the Town Hall. Anyone who cares about our creek, or wants to hear more about

### Calendar

#### Monday, November 2

Council Meeting

#### Monday, November 2

MVA Mobile Office

#### Wednesday, November 4

Watershed Protection Meeting at Town Hall

#### Wednesday, November 11

Office Closed for Veteran's Day

#### Monday, November 23

MVA Mobile Office

#### Friday, October 30

Brown Bag Lunch

Don't forget to check the Town website throughout the month for an up-to-date calendar. Go to [www.townofsomerset.com](http://www.townofsomerset.com) and click on **Town Calendar**.



# On My Mind

By Mayor Jeffrey Z. Slavin

## Tree and Park Protection Enforcement

Somerset is a community with a priority for tree protection, and we are known as a “Tree City.” We are also a community whose members truly care about our parkland.

Accordingly, the **Town Council** has enacted a variety of strict laws over the years that are the envy of other County residents. These laws require us to get permission to remove trees and to pay respect to our public parks. The laws were popular when they passed, and in my experience over the past decade, citizens have contacted the Town with continued support on any number of occasions.

It is up to the **Mayor** and **staff** to oversee the enforcement of these laws, to enforce them strictly, and in an evenhanded way. This includes the unpleasant task of sometimes having to write tickets that include monetary fines. (This is one of my least favorite duties.)

This month, I was required to issue **four** such tickets. The fines are stiff. Because the Council means business, the levies were increased in recent years in order to make them a real deterrent. Ironically, in each of these cases the violation was unintentional or the resident was the victim of a negligent contractor.

Fortunately, there is an appeal process, but it is somewhat vague. I am working with our Town Attorney to streamline the process and to make it easier to use.

In the meantime, I urge everyone to be sure to contact the Town Hall before personally trimming a tree or hiring a contractor to do so. And for those whose properties abut the parkland, be aware where the ownership line is and make sure no structures are built on Town land and no lawns inappropriately extended. For further information, call us or consult the Code on our website.

### Storm Water Report *from page 1*

Council consider steps we can take to bring our creek back to life.

- Rain garden at the south end of **Warwick Place**
- Rain garden on Somerset school grounds
- Bioretention area on Town hall property, near the tennis courts (modifying existing riprap)
- Dry swale in place of concrete channel running parallel to **Little Falls Parkway** (along the walking path)
- Bioretention area at corner of **Falstone Avenue** and **Warwick Street**

For further information about the meeting, please contact **George Wyeth**, co-chair of the Environment Committee, at **george.wyeth@verizon.net**.

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TTY users call Maryland Relay

Maxine Finkelstein, Editor  
Deadline for ads and copy is the 15th of the month at 4:30 p.m.

## 2009 Seasonal Flu Clinic Served Over 130 in Somerset



By Barbara Marblestone,  
Trent Street

At this year's **Seasonal Flu Clinic**, visiting nurses from **MedStar VNA**

provided 134 seasonal flu inoculations and two pneumonia inoculations to members of Somerset households. The nurses' efficient and cooperative care is exemplary every year, and the Town continues to be grateful. Many thanks to **Tom, Corrie, and Nicole** in the Town office, to the maintenance staff who set up the Town meeting room, and to this year's volunteer registrars: **Lucy Freeman, Florence Gang, Marnie Shaul, Alan Dock, Dolores Bartning, and Sue Besharov**. Thanks also to recipients for your cooperation.

If **H1N1 flu vaccine** becomes available to Somerset, a notice will go out. Meanwhile check for updated information at the County's website at [www.montgomerycountymd.gov/h1n1flu](http://www.montgomerycountymd.gov/h1n1flu) or call the County's flu hotline at 240-777-4200. The hotline is open **Monday through Friday** from **9:00 a.m. to 5:00 p.m.**

## Street Lighting

### Shedding Light on Somerset Street Lights

By Marnie Shaul and Barbara Zeughauser, Council Members

Some good news on street lights! Somerset has been chosen as one of two **Montgomery County** locations for **Pepco's LED pilot**. Pepco has said that it will install ten LED lights in Somerset by the end of October. This will likely occur on **Dorset Avenue** where the lights can be viewed easily, not only by Somerset residents but by

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## Mulch Volcanoes—When Too Much of a Good Thing is Bad

By Barb Neal, Town Arborist

You all have seen them. Perhaps they are even in your yard—**mulch volcanoes!** A mulch volcano is the result of a slow accumulation of mulch, year after year, that ends up piled up against the trunk of your trees. It has been done so often by so many well-meaning gardeners and landscape companies that many folks think it is the way a mulched tree should look.

