

Council Work Session Agenda

Monday, March 18, 2024

5:30 p.m.

Join Zoom Meeting

<https://us02web.zoom.us/j/87398267491?pwd=SkhOTUIZR3Joa3JHZkVSTW82VjRiZz09>

Meeting ID: 873 9826 7491

Passcode: 064672

One tap mobile

+13017158592,,87398267491# US (Washington DC)

+16469313860,,87398267491# US

Dial by your location

- +1 301 715 8592 US (Washington DC)

Joint Council – Budget Committee Meeting

5:30 p.m. Discussion: Draft FY25 budget and five-year plan

Council Work Session

7:00 p.m. Data Policy

7:10: p.m. Discussion: Police program – Resolution to end existing program

7:20 p.m. Pedestrian Safety Task Force (Public Safety Recommendation)

7:30 p.m. Sidewalk Repairs and Tree Trimming (Public Safety Recommendation)

7:40 p.m. Discussion: Pool Parking Lot

7:45 p.m. Adjourn

Town of Somerset
Resolution Establishing Data Policy

Resolution No.:1-24-4
Introduced: 4/1/2024
Adopted: 5/6/24
Effective Date:

WHEREAS, the Town of Somerset recognizes the importance of protecting personal information lawfully obtained by the Town in accordance with State law; and

WHEREAS, the Town acknowledges the need to establish written policies and procedures to safeguard personal information and mitigate the risk of unauthorized access, use, modification, or disclosure; and

WHEREAS, the Town has developed a comprehensive Data Security Policy outlining security measures, procedures for destruction of records, reporting violations, investigating breaches, notification protocols, containment measures, enforcement actions, and prevention strategies;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of Somerset, Maryland, on this 6th day of May, 2024, that the Town hereby adopts the Data Security Policy as presented, effective immediately.

BE IT FURTHER RESOLVED that all Town staff, the Mayor, Council members, volunteers, and contractors ("responsible parties" or "authorized individuals") are hereby directed to comply with the provisions outlined in the Data Security Policy.

BE IT FURTHER RESOLVED that the Town Manager is authorized and directed to ensure the implementation and enforcement of the Data Security Policy and to oversee any necessary updates or revisions as deemed necessary by the Town Council.

BE IT FURTHER RESOLVED that copies of the adopted Data Security Policy shall be distributed to all responsible parties and made readily available for reference in the Town Office.

BE IT FURTHER RESOLVED that the Town Manager shall ensure that all responsible parties receive appropriate training on the requirements and procedures outlined in the Data Security Policy.

BE IT FURTHER RESOLVED that any prior resolutions or policies in conflict with this Resolution are hereby repealed to the extent of such conflict.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon passage.

ADOPTED by the Council of the Town of Somerset on this 6th day of May, 2024.

ATTEST:

TOWN OF SOMERSET

Matt Trollinger, Manager/Clerk-Treasurer

Town of Somerset

Approved:

Stephen Surko, President

Town Council

Jeffrey Slavin, Mayor

Town of Somerset

Date: _____

The Town of Somerset

Data Security Policy

As mandated by State law, the Town of Somerset (hereafter referred to as "Town") hereby establishes the following written policies and procedures for the protection of personal information lawfully obtained by the Town. They apply to all Town staff, the Mayor, Council members, volunteers, and contractors ("responsible parties" or "authorized individuals").

Definitions

For the purposes of this policy, the following words have the meanings indicated.

- 1) "Personal information" means an individual's first name or first initial and last name, personal mark, or unique biometric or genetic print or image, in combination with one or more of the following data elements:
 - a. Social Security number;
 - b. Driver's license number, state identification card number, or other individual identification number issued by a unit;
 - c. Passport number or other identification number issued by the United States government;
 - d. Individual Taxpayer Identification Number; or
 - e. Financial or other account number, a credit card number, or a debit card number that, in combination with any required security code, access code, or password, would permit access to an individual's account.

"Personal information" does not include the following: (1) publicly available information that is lawfully made available to the general public from federal, State, or local government records; (2) information that an individual has consented to have publicly disseminated or listed; or (3) information that is disclosed according to other applicable law or judicial order.

- 2) "Records" means personal information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

Security Measures

To protect personal information from unauthorized access, use, modification, or disclosure, the Town will employ the following security procedures and practices. All records shall be protected with a minimum of two layers of security, which may include but not be limited to, the Town Office door being locked when the Office is not in use; the Town Office computers being

password protected and locked when not in use by authorized individuals; filing cabinets containing personal information being locked when not in use by authorized individuals; and the Town internet service being password protected. The Town will maintain appropriate network security, including firewalls, on all computers.

Destruction of Records

The Town will retain records in the Town Office in accordance with the Town's State-approved document retention schedule. When a record meets the criteria for removal under the retention schedule, it will be purged, destroyed (e.g., by shredding paper files containing personal information), deleted, or returned to the submitting source as required.

Reporting Violations

Responsible parties will promptly and without unreasonable delay report any and all violations of this policy to the Town Manager, Mayor, or Town Council, as appropriate.

Investigating a Possible Breach

The Town Manager or Mayor, or Town contractors, as appropriate, will investigate the circumstances of a possible breach to determine whether the unauthorized acquisition of personal information has resulted in or is likely to result in the misuse of the information. The results of such investigation shall be shared promptly and without unreasonable delay.

If/When a Breach is Confirmed

Notification

The Town Manager or Mayor, as appropriate, will work with the Town's legal counsel to notify impacted individuals promptly and without unreasonable delay. Notification should be made in writing as soon as practicable to the most recent address of the impacted individual(s). Alternatively, notice may be provided by e-mail or telephone.

Notifications shall include the following: (1) to the extent possible, a description of the categories of information that were, or are reasonably believed to have been, acquired by an unauthorized person, including which of the elements of personal information were, or are reasonably believed to have been, acquired; (2) contact information for the responsible party making the notification, including an address, telephone number, and toll-free telephone number

if one is maintained; (3) the toll-free telephone numbers and addresses for the major consumer reporting agencies; and (4) (i) the toll-free telephone numbers, addresses, and Web site addresses for: (a.) The Federal Trade Commission; and (b.) The Office of the Attorney General; and (ii) a statement that an individual can obtain information from these sources about steps the individual can take to avoid identity theft.

Before giving the notification, the responsible party shall provide notice of a breach of the security of a system to the Office of the Attorney General and to the Department of Information Technology.

If, after the investigation is concluded, it is determined that notification is not required, the responsible parties shall maintain records that reflect its determination for 3 years after the determination is made.