Mulch provides many benefits to a tree or shrub bed: **it helps keep down weeds, holds moisture in the soil, provides a buffer zone from damaging line trimmers and mowers, moderates soil temperatures, and, as it breaks down, supplies organic matter to the roots of the tree or shrub.** Many organic materials can be used as mulch, but the most commonly used product in Somerset is hardwood mulch. Hardwood mulch is made up of chipped up bark and wood that is aged for some amount of time.

The problem is that we gardeners like the way fresh mulch looks in a garden, so we spend countless hours in the spring (and sometimes also in the fall) cleaning out our gardens and applying hardwood mulch to the beds. For some reason, mulch around tree rings does not seem to decay at the same rate as in shrub beds, and often the gardener ends up adding to an already sufficiently deep mulch layer. After a few years of adding mulch around a tree—you have a mulch volcano! I have seen mulch volcanoes that are nearly twelve inches deep.



Mulch Volcano

**Excess mulch** causes numerous tree problems. Too much mulch against a tree's bark softens the bark and makes it **susceptible to fungi and insects that bore into the trunk.** Fine feeder roots—the roots that do the water and nutrient up-take work of the tree—**end up growing in the mulch, and then are killed back during a cold winter.** **Small mammals find the mulch volcanoes an excellent place to find tasty treats to eat—your tree's bark!**

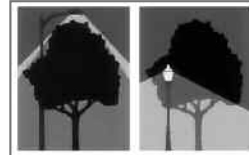
**How do you know if you have a mulch volcano?** If you cannot see the trunk flare (the widening of the trunk as it meets the roots), chances are you have buried the trunk with mulch. Carefully move the mulch away until you see the trunk flare. Remove the excess mulch, so that you have no more than **2-3 inches** of mulch around the tree and none at all actually touching the tree's trunk. If you employ a landscape service, talk to the foreman or representative and tell them you no longer want a mulch volcano in your yard.

To get that freshly mulched look, I recommend that you scratch up the old mulch about twice a year. The bleached-out look will be rejuvenated to a nice brown, and it will also help break the water repellent "**crust**" that can inhibit water getting into the soil. If there is less than 2 inches of mulch, go ahead and top-dress with a dusting of mulch. Your garden will look great, and your trees will thank you, too!

others from around the County. Many thanks to our **Mayor, Mike Hill** and the **Environment Committee**, and our **State delegation**, especially Senator **Brian Frosh**, whose efforts were instrumental in Somerset being chosen as a pilot community.

Regarding the remaining street lights in Town, Pepco has asked Somerset to decide by November 22 whether we want to purchase our street lights from Pepco. If we decide not to purchase our street lights from Pepco, they will install **high pressure sodium (HPS)** lamps in Somerset while they are replacing lamps throughout the remainder of Montgomery County. At this particular time, no one on the Council is advocating the purchase of the lights from Pepco because it would cost many thousands of dollars, and lighting technology is improving rapidly each year. Pepco has said if they install HPS lamps now, and later Somerset wants to upgrade to another kind of lamp (**such as LED or induction**) they assure us that it will not cost any more to do so. However, this offer is true only for fixtures that Pepco has in its tariff (at the time of the upgrade).

On the other hand, if Somerset rejects Pepco's current HPS offer, and then in the future decides to purchase lights from Pepco, it is a more expensive and less clear issue. Some Pepco documents suggest it would cost Somerset about **\$490 per light** to purchase our **current mercury vapor lights**, and Pepco has said it will be **more expensive** (by some unknown amount) for us to purchase the HPS lights once they have been installed. New fixtures like induction or LEDs would be in addition to the cost of purchasing either the existing MV lights or the HPS lights from Pepco. Somerset's Environment Committee has attempted to get an answer to the cost question and to negotiate a credit for future installation if Pepco doesn't have to bear the cost of installing HPS. Council Member **Alan Proctor** wrote about the quest for information last month, and **Mike Hill** has an article in this issue of the Journal. **Chevy Chase Section 3** has told Pepco it wants to buy its lights and install induction lighting. Since Pepco has already installed HPS in Chevy Chase Section 3, we may learn more about Pepco's cost from their price quote to our neighbors, although the information may not be available to us in time for our decision on November 2 at the Council meeting.