Containment

If a breach is confirmed, the Town Manager or Mayor, as appropriate, working with the responsible parties and individuals impacted, shall take the following steps to limit the scope and effect of the breach without unreasonable delay.

- 1) Stop any unauthorized practice;
- 2) Recover the records, if possible;
- 3) Shut down the system that was breached;
- 4) Change passwords;
- 5) Change locks on cabinets or doors;
- 6) Correct weaknesses in security practices; and
- 7) Notify the appropriate authorities including the Montgomery County, MD Police Department, if the breach involves, or may involve, any criminal activity.

Enforcement

If, after a thorough review, any responsible party is found to be in violation of this policy as it pertains to the gathering, collection, use, retention, destruction, or disclosure of records, the Town will:

1. Immediately suspend access to Town information systems by the person(s) involved in the violation.
2. If an individual is a Town employee or contractor, he or she will be referred to the Town Manager for disciplinary action, up to and including termination of employment or their contract with the Town.

3. If the individual is the Town Manager, he or she will be referred to the Mayor or Town Council for disciplinary action, up to and including termination of employment.
4. If appropriate, refer the violation to the appropriate law enforcement authority to initiate a criminal investigation in their sole discretion.

The Town reserves the right to restrict the qualifications and number of individuals having access to Town information and to suspend or withhold service and deny access to any individual.

Prevention

In order to ensure the Town maintains the most current approach to the protection of personal information, this policy may be periodically updated as deemed necessary by the Town Council. It may also be updated following any confirmed breach to implement any resolution plan resulting from an investigation of the circumstances of the breach, its root cause(s), and any remaining risk(s).

The Town Manager, Mayor, or Council, as the case may be, in their sole discretion, may dispense with the above requirements in the rare case of an emergency in order to protect the health, safety, comfort, and welfare of the Town and its residents.

Town of Somerset

A Resolution Sunsetting the Town of Somerset's Security Program

Resolution No. 24-3-1

Introduced: March 4, 2024

Adopted: April 1, 2024

Effective Date: May 1, 2024

A Resolution Sunsetting the Town of Somerset's Security Program Utilizing Secondly-Employed Off-Duty Montgomery County Police Officers, Effective May 1, 2024

WHEREAS, the Town of Somerset established a security program utilizing Montgomery County police officers for the purpose of enhancing public safety within the town limits; and

WHEREAS, the Town's volunteer public safety committee has diligently researched and gathered data on the effectiveness of the security program over the past year; and

WHEREAS, the public safety committee has concluded that the current security program is not effectively deterring crime within the Town of Somerset; and

WHEREAS, alternative methods such as public awareness campaigns, infrastructure improvements, and targeted programs for speeding and stop sign violations have been identified as potentially more efficient and effective in enhancing public safety and utilizing town funds; and

WHEREAS, the Committee has submitted a formal recommendation to the Town Council recommending that the program end; and

WHEREAS, numerous residents of the Town of Somerset have expressed their support for ending the police program within the town;

NOW THEREFORE, be it resolved by the Town Council of the Town of Somerset that the Town of Somerset's security program utilizing Montgomery County police officers shall be sunset, and all associated contracts and agreements with the Montgomery County Police Department shall be terminated, effective May 1, 2024; and

BE IT FURTHER RESOLVED that the Somerset Town Manager is hereby directed to provide notice of this resolution to the Montgomery County Police Department and all participating officers.

This resolution shall take effect on May 1, 2024.

Certified and adopted by the Council of the Town of Somerset on this ____ day of _____, 2024.

Mayor Jeffrey Slavin

Council President Stephen Surko

Attest:


Matt Trollinger, Town Manager/Clerk-Treasurer

MEMORANDUM

DATE: March 11, 2024

TO: Town of Somerset Council

cc: Mayor Jeffrey Slavin
Town Manager Matthew Trollinger

FROM: Kumar Vaswani, Chair, Public Safety Committee (PSC) 

SUBJECT: Comments on draft resolution sunsetting the Town of Somerset Security Program

Thank you for considering the Public Safety Committee's recommendation to sunset the police program effective April 30.

In general, the resolution is a very good start. However, I have a few suggestions for the draft resolution. These are my personal suggestions; due to time constraints, the Public Safety Committee has not reviewed these suggestions.

Since the resolution might be the only official written record of the Council's action, it is important for the resolution to reflect the facts that led to the Public Safety Committee's recommendation and the rationale for the Council's action.¹ Both current and future Town officials and residents will better understand the Council's action if the resolution provides the full context and includes relevant facts.

A. Change the third "whereas" clause, to insert "as described in its October 18, 2023, memorandum," thusly:

WHEREAS, as described in its October 18, 2023, memorandum, the Public Safety Committee has concluded that the current security program . . .

JUSTIFICATION: For context, the resolution should refer to the PSC's memo.

B. Before the 4th "whereas" clause, insert the following clause:

WHEREAS, the Traffic Committee, in its September 22, 2023, memorandum, concluded

¹ In recent years, the Council has generally not produced minutes of its meetings.

that “the policing program is not increasing stop sign compliance or general traffic safety in any measurable way.”

JUSTIFICATION: The two committees with subject matter jurisdiction have deemed the police program ineffective. It is important for the Council to acknowledge that it wasn’t just the Public Safety Committee that made this determination. The best way to do this is to refer to the Traffic Committee’s memo and quote from it. This is particularly important, because the principal goal of the police program has been traffic safety. The Traffic Committee’s memo is attached, and it should also be included in the Council packet for the April 1 regular Council meeting.

C. Change the original 4th “whereas” clause to insert the word “holistic” and the phrase “individual crime prevention actions by residents,” thusly:

WHEREAS, alternative, holistic methods such as public awareness campaigns, individual crime prevention actions by residents, infrastructure improvements, . . .”

JUSTIFICATION: The police have told us that the best way to prevent crime in Town is for residents to take individual actions such as locking vehicle and house doors, so it’s important for the resolution to note this fact.

D. Before the original 5th “whereas” clause, insert the following clause:

WHEREAS, the Montgomery County Police already provide a robust police presence in the Town of Somerset, and the Town appreciates their efforts, as well as the efforts of all law enforcement officers to protect our community; and

JUSTIFICATION: It is important for residents to be aware that the County Police already provide a robust presence in Town. (Our regular Second District officers—not our Town-hired police—respond to 90% of police-dispatched incidents in Town.) This goes to the issue that a Council Member has raised: the need to reassure residents that discontinuing the police program does not leave the Town vulnerable. Without this context, residents might erroneously infer that the Town Council’s action will leave the Town bereft of police protection.