(the Environmental Committee facilitated the immediate repair of 23 lights in March). Nor should it be confused with aesthetics; while broad studies show that people generally prefer LEDs to HPS, the pilot should let us compare for ourselves before we have to decide.

The Council should seek an extension from Pepco to let us see the pilot for at least 90 days before we must make a decision, and it should insist that Pepco answer written questions that

Mayor **Slavin**, as well as Senator **Frosh** and Delegates **Bronrott, Frick, and Lee** have posed since June. As of this writing, for example, Pepco has not said what it would charge to install HPS if we defer our decision without an extension.

However, if Pepco denies this request, I think we should accept the HPS proposal, though under express protest. The protest may help us argue later that we should not be charged for HPS' higher monthly costs. It may also help give other towns better options, both in terms of dollars and environment. (Our local Council of Governments and others are closely watching what happens at Somerset.) But the financial risks associated with the unanswered questions are too great for me to recommend rejection of the Proposal without an extension.

More detail on this issue—including the letters exchanged between Mayor Slavin, our legislators, and Pepco—are available on the Environment Committee's portion of the Town's website. Although I am Co-Chair of the Environment Committee, as a Committee we have not had an opportunity to reach consensus on Pepco's recent letter requiring the November 22 decision, so this article is written in my individual capacity as a Somerset resident.

## Opinions about Lighting: Streetlight Decision Due by November 2

By Mike Hill, Dorset Avenue



Without an extension, the **Council** must decide whether to accept **Pepco's Proposal** to replace our streetlights with **high pressure sodium (HPS)** lights by the **Council Meeting on November 2**. Pepco has requested our decision by November 22. HPS is an old technology that will likely cost us **\$10–\$15,000 more per year** and have more than twice the carbon impact of alternatives supported by many national and municipal studies.

As Co-Chair of the **Environment Committee**, and at the Council's request, I have worked closely with Pepco on this issue. Pepco has selected Somerset for a **10-light pilot** for **LED lights** (and, hopefully, **induction lights** as well), which should be installed in the coming weeks.

The HPS vs. LED issue should not be confused with maintenance; all agree we should press Pepco to do a better job of maintaining whatever lights we have

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# Town Hall Tidbits | By Tom Carter, Clerk-Treasurer



## Office Schedule

The office will be closed **Wednesday, November 11**, in observance of **Veterans Day**.

## Phone Books Recycling

Remember that your old telephone books can be placed in paper bags in your blue bins **every Tuesday** for recycling.

## Leaf Pickup Underway

**Vacuuming** of leaves piled on the grass near the curb has begun and will continue through December. Due to violations of leaf dumping at the pool upper parking lot by lawn service companies last year, only Town maintenance personnel will use the lot for leaf storage. The front gate to the pool will be locked at all times the men are not there dumping leaves they have removed from Town streets. Residents who use lawn service companies should arrange with them to either move leaves to the curb for Town pickup or remove the leaves for dumping outside of Town. **PLEASE DO NOT PUT LEAVES IN THE STREET. KINDLY INFORM YOUR LAWN SERVICE OF THIS REQUEST.**

We also ask that you ensure the piles consist only of leaves—**NO STICKS, STONES, BRICKS OR OTHER DENSE OR SHARP DEBRIS**. These materials will damage the machinery blades.

We are following the same procedure as in previous years. Each morning the maintenance men survey the Town streets and start vacuuming where the biggest piles exist. They then move on to the next biggest piles, and so on. Through streets will still be done regularly to keep the traffic moving smoothly.



Residents who prefer to bag their leaves or dispose of them in a mulch pile in their yards are urged to do so. Leaves in **PAPER BAGS** or **REUSABLE CONTAINERS** will be picked up on **TUESDAYS** and **FRIDAYS** by our trash company, **J&J Inc**. Please place in front yards near the curb. Plastic bags may **NOT** be used. Leaf burning is **PROHIBITED!**

## Town Maintenance Vehicles

Please use caution when driving behind the Town tractors and trucks. They are often moving very slowly as the men work alongside or in front of the vehicles. Kindly resist riding on their bumpers; give them some space and yourself room to see around them so you are sure it is safe to pass. Now, during leaf season, the vehicles will often be stopped while picking up leaves. It is not feasible for them to move out of the way immediately. If they did, they would never finish their work. You might save time by using another street to go around them.

## DO YOU WANT TO BE LISTED IN THE TOWN DIRECTORY OR DOES YOUR LISTING IN THE 2009 DIRECTORY NEED TO BE UPDATED?

It's time for us to begin working on the **2010 Town Directory** and we know there are a lot of incorrect e-mail addresses in the current Directory. If you are

new to Somerset or if you wish to amend your family's entry, please send us an email containing the information you wish to be included in your listing. You can use the format in the current directory as your guideline; otherwise, we suggest you consider including the following as applicable:

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Children: \_\_\_\_\_

Address: \_\_\_\_\_

Tel #: \_\_\_\_\_

Fax #: \_\_\_\_\_

Email Address: \_\_\_\_\_

Please provide the information in an e-mail not later than **11/25/09**, which hopefully will ensure the accuracy of the listing. Our email address is: **clerk@townofsomerset.com**.

## Hazardous Waste Disposal

The next date for collection of hazardous waste will be **Sunday, November 15**, at **Westland Middle School, 5511 Massachusetts Avenue** (west of Little Falls Parkway).

The following materials will be accepted between **10:00 a.m.** and **2:00 p.m.:** **pesticides, oil-based paint, brake fluid, fuels, herbicides, solvents, antifreeze, photographic chemicals, paint thinners, motor oil, auto batteries and household batteries.**

### PLEASE NO LATEX PAINT:

Tens-of-thousands of tax-dollars are spent each year disposing of latex paint, which is not hazardous.



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In fact, latex paint can be safely dried up and put out for regular refuse collection. Simply remove the lid and place it in a safe, well-ventilated area. Cans that are one-fourth or less full will dry in a few days. For cans with greater volume, add mulch, cat litter, shredded paper, or Waste Paint Hardener available at area hardware stores.

For more information, call 240-777-6410 or visit [www.montgomerycountymd.gov/hazardouswaste](http://www.montgomerycountymd.gov/hazardouswaste).

### MVA Mobile Office

The MVA's mobile office will be in **Friendship Heights** on **Monday, November 2**, from **10:00 a.m.** to **2:00 p.m.** instead of the usual fourth Monday in October (October 26) as reported last month. It will also be in **Friendship Heights** on **Monday, November 23**, from **10:00 a.m.** to **2:00 p.m.**



### State Tree Planting Coupon

**PLANT and BE**

**COUNTED** is a call to Marylanders to plant trees this fall and register them online. This State program offers a **\$25 coupon** to purchase any native tree costing **\$50** or more from participating nurseries throughout the state. There is no limit on how many coupons can be used and they can be printed directly from the web site. This site also has guidance for selecting and planting trees for your location as well as a tool to calculate the benefit of the trees planted. For more information visit [www.trees.maryland.gov](http://www.trees.maryland.gov).

### 2010 Calendars

2010 **League of Women Voters** calendars are still available at the Town Hall for **\$7**, or call **Nancy Soreng** at **301-986-1916**.



## Security Report

By Birdie Pieczenik, Chairperson, Security Committee

Calling all residents of Somerset! **The Security Committee** is looking for, as the Marines would say, a few good men/women to join our ranks. We can promise you

infrequent meetings (as long as crime stays as low as it's been), camaraderie, thoughtfulness, and seriousness of purpose when we get together. You, on the other hand, have to promise us that you come with an open, questioning mind, seeking effective solutions to real (vs. imagined) problems. If you have any interest in joining the Security Committee, please call the Town hall and submit your name to the **Mayor**.

As the nights grow longer, and the streets grow darker, remember to:

- Change your exterior light timers so that your lights are **ON** longer;
- Attach some interior timers to lamps, and have each go **ON** and **OFF** at different times;
- Use your **peephole** when someone you are not expecting comes to the door;
- Call the **Montgomery County Police**, and the **Town Hall**, if you see a going door-to-door.