Moreover, it is important to acknowledge the efforts of all law enforcement agencies and officers that operate in and around our Town.²

² These include not just the County Police, but also a panoply of federal, state, and local agencies that operate in the surrounding area (and sometimes even in our Town). These include M-NCPPC police, Maryland State Police, U.S. Park Police, Secret Service, ATF, U.S. Marshals Service, Diplomatic Security Service, and Metro Transit Police.

E. In the clause beginning “NOW THEREFORE . . .,” insert the phrase “Town-employed police officers and**” before the phrase “the Montgomery County Police Department.”**

JUSTIFICATION: This is critical, since any employment agreement or contract is with the individual officers. (Granted, the Town is required to sign a set of County-mandated stipulations as well.)

F. Additionally, the Traffic Committee’s September 22 memo to the Council and Mayor should be included in the April 1 Council meeting packet.

Thank you for considering these suggestions.

DATE: March 13, 2024

TO: Council Members, Mayor Slavin, Town Manager Trollinger, and
Deputy Town Manager Hardwick

FROM: Kumar Vaswani, Chair, Public Safety Committee

SUBJECT: Ideas for Enhancing Safety in Somerset

Thank you for devoting time and attention to the Public Safety Committee's recommendation to sunset the police program effective April 30.

As requested by the Council at the March 4 Council meeting, below (starting on page 4) are some ideas for enhancing safety in Somerset and for demonstrating that the Council is working to ensure residents' safety. **Feel free to skip to page 4 if you prefer. The suggestions are diverse, and some require further study and fleshing out. But they give you an idea of the range of possibilities. The PSC welcomes guidance and further ideas from the Council.**

Some preliminary information

1. The Town is already taking several steps to improve safety. Please see page 14 for a list. **The fact is that we already have "something else in place"** to ensure safety (as some residents have requested). It's a whole series of Town and County programs and actions, **including our robust regular County Second District police team.**

2. It is worth noting that the goal of the police program from its inception has always been traffic safety—not crime deterrence. No doubt, there is a crime deterrent benefit to the homes in the immediate vicinity of the parked police vehicle (for 8% of the day, on average), but **crime prevention, crime detection, or responses to crimes were never a primary goal of the program.** In fact, as Bruce Tully (my predecessor) stated in the November 2021 *Town Journal*:

Somerset, no matter what you may think, does not protect you from crime. That's the job of the Montgomery County Police, you, and your anti-crime actions. YOU call the police for 911 police emergencies and they respond to YOUR call for service.

He concluded the article by stating:

Please remember your personal anti-crime procedures. Locking your car and residence, increasing home lighting, and maintaining situational awareness make you and all of us a little safer. When seconds count, the police can be several minutes away and you are the one to rely on...you.

In the Public Safety Committee's 2021 survey of residents, the Town stated, **"As a reminder, the Town of Somerset does not provide nor is responsible for police, fire, rescue, and street**

lighting services to Town residents. Those public safety and street lighting services are provided by Montgomery County MD and PEPCO.”

In short, our Town government has always emphasized to residents that police services—just like fire, rescue, and EMS—are provided by Montgomery County, and that the Town is not responsible for those services. While some residents may feel some unease with the sunsetting of the police program, the Town has always made it clear that residents should not expect the Town to provide security for them.

In fact, with the exception of Chevy Chase Village (which operates a full-fledged police department) and Town of Chevy Chase (which hires the police for 16 hours a day), most municipalities that hire the police for a few hours a week either don’t mention their use of hired police, or they minimize it. For example, the Village of Martin’s Additions states on its website:

Place all emergency calls to 9-1-1. The Montgomery County Police Department, District 2 (Bethesda) provides police services in the Village of Martin’s Additions. Their non-emergency number is 301-279-8000

https://www.martinsadditions.org/services/public_safety/index.php

The Village does not even mention its own hiring of police.

Similarly, Chevy Chase Section 5 (which hires the police, according to the Town Manager’s research in the January 2024 Council packet) does not mention its hiring of the police on its website. Instead, it states in the “services” section of its website:

EMERGENCY: Call 911 for: fires; auto accidents involving fatalities, injury or disabling of vehicles; crimes in progress; ambulance requests; downed power lines, etc.

Police non-emergency: Call 301 652-9200 to report auto accidents with no injuries and minor damage; parking violations; request information, street directions, etc.

<http://www.chevychase5.org/services/general-information>

Likewise, the Town of Kensington, which hires the police for 27 hours a week (according to the Town Manager’s research), also does not mention its hiring of the police on its website. It simply states (along with links to crime prevention information):

The Town of Kensington is assigned to Montgomery County Police Department’s Bethesda [2nd District](#).

Emergency (Police & Fire).....911
Non-Emergency Police.....301-279-8000
2nd District Main Number.....240- 773-6700

<https://tok.md.gov/crime-prevention-tips/>

3. The Public Safety Committee's 2021 survey found that 98% of respondents felt "somewhat" or "very" safe in "the neighborhood when you are walking alone during the day." Night-time values were lower -- 74% -- although the survey did not ask why. (It could have been a variety of reasons--lighting, tripping hazards, fear of crime, wildlife, the fact that some people tend to walk their dogs without a leash at night, etc.) Survey results are at: https://docs.google.com/forms/d/1Xz-H4OwtoXeT75qieVsTSGkxZo-tkvMr_y_3hxYkV_c/viewanalytics

4. It might be valuable for the Town Council to discuss what it believes the Town government's role should be in crime prevention and security services. The Council has never explicitly discussed this issue. There is a continuum of activities the Town government could engage in, and it would be helpful for the Council to say where our Town should be on that continuum.

At one end of the spectrum would be the provision of actual law enforcement services. As you progress through the spectrum, some less expensive and less time-intensive activities might include:

- Spending Town funds on some type of civilian safety patrols or a public safety officer position.
- Spending Town funds on improvements to residents' homes to make them more secure (upgrading door locks, installing lights, installing burglar alarms, etc.)
- Spending Town funds on public infrastructure, such as pedestrian-scale lighting, additional street light poles, emergency call boxes, etc.
- Spending Town funds on activities to educate residents about crime prevention, such as internet advertising, mailings to residents, inserts in the Town Journal, and advertising at the Somerset road race.
- Low-cost (but effective) education activities such as Town *Journal* articles, emailed Town Announcements, a National Night Out event, or announcements at the beginning of every public event (such as swim team meets, the July 4th event, etc.)¹

Likewise, there is a continuum of regulatory actions the Town government could engage in to help (or compel) residents to be more attentive to security needs. I have listed a few possibilities beginning on page 10.