Also, please sit down and talk with your kids about having "**street sense**," something kids living in big cities pick up by osmosis. Remind them to knock on the door of the closest house if they are walking or playing in the street or at the tennis court/pool and feel menaced in any way by people who might look "**suspicious**" or **drunk** or **who just give off the wrong vibes**. Kids have great instincts when it comes to bad vibes. When in doubt, tell them to err on the side of safety (even if they feel silly doing it). Encourage them to act on their instincts.

## Permits Granted



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

### Trees:

**Cathi Davis** and **Frank Loversky**, 5415 Surrey Street, to remove a dead cherry tree in their back yard.

**Caroline Cooper**, 4918 Cumberland Avenue, to remove a hazardous hickory tree along Devon Lane.

### Curbs:

**Douglas Dolan, Jr.**, to replace his driveway apron.

**Lee Schinnerer**, 4708 Falstone Avenue, to replace his driveway apron.

**Sameh Mobarek**, 5517 Uppingham Street, to replace his driveway apron.



By Jeffrey Z. Slavin, Mayor

Earlier this month I attended the **Montgomery County Pandemic Influenza Senior Leader Workshop**, and I can report that the County will be well prepared for the upcoming **flu season**. All are anticipating that an unusually large number of people will be coming down with the so-called swine flu. A **vaccine** will soon be available for all **County employees**, because there is a concern for the impact on services if many police, firefighters, and bus drivers, for example, are

ill at the same time. A number of recommendations for citizens have been made, including giving particular attention to **covering coughs and sneezes, frequent hand washing and practicing "social distancing."** A hotline has been set up at **240-777-4200**. More on this in upcoming months.

Several of us went to parts of a 3-day open house in connection with the launch of **Bethesda Green's new Education Center and Green Business Incubator at 4825 Cordell Avenue in the Chevy Chase Bank Building**. Many residents in Town have expressed an interest in taking part in the programs of this new, vital, public-private partnership and lots of information is available at **www.bethesdagreen.org**.

Council member **Alan Proctor**, Town Attorney **Norman Knopf**, our contract engineer **Chuck Irish**, and I recently met with another relatively new group, the **Little Falls Watershed Alliance**, led by local attorney **Dan Dozier**, in order to review, from an environmental perspective, our proposal to build a new bathhouse. The board members present seemed particularly pleased with the anticipated new storm water management plan on the site.

The last round of speed humps has been installed, and I want to again thank Council member **Cathy Pickar** for her help and guidance. I also want to thank Council member **Bill Farley** for his advice in dealing with some highly technical legal proceedings regarding **Comcast** and its **cable rates**, because I am sure this advice will ultimately benefit our residents.

Efforts are already underway in **Maryland** to ensure all residents will be counted in **Census 2010** next April. It is important that the count is accurate because it will determine our State's fair share in the distribution of more than **\$300 billion** annually of government funding for critical community services. There will also be lots of jobs created in this period of high unemployment. I was in **Annapolis** the other day for a six-hour meeting for the **Local Complete Count Committees**, which will play a major role in next year's Census count. As I have mentioned before, we will be setting one up in Somerset and I still need more volunteers, especially someone with a marketing background.

Don't forget to come to the **Brown Bag lunch** at noon on October 30, and I will see many of you in the streets and at my house on **Halloween night**. Keep it safe.



## Somerset Elementary School Back To School Classic

By Bonnie Lewin, Cumberland Avenue

As fall begins and the children are comfortably back in school, it is a perfect time for **Somerset Elementary School's** biggest fundraiser and family event—the **22nd Annual Back-to-School Classic 8K, 2K, and Fun Runs**. Occurring a bit later than usual this year, the events will take place on **Saturday, October 31**, starting at 9:00 a.m. outside the school. What a wonderful way for our children to expend their energy in preparation for an evening of trick or treating! Please come out and support Somerset by participating in the race, which has become a Somerset tradition and the biggest fundraiser supporting Somerset Elementary School! Year after year, the races attract as

many as **900 participants**, and for the **first time in its history**, the Back-to-School race will **offer cash prizes** to the top three male and female overall finishers: **\$300 for 1st place, \$150 for 2nd place, and \$50 for 3rd place**. Age group finishers and early registrants are awarded fabulous prizes as well. To register, go to **www.runwashington.com** and look under **"Featured Races."**