¹ The Town already does the first two.

It would be helpful for the Council to discuss how involved the Town government should be in providing (or ensuring) home and personal security. As a comparison (or contrast):

- The Town does not provide fire, rescue, or EMS service.
- The Town does not provide animal services. (Animal issues are actually the most posted public safety-related issue on the Town's private listserv).
- The Town does not provide disaster response services.
- The Town does not provide environmental services, such as monitoring the creek for pollution or responding to hazardous spills.

All of the above services are provided by Montgomery County, and our Town government has generally not tried to provide them.

It would be interesting for the Council to discuss whether it believes personal and home security are different from all of the above services. Another way of asking the question is:

- **Under what circumstances should the Town try to duplicate services that are already provided by the County?**
- **Additionally, how intrusive (or how regulatory) does the Town government want to be in order to encourage (or compel) residents to take crime prevention actions?**

5. Finally, it's important to keep things in perspective. A resident is more likely to be struck down by a heart attack, stroke, vehicle collision, or other medical calamity than to be felled by a criminal in Somerset. This document does not address much in the way of general personal safety, accident prevention, etc., but those are important issues. For example, if it hasn't already done so, the Town should purchase a bleed control kit for the Town Hall for use by Town Hall users in case of emergency.

ACTIONS THE COUNCIL CAN TAKE

Below, I break down actions into "quick" actions and long-term actions. I have further broken these down into (1) crime prevention and (2) pedestrian and traffic safety, since these seem to be the two most-mentioned safety needs. (These categories overlap sometimes.)

These are my personal suggestions (**not** yet reviewed by the Public Safety Committee, due to time constraints). It would take some time for the committee to review the below suggestions, formulate suggestions of their own, and finalize formal recommendations.

In the meantime, the Council is free to implement any of the below suggestions, as the Council sees fit.

QUICK ACTIONS THE COUNCIL COULD IMPLEMENT

A. CRIME PREVENTION – quick actions

1. Safety patrols

As the Public Safety Committee noted in the memo we sent the Council on October 19, the evidence and data do not indicate that hiring a security presence would significantly reduce Somerset's already-low crime rate. However, if the Council desires a security presence in Town, the Council could consider contracting with a firm to provide safety patrols in marked vehicles.²

The Council discussed this issue at its October 17, 2022 work session. It was agreed that the Town Manager would research the cost of private security, so the next step, if the Council wants to pursue this, would be for the Town staff to seek bids.³

2. There are also other options, such as assigning the Deputy Town Manager to do some patrol work (to monitor infrastructure, as well as to project a presence);

3. . . . or hiring a Public Safety Officer, which at one time appeared to be the Council's intent. The **Public Safety Committee endorsed this idea and submitted comments supporting it on September 26, 2022.**

4. Another option would be to create a part-time position for safety patrols at night. (13 - 20 hours a week at, say \$30/hour) Depending on benefits, the actual personnel costs could be \$32 - \$40/hour (as opposed to the \$80/hour the Town police officers are requesting for FY 25).

The function of the safety patrol would be strictly to provide a reassuring presence, create some visibility as a deterrence, and observe the Town. If any untoward behavior or suspicious situations were encountered, the employee would not intervene, but would notify the police or other appropriate authority.

If the Town's electric pickup truck had suitable graphics (high-visibility striping, etc.), appropriate flashing lighting system or display devices, as authorized by Md. Code, Transportation Article, it would be an ideal vehicle to use--and probably wouldn't cost much. (The truck needs graphics and lights added to it anyway. The addition of lights and graphics

² Unlike with our Town police program, private security personnel can patrol the Town (i.e., drive around constantly instead of sitting parked), and the Town can control private security personnel's schedule.

³ Should the Council want to pursue this, unarmed safety patrols in marked vehicles would probably suffice, given our low-crime situation. For an example of this activity, see the recent University of Maryland report regarding "increase[ing] the use of non-sworn staff for routine patrols" as part of an effort to "consider new approaches that would ensure a greater sense of community safety and trust, particularly among those who are most vulnerable to discriminatory police actions." <https://president.umd.edu/administration/commissions-task-forces-and-councils/task-force-on-community-policing>

would enhance the safety of the grounds staff as well as residents, even if the truck is just being used for the usual maintenance work.)

5. Cease publishing Council Members' and the Mayor's home addresses and phone numbers in the Town Journal. I know of no area municipality that publishes this information in its newsletter or website. Publication of this information exposes Town officials to unnecessary risk.

6. Cease publishing the street names of residents mentioned in the *Journal*.

7. Cease hand delivery of notices (e.g., notices to neighbors of variance applications) **(unless by prior arrangement with the resident)**, to ensure that materials do not sit in front of homes if the resident is out of town.

PEDESTRIAN AND ROAD SAFETY - QUICK ACTIONS

The Public Safety Committee began examining the safety of pedestrians, motorists, bicyclists, and users of mobility devices this year. If pedestrian and traffic safety is a concern, **the Council could make an array of infrastructure improvements within six weeks:**

1. Creation of a pedestrian safety working group.

Four Town committees have submitted a proposal to the Council and asked that it be put on the agenda for the March 18 work session. Pedestrian and traffic safety requires a comprehensive approach, and it deserves more study. However, the Council could take the below steps now.

2. "Stinger" speed bumps at Dorset Ave. intersections (similar to the ones at Dorset and Warwick);

3. Rehabilitation of rumble strips at Dorset and Warwick and Dorset and Deal. These were apparently in good shape when Sabra Wang evaluated them in 2013 (as stated in their report). But the rumble strips are completely worn down now.⁴

4. Rehabilitation of any defective speed bumps.⁵

5. Installation of rumble strips at all other Dorset intersections, particularly on westbound

⁴ In response to a 9/15/23 email from me asking, "What are the Town's plans regarding the rumble strips at 2 intersections on Dorset?" the Town Manager reported that "Dewberry is assessing as a follow up." But the strips can be rehabilitated without a study.

⁵ In an August 24, 2023, email to the Town Manager, Traffic Committee chair Elizabeth Hurwit stated, "The repaving near 4824 Dorset, for example, has diminished that speed bump to the point of ineffectiveness. If that part of Dorset is not about to be repaved, we need to get that bump redone."

Dorset approaching Devon.

6. Signs displaying vehicles' speed to remind motorists they are speeding--especially on the downhill portion of Dorset. As described in the August 2008 Town Journal (p. 7), the Town used to have these signs. Council member Alan Proctor used to move these devices around and use them to gather data on numbers of speeders.⁶

7. More flashing stop signs (If preferable, we could get the kind that are motion-detected, rather than the signs that flash all the time);

8. Repainting of stop lines and "school" markings on the pavement

9. Painting the word "school" on the pavement on Warwick approaching Dorset from the south

10. Repair of egregious sidewalk tripping hazards. I can email photos to you.

Some of these hazards are tricky because they involve tree roots, but the Town would benefit by confronting the issue and either relocating the sidewalk (by curving it around the tree, as has been done in the past) or repairing the sidewalk using tree-friendly methods.⁷ Curbs also need to be raised so that dirt can be filled in to level the land adjacent to sidewalks.

11. Installation of high-visibility "ladder" style crosswalks throughout Town (as opposed to the "continental" style), in accordance with best practices.

"The ladder-style crosswalk marking is preferred over the continental-style crosswalk marking—the current standard—because it incorporates the parallel lines of the standard-style crosswalk that pedestrians with low vision find helpful for maintaining the correct heading in the crosswalk." Page 76 of County's Pedestrian Master Plan, https://montgomeryplanning.org/wp-content/uploads/2023/05/Pedestrian-Master-Plan-Planning-Board-Draft-Clean_Final_Web.pdf

12. Trimming of vegetation that blocks sidewalks and sightlines. The PNRC, Public Safety Committee, Pool Committee, Swim Team Committee, and E & I Committee submitted a joint recommendation to the Council last year regarding this.

13. Requesting a school walking study from MCPS (if the Council feels that walking routes to Somerset Elementary are unsafe and if we meet the MCPS requirements for such a study)

14. Requesting that a Montgomery County traffic safety engineer provide us with recommendations for any hazards in Town. (The Traffic Committee initiated this process,

⁶ Unfortunately, the Town has not kept up its data collection efforts.

⁷ One example is in front of **5403 Surrey Street**, which I reported to the Town on March 5, 2022.

but I don't know what the outcome was.)

15. Fixing the pool parking lot pedestrian hazard (parking spaces that back right up to crosswalk). Two years ago, the Town paid for a study and recommendations from Fehr and Peers. The PSC has requested that the Council discuss this at its March 18, 2024, work session.

16. Begin a very public campaign to encourage everyone to come to a complete stop at all stop signs--if the Council deems this to be a problem.

The Town's studies showed that 55 – 75 percent of traffic on Dorset was not cut through traffic, so it's possible that most stop sign runners are Town residents, guests, or workers. Changing behavior is difficult, but we can try some strategies.

Ultimately, the Council might need to decide what level of stop sign running is acceptable. One mile per hour, 2 miles per hour, etc.? Then the Town can address the problem of drivers who are running stop signs at speeds higher than the Council-designated level.

17. Enforcement of parking violations

The Town Manager likely already has authority to ticket for parking violations, including violations for parking too close to intersections or for parking in no-parking areas in which school buses need to maneuver.

The Council can authorize other Town staff to ticket for parking, as well.⁸

18. Painting of curbs near fire hydrants and intersections to indicate no-parking zones.

The Council could accomplish (or begin) all of the above pedestrian and traffic safety measures within six weeks.

LONG-TERM ACTIONS THE COUNCIL COULD IMPLEMENT

SECURITY—LONG TERM ACTIONS

For security, the Town can undertake several long-term activities or projects to help residents feel safer:

1. Pedestrian-scale lighting (lighting under the tree canopy) The Public Safety Committee submitted a budget request for FY 24 for a pilot pedestrian lighting project on Dorset Ave. It was not included in the budget but was included in the Mayor's five-year plan for FY 25. The PSC is asking that the Town appropriate the funds in FY 25 for the project.

⁸ This is from my reading of the Code. Check with the Town Attorney for more definitive information.

2. A program to improve lighting and security of residents' properties. The Town could pay for home improvements to upgrade locks and add motion detector lights on the exteriors of homes.⁹

3. Painting of house numbers on curbs, to aid emergency services in finding the location of an incident. Here is the link for the October 17, 2022, Council work session discussing painting of house numbers on curbs and obtaining bids:

<https://www.youtube.com/watch?v=TWoyG84QK5I>

The discussion begins at 1 hour, 45 minutes into the recording. At 1 hour, 46 minutes, 50 seconds, the issue of bids was discussed.

The funds are in the budget for FY 24 (moved over from FY23). If it cannot be done this year, perhaps the Council would consider including the funding in the FY 25 budget instead.

4. Legislation to regulate soliciting in Town (for example, to ban soliciting after sunset, or imposing a registration requirement—as Chevy Chase Village does—if the Council feels it is a problem.)¹⁰

5. More consultation with and presentations by the Second District Police leadership.

6. More frequent crime safety tips The police have told us that most crimes are preventable. Using more avenues (mailings, inserts in the Somerset Race packet, announcements at Town public meetings, etc.) may be effective. (PSC is working on a mailer for June 2024)

7. A mailing specifically to new residents with crime prevention tips

8. A reverse 911 system so the Town can phone residents to alert them to hazards.

9. Emergency call boxes ("blue light boxes") on Town streets

10. Promotion of home safety surveys by the Second District police (This is probably underutilized, simply because we haven't promoted it.)

11. More coordination with other County and nonprofit services (Animal Services, Bethesda Cares, mental health services, etc.) Again, this is underutilized. Many of the incidents involving confrontations in Town also involve mental health, homelessness, and other social issues. Services are available for these situations, but residents don't know how to activate them in order to help others.

⁹ PSC members had concerns about this idea, given the affluence of our residents.

¹⁰ Going door-to-door for advocacy or political purposes enjoys First Amendment protections, so the Town may not be able to fully regulate individuals who are not soliciting business or contributions.

12. A reimbursement program for theft or vandalism losses to cover up to the \$1,000 deductible that most residents' insurers apply.

13. Requirements for building permits.¹¹ Every year, the Council reviews about 10 building permit applications, and these provide an opportunity to increase the security of homes. The below suggestions use the storm water, landscaping, and technical review aspects of the current permitting system as an analogy. The possibilities are endless, but these are some examples:

- A requirement that a security expert review any new house plans submitted as part of the permitting process, and a requirement that the applicant implement the expert's recommendations.
- A requirement for high-quality locks and exterior motion-activated lights on new homes (or on any home renovation or addition).
- A prohibition on French doors and other less-secure components in new homes (or at least a requirement that they contain the proper locking mechanisms).¹²
- A requirement that new houses or renovations over 150 square feet incorporate a burglar alarm system in the entire structure and that the alarm system be maintained in perpetuity.¹³

14. Requirements for home sales.

- The Town could mandate requirements for disclosure and action prior to any home sale, similar to the requirements that Garret Park and Town of Chevy Chase are contemplating regarding disclosure of the need for town permits for construction. For instance, as part of the real estate contract¹⁴, the Town could require a disclosure of whether the home has undergone a home security survey; a disclosure of crime safety tips; a disclosure that crime data for the neighborhood is available from Montgomery County, etc.¹⁵

¹¹ These suggestions would have to undergo a legal review.