So many people contribute their time, talents, and resources each year to make this community-wide event successful. We couldn't undertake such an event without the cooperation from the Somerset Mayor, **Jeffrey Slavin**, and the **Town staff**, which provide support year after year in facilitating the logistical arrangements, such as obtaining County permits to close our streets to traffic, allowing the race to place its banner over the entrances to our Town, and arranging to have

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## Letter to the Editor

From Jack Frink,  
Cumberland  
Avenue

The Council agenda for **November 2** has a discussion of **Pepco's proposal** to replace streetlights with **high pressure sodium** (HPS) lights, an old technology only slightly better than our current—and very obsolete—**Mercury Vapor lights**. There are much better technological options,

such as **LEDs**, with large reductions in carbon footprint that are endorsed by many national and municipal studies.

While it is great that Somerset was selected by Pepco for a **10-light pilot for LEDs**, Pepco is demanding we make a decision before we are able to see the installed LED pilot lamps. This is unreasonable.

Recent **DOE** reports showing cost and environmental advantages of LED street lights are at <http://www.netl.doe.gov/ssl/>.

Testimonials from municipalities around the country are at <http://www.ledcity.org/>, and Google finds many more.

For these reasons, many cities are converting to LEDs. Please don't let Pepco maneuver Somerset into accepting old and environmentally unfriendly technology.

### Opinions about Lighting *from page 4*

## Just Say No (to Pepco)

By Alan Proctor, Dorset Avenue

Although the Town is facing yet another deadline from Pepco for us to accept their proposal to replace our current **mercury vapor** (MV) streetlights with **high pressure sodium** (HPS) streetlights, Pepco still hasn't answered the important questions that the Town's **Environment Committee** has asked about their program. Until they do, we need to "**just say no**" to Pepco.

The questions we've asked, and which our **State Senator** and **three State Delegates** have also encouraged Pepco to answer, go to fundamental aspects of what Pepco is proposing. These aren't minor questions; we've been asking such things as **what our financial commitment would be, how much the streetlights will really cost us, what our alternatives are, what happens if we say no, and why can't we wait for LED streetlights recommended by many environmental and energy efficiency experts.**

Moreover, with Pepco's recent announcement to **Senator Frosh** that they would be conducting a **10-light pilot of LED streetlights in Town starting this fall**, we have even more reason to wait to make a decision; if we like what we see and the pilot is successful, then we ought to convert all of our streetlights to LEDs, not HPS.

I am not worried about Pepco's attempt to **pressure us into accepting their offer** by suggesting that we will be on our own and have some huge bill to pay if we don't accept their offer now. This is **high-pressure bullying**, plain and simple, and is one of the several grounds for a citizen complaint that I filed (representing only myself) on October 13 with the **Maryland Public Service Commission**. It's strong evidence on its own of Pepco's bad faith in pushing us to accept their program while they refuse to answer reasonable questions and continue to spread false and misleading information. (I've posted a copy of the complaint on my blog, at <http://proctors.us/docs/Complaint.pdf>.)

As I see it, if we say no, the worst case would be that Pepco continues to maintain our existing streetlights as they are, installing replacement HPS lights here and there at their cost, as part of the maintenance when the ballasts in existing MV streetlights occasionally fail. The benefit is large: we preserve the future chance to get better LED lights that will be much more environmentally friendly and cost-effective to operate. This will also help keep the pressure on Pepco to do the right thing and reorient their conversion program to focus on using modern, environmentally friendly new streetlight technology that will benefit us and many of our neighbors in Maryland.