¹² See the discussion above regarding how intrusive or coercive the Town should be in ensuring security for residents.

¹³ Most new homes likely have a burglar alarm, but there may not be any requirement to keep it working.

¹⁴ The GCAAR has drafted a form disclosure for Town of Chevy Chase regarding the need for Town permits, gas-powered blower ban, and other laws.

¹⁵ See the discussion above regarding how coercive or intrusive the Town wants to be.

- The Town could also mandate that 5-inch house numbers be installed¹⁶ prior to any arms-length transfer of the property or that the home undergo a home security survey prior to any transfer.¹⁷

15. Monitoring of federal, county and state legislation and lobbying public officials in order to influence the legislative process and achieve legislation that improves public safety. (See page 14, regarding legislation.)

16. An annual briefing of the Council on crimes that occurred that year—in order to heighten awareness of crime and crime prevention.

The Town could start working on any of the above activities tomorrow, pending availability of funds (although they will take some time to implement). It's just a matter of priorities and finding staff and committee time to do them.

PEDESTRIAN AND TRAFFIC SAFETY—LONG-TERM ACTIONS

1. Infrastructure improvements. There is no silver bullet. The pedestrian safety working group—if the Council approves it—will likely focus on this and bring a fresh perspective to the issue. Data collection and soliciting the views of residents will be critical. (See the memo dated 3/12/24 from four Town committees to the Council.) The possibilities for action are diverse and include:

- pedestrian-scale lighting--the Public Safety Committee has already recommended this to the Council.
- pedestrian controlled stop lights or warning lights along Dorset
- raised crosswalks
- additional speed bumps and humps
- a mid-block crosswalk on Dorset so that users of the short cut across Town parkland near Wisconsin and Dorset can cross Dorset.¹⁸
- Data collection on speeds of vehicles and incidences of stop sign running
- other best practices listed in the County's Pedestrian Master Plan
- a survey of residents to learn their concerns
- a review of the Sabra Wang studies and implementation of any suggestions that have not been carried out.

The Town Manager has used the term "Roadway and Walkway Master Plan," in his January 2024 Town Manager's report in the Council packet. This implies that there will be some kind of

¹⁶ Five-inch numbers are only required for new homes or homes where the original numbers were removed for any reason. As long as a homeowner never removes her house numbers, she can keep the 3-inch numbers up, and that satisfies the County code (I think).

¹⁷ Of course, the Town should seek legal advice for all of these potential changes.

¹⁸ This was discussed at the March 2024 PNRC meeting.

public input process, so it offers some possibilities for some of the above actions.

2. Inventory of all current traffic safety infrastructure -- followed by periodic maintenance of such infrastructure

3. Improved communications with the school.

Many people driving in and out of Town are dropping off or picking up kids, and they play a major role in pedestrian and traffic safety. The school leadership could play an important role in ensuring that drivers obey traffic rules.

Additionally, 33% of our crimes (3 out of 9) in Town last year were committed at the school. So improved communication with the school would be helpful.

4. Hiring a consultant for pedestrian and traffic safety on Dorset. The Traffic Committee requested this for FY22, but it was not included in the budget. The Council may want to revisit that request—or could instead simply implement some of the suggestions listed above.

5. Turn restrictions. The County has a process for this; it involves a study and a hearing. The process may require a vote of residents. The Hamlet neighborhood is undergoing this process now, and that could serve as a model.

6. Hiring of crossing guards, if the Council feels that children walking to school are endangered by traffic.

7. Improvements in Town processes and procedures, as well as improved office systems and improved communication with residents. A few examples:

- At the August 2022 Council meeting, the Town Manager stated that the Town staff is looking into project management software. Such software would enable the staff to track and set up reminders for periodic tasks, such as tree trimming.
- The Town would benefit from a reporting system for infrastructure-related hazards. The reporting form on the new website seems to have disappeared.
- The Town would benefit from increased enforcement of construction sites, including parking rules (particularly for large vehicles), the no-idling law, house number display rules, and overall condition of construction sites.

8. Periodic inspections of sidewalks for obstructions and impeded sightlines at intersections.

9. Regular inspections of safety infrastructure. One reason the rumble strips on Dorset have worn down to nothing is that the Town lacks a system to remind the staff to do tasks.

10. Monitoring and inspection of storm water treatment devices installed as part of new home construction. The Town could use a system to ensure that Council-mandated periodic inspections are carried out by owners.

Efforts already under way

The fact is, programs already exist now or are in the works to improve safety in Somerset:

- Thanks to Bruce Tully, the Town began improving its communications with residents regarding crime prevention in 2021, leading to improved crime prevention efforts by residents and (I think) a reduction in reported crime in Town. (Birdie Pieczenik performed the same role when she chaired the Security Committee a few years ago.) The current Public Safety Committee has strived to continue these efforts.
- The Town has begun installing LED streetlights, which will be more reliable than our current lights.
- The Town has begun repairing some sidewalk defects (although several defects still remain).
- The Town has begun trimming of trees that obstruct sidewalks and streetlights.
- The Town amended its code to ensure better display of house numbers, enabling police and other emergency service providers to find us more easily. (Some issues remain to be resolved with this).
- The Town purchased a new pickup truck, which should be safer than the old truck--for pedestrians, drivers in Town, and our own staff.
- The Town mounted the AED on the wall in the Town Hall (The AED was previously not very accessible.)
- The Town is working on storm water improvements. (Storm water is not just a nuisance but a public safety issue).
- The Montgomery County Council has provided regular annual increases for the Police Department budget, allowing for the acquisition of new equipment and technology (such as drones as first responders and forensic labs). The County also raised starting salaries for police officers and provides a \$20,000 signing bonus to new recruits.
- The County has also funded an array of services that address pressing needs and make us all safer, including Behavioral Health and Crisis Services; Children, Youth and Family Services; services to end and prevent homelessness; High School Wellness Centers; and harm reduction programs.
- In fact, most of the action and funding regarding public safety takes place at the federal, state, and county level.

Although our Town has a role to play in public education and implementation, our Council's ability to legislate or enforce public safety laws in many of these areas is limited, compared to the federal, state, and county governments.¹⁹

For example, safety and security around election time and Inauguration Day is beyond the Town's expertise, intelligence gathering, or planning ability. **The County police, in conjunction with their state and federal partners have the situation well in hand.** They have the intelligence experts, analysts, and data processing capabilities to anticipate threats and address them properly. You can read the County's new Emergency Operations Plan here:

https://montgomerycountymd.granicus.com/Viewer.php?view_id=169&event_id=16078&meta_id=173084

Additionally, a resident on the Town's listserv raised the issue of Somerset's safety in the face of extremist political violence. **But if we experience another January 6-like event, our Town police officers will be pulled in by the County to work overtime.** They will not be able to work their side jobs, and we will have no ability to compel them to work here. (Three years ago, County police officers were deployed to the Capitol to defend it.) But, again, the County is able to manage these situations.

So it's important for us to be aware of what's going on at all levels of government and to provide input. State and County legislation affects our public safety, and our Town has ample opportunities to express its opinion --whether pro or con-- on legislation. Our Town government often doesn't have time to do this, so, again, it's a matter of setting priorities.

At the end of this document are some examples of legislation pending in the Maryland General Assembly's 2024 session. Many of these bills relate to pedestrian and traffic safety, criminal law, law enforcement, and safety of children. If these are our concerns, our Town should be monitoring and commenting on the legislation.

Thank you for considering these ideas.

¹⁹ See, e.g., [Maryland Congressional Delegation Announces Nearly \\$17 Million for Violence Prevention and Safer Schools, October 3, 2022](#) ("\$16,990,815 in federal funding for Maryland schools to foster safer and more supportive learning environments that address the evolving social, emotional, physical, and mental health needs of students"). <https://raskin.house.gov/press-releases?ID=7E72F3FC-A438-4D75-8C1C-42A4079C2795>

See also, Statement of Marc Elrich ("This tragedy is a reminder of how important it is to look for signs of mental health distress. I encourage anyone who is thinking about suicide or aware of someone who needs help, to call 9-8-8, the new national suicide prevention hotline. Montgomery County also runs a [24-hour crisis center](#) you can reach by contacting 240-777-4000. The holiday season is often a difficult time for those who are isolated, alone, or depressed. It is imperative that we reach out and attempt to get help to those who are in need"). https://montgomerycomd.blogspot.com/2022/11/message-from-county-executive_23.html

A sample of pending bills in the Maryland General Assembly 2024 session

[HB0157](#) Public Schools - Appropriations for School Safety Expenditures - Increase (School Safety Enhancement Act of 2024)

Beginning in fiscal year 2026, increasing from \$10,000,000 to \$20,000,000 an annual appropriation to the Safe Schools Fund to provide grants to local school systems and local law enforcement agencies to assist in meeting an annual reporting requirement on law enforcement coverage in public schools.

HB187 Task Force to Study Aggressive and Reckless Driving

Establishing the Task Force to Study Aggressive and Reckless Driving to study data, research, initiatives, and policies regarding aggressive and reckless driving; and requiring the Task Force to submit an interim report by December 1, 2024 and a final report by December 1, 2025 with recommendations on actions, interventions, and policies that could reduce aggressive and reckless driving and include recommended legislation to be introduced in the 2026 legislative session.

HB 86

Public and Nonpublic Schools - Auto-Injectable Epinephrine and Bronchodilators - Use, Availability, Training, and Policies

Requiring each county board of education and authorizing nonpublic schools to update their policies to require school nurses and school personnel to complete certain training before they are authorized to administer auto-injectable epinephrine to certain students and to establish a policy to obtain, administer, and train school personnel to administer bronchodilators to certain students; and requiring the State Department of Education to develop training for school personnel in identification of respiratory distress in students.

HB 28 Passenger, Truck, and Multipurpose Vehicles - Annual Registration Fees (Pedestrian Fatality Prevention Act of 2024)

Increasing the annual registration fees for passenger, certain truck, and multipurpose vehicles based on certain vehicle weight classifications

HB 87 Criminal Law - Death Penalty

Providing that a person who is convicted of first-degree murder may be sentenced to death under certain circumstances; and establishing certain procedures relating to custody, warrant of execution, incompetency, method of execution, witnesses, certificate, disposition of body, notice, trial, sentencing, review, and appeal in relation to imposition of the death penalty.²⁰

HB 95 Workgroup to Study School Bus Safety (Maryland School Bus Safety Act of 2024)

Establishing the Workgroup to Study School Bus Safety; requiring the Workgroup to identify issues related to safety for and behavior of students and bus drivers on buses driven to or from a primary or secondary school in the State; and requiring the Workgroup to report its findings and recommendations to the governing body of each county and Baltimore City, each county board of education, including Baltimore City, the Governor, and the General Assembly by June 30, 2025.

HB 99 Criminal Law – Sexual Solicitation of a Minor Through Child Pornography –Prohibition

Prohibiting an individual from knowingly and with a certain intent soliciting a minor or law enforcement officer posing as a minor to engage in certain prohibited sexual acts with the minor by a certain means.

HB 115 Criminal Procedure - Victims' Rights - Notification of Release From Confinement (Jaycee Webster Victims' Rights Act)

Requiring a certain commitment unit to include in a notification given to a victim, victim's representative, or witness regarding the release from confinement of a sentenced defendant or child respondent the name and telephone number of the lead victim services employee of the State's Attorney's office of the county in which the sentenced defendant or child respondent was prosecuted.

[HB0195](#) Public Safety - Missing Persons With Cognitive Impairment - Purple Alert Program

Establishing a Purple Alert Program to disseminate information to assist in locating a missing person who suffers a cognitive impairment, intellectual or developmental disability, or brain injury who is not eligible for the Silver Alert Program.

[HB0196](#) Motor Vehicles - School Buses - Seat Belts

Prohibiting certain persons from allowing pupils to stand in a school bus while the school bus is in motion; requiring that school buses purchased after October 1, 2024, be equipped with seat belts that are accessible to passengers; requiring school buses in operation on October 1, 2024, to have seat belts installed that are accessible to passengers for every seat on the bus on or before

²⁰ Note that Maryland abolished the death penalty years ago.

October 1, 2026; prohibiting a person from operating a school bus unless the person and each occupant are restrained by a seat belt; etc.

Committees

[HB0207](#) Motor Vehicles - Reckless Driving and Aggressive Driving - Penalties

Altering the penalties that may be imposed for reckless driving and aggressive driving to include a fine not exceeding \$1,000 or imprisonment not exceeding 30 days or both, and for a subsequent offense occurring within 3 years of a prior conviction, a fine not exceeding \$1,000 or imprisonment not exceeding 90 days or both.

[HB0217](#) Vehicle Laws - Cannabis Use in Motor Vehicle With Minor Occupant - Prohibition

Prohibiting an individual from smoking, vaping, or consuming cannabis in the passenger area of a motor vehicle if a minor is an occupant.

[SB0007](#) Public Safety - Law Enforcement Agencies - Positive Community Feedback

Adding positive community feedback to the list of records that are not considered personnel records for certain purposes; requiring the Maryland Police Training and Standards Commission to develop a process for citizens to submit positive community feedback; requiring each law enforcement agency to adopt the uniform citizen positive community feedback process; and requiring a law enforcement agency to maintain a certain record that is subject to public inspection.

[SB0017](#) Criminal Law - Crimes Relating to Animals - Conviction and Sentencing

Establishing that each animal harmed in a violation of a prohibition against animal cruelty is a separate offense; and establishing that a conviction for a crime relating to animals may not merge with a conviction for any other crime based on the act establishing the violation and that a sentence imposed may be separate from and consecutive to or concurrent with a sentence based on the act establishing a violation.

[SB0026](#) Criminal Law - Manslaughter by Vehicle or Vessel - Increased Penalties (Jamari's Law)

[SB0028](#) Crimes and Corrections - Penalties and Procedures (Violent Firearms Offender Act of 2024)

[SB0039](#) Gun Theft Felony Act of 2024

[SB0042](#) ([HB0113](#)) Vehicle Laws - Horse Riding - Helmet Requirement for Minors

Prohibiting an adult from allowing certain minors to ride a horse, donkey, mule, or pony on a highway, a public horse-riding path, or the grounds of a facility for which the primary purpose is recreational, educational, or competitive equestrian activities unless the minor is wearing a properly secured helmet that meets or exceeds the standards of the American Society of Testing and Materials for protective headgear used in equestrian riding.

[SB0063](#) Motor Vehicles - School Vehicle Drivers - Medical Examinations

Requiring a school vehicle driver to pass an appropriate medical examination before employment and once during each 2 years of employment.

[SB0065](#) Criminal Law - Child Pornography - Prohibitions and Penalties

[SB0068](#) Reckless and Negligent Driving - Death of Another - Must-Appeal Violation (Sherry's and Christian's Law)

[SB0077](#) ([HB0111](#)) Bicycles, Play Vehicles, and Unicycles - Authorizations and Requirements

Authorizing a person to ride a bicycle, play vehicle, or unicycle on a sidewalk or sidewalk area unless prohibited by local ordinance; and requiring a person riding a bicycle, play vehicle, or unicycle on a sidewalk or sidewalk area or in or through a crosswalk to yield the right-of-way to a pedestrian or a person using an electric personal assistive mobility device.

[SB0103](#) Overdose Awareness Day

Requiring the Governor annually to proclaim August 31 as Overdose Awareness Day.

[SB0111](#) Criminal Procedure - Protection of Identity of Minor Victim

September 22, 2023

To the Mayor and Somerset Town Council:

We the members of the Somerset Traffic Committee write to express our opinion that the funds for the policing program (doubled from \$25,000 in FY19 to \$50,000 for FY20, per the request of our Ad Hoc committee in March of 2019) have not effected the increase in traffic safety we expected. Although the number of hours police officers work in Town did double from 8.75 per week to 17.5 per week, we have not seen an increase in stop sign compliance, which was our main goal.

We have also noted challenges with management of the police program. Citations for stop sign violations were rarely issued in FY20, despite Traffic Committee requests for officers to do so. It is not clear the intersections we prioritized for them at that time were monitored as requested. Efforts (repeated requests to the Town Manager) beginning in September 2020 to meet with Sgt. Cheoung to discuss our priorities did not result in a meeting. The Town Council assigned the Town Manager the task of drafting a policing policy on November 15, 2021, with subsequent input from the Public Safety and Traffic committees, but no real policy was produced. We are aware that Public Safety Chair Kumar Vaswani revised and supplemented a draft outline in March 2023, but there were no further communications on next steps.

The Town was able to convene a meeting with Sgt. Cheoung in April 2022, which addressed general public safety more than traffic safety. At that meeting, after discussing how much detail police can record while protecting citizens' privacy, the Town Manager agreed to create a new police activity log, which was done in February 2023. It has been maintained by officers and as far as we can tell (since the reason for the few warnings officers have issued is not specified), the Town police have conducted just one traffic stop this calendar year and have not made a single traffic stop since March.

At this point, the Traffic Committee has concluded that the policing program is not increasing stop sign compliance or general traffic safety in any measurable way as we had hoped. Other committees may want to consider working with the Town Manager and Council to develop, implement, and fund a policing policy for other public safety needs, but the Traffic Committee is now looking into alternative methods for addressing traffic safety.

With appreciation for all the work you have done to help us increase traffic safety in Town,
Sincerely,

Elizabeth Hurwit, Chair
Sherry Khanna
David Leibovitch
Anne Yap

TOWN OF SOMERSET

**PUBLIC SAFETY COMMITTEE
PARKS & NATURAL RESOURCES COMMITTEE
POOL COMMITTEE
SWIM TEAM COMMITTEE**

M E M O R A N D U M

DATE: March 12, 2024

TO: Council President Steve Surko

cc: Mayor Jeffrey Slavin
Council Member Robin Barr
Council Member Debbie Heller
Council Member Kabir Kumar
Council Member Shannon Rovak
Town Manager Matthew Trollinger
Deputy Town Manager EJ Hardwick

FROM: Kumar Vaswani, Chair, Public Safety Committee (PSC)
Josh Rosenthal, Chair, Parks & Natural Resources Committee (PNRC)
Matthew Zaft, Chair, Pool Committee
Dario Fuentes, Chair, Swim Team Committee
Katherine S. Coleman, resident

SUBJECT: Recommendation to Establish Town Working Group on Pedestrian Safety

As noted in the memorandum to you dated July 10, 2023, signed by the Chairs of the Parks and Natural Resources Committee, the Public Safety Committee, the Equity and Inclusion Committee, the Pool Committee, and the Somerset Swim Team Committee, several Town committees have agreed on the importance of pedestrian safety within the Town of Somerset.

As part of this collective initiative, **we propose