# Council Activity

## At the October 5 meeting, the Town Council:

1. Approved the minutes of the September 8 regular meeting and September 22 closed meeting.
2. Delayed a decision on the filter system for the pool.
3. Approved the proposed RFP for the 2010 pool management contract, subject to the addition of a cover letter and to e-mail these to the Council for review along with clarification of the procurement of chemicals before sending them on to the Town Attorney.
4. Determined there was no necessity to change the definition of pool membership from what is in the Town Code.
5. Approved a Town building permit for Peter Cappa, 5613 Warwick Place, to add a second story to the front and a first floor addition and deck to the rear of his house, subject to receipt of the County approved storm water drainage plan and permit; Town permit fees and deposit; and the name and Maryland Home Improvement Commission license number of the contractor. (Vote: Farley, Pickar, Shaul and Zeughauser for; Proctor opposed. Motion passed 4-1.)
6. Voted to recommend approval to the Historic Preservation Commission of the construction plans of Jim Belikove and Vanessa Piala, 4811 Cumberland Avenue, to add a basement and one-story addition to the west side of the house; add a small addition and new covered porch to the rear; and remove one tree. Withheld action on the Town permits pending submission of a storm water drainage plan at the November Council meeting.
7. Denied the application of Mitch Narins, 4909 Essex Avenue, to remove five trees.
8. Approved the bid by Lindsey and Associates to conduct annual financial audits for the 2010, 2011 and 2012 fiscal years.
9. Confirmed the Mayor's appointment of Hali Edison to replace Bob Verkouteren on the Audit Committee.
10. Set Tuesday, July 6, and Tuesday, September 7, as the meeting dates for these two months in 2010.
11. Approved the removal of a dead tree at 4918 Dorset Avenue and the Town arborist's recommendation to remove two additional trees: 1) #306, a dying pin oak at the corner of Essex and Surrey and 2) #409, a beetle-infested linden at 4903 Falstone.
12. Authorized McInturff architects to proceed with development of detailed construction drawings for improvements to bathhouse.

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### School Classic from page 7

the streets cleared and cleaned up after the event. Major sponsors of the race include **Bonnie Lewin, Evers & Co.**, continuing their long tradition of support; **Bethesda Magazine; Friendship Hospital for Animals; Gilday Renovations; Sanford and Doris Slavin Foundation; Dr. Alona Bauer; Cosmetic Dental Center; Promotion Source Printing and Design; Honest Tea; Potomac Pizza; and Breads Unlimited; as well as other local companies and individuals** too numerous to mention here.

All Somerset residents can support this wonderful event, whether by running the race or volunteering to help ensure the event goes smoothly. The Race Committee is looking for approximately 30 **"Morning People"** to help on race day to cheer runners on and make sure they stay on course. If interested, please call **Hedy** at **240-415-6020** or **Jessica** at **202-302-2382** to join in the fun. Volunteers get a **cool race T-shirt** and **free access** to the delicious brunch held after the race. Hope to see you on race day, **Saturday, October 31!**

# Preliminary Agenda

## Regular Meeting of Town Council

Monday, November 2, 2009 – 7:30 p.m.



left to right: Council members Bill Farley, Barbara Zeughhauser, Cathy Pickar, Vice President Marnie Shaul, Alan Proctor

1. Approval of minutes of the October 5 regular meeting – 7:30 p.m.
2. Discussion of FY 09 annual audit by Bob Diss and Jim Lindsey of Lindsey & Associates and Town Audit Committee – 7:40 p.m.
3. Discussion of financial report for fiscal year to date – 7:55 p.m.
4. Suggestions and questions from residents – 8:05 p.m.
5. Decision on Pepco’s plan to replace current Town street lights with high-pressure sodium bulbs – 8:15 p.m.\*\*
6. Action on pool guest fees – 8:35 p.m.
7. Continuation of fact finding hearing and action on application by Jim Belikove and Vanessa Piala, 4811 Cumberland Avenue, to add a basement and one-story addition to the west side of the house; add a small addition and new covered porch to the rear; and remove one tree with submission of storm water drainage plan – 8:45 p.m.
8. Action on emergency legislation to clarify to building permit applicants the requirements for storm water management – 9:00 p.m.
9. Announcement of plans for Municipal Government Works Month (November) – 9:10 p.m.
10. Update on pool renovation – 9:15 p.m.
11. Mayor’s report and Council follow-up List – 9:20 p.m.
12. Adjournment – 9:25 p.m.

*This is a preliminary agenda prepared to meet the Journal press deadline, which typically is two weeks prior to the next Town Council meeting. During this period there will likely be changes to the timing of items, and some items may be added or deleted. Please consult the bulletin board on the Town Hall porch or the Town web site for the most up-to-date agenda.*

*Residents who wish to be present for a particular agenda item are advised to arrive 15 minutes ahead of the item’s scheduled discussion time as discussion sometimes run ahead of schedule.*

**Items marked \*\*** have related articles inside this issue of the Town Journal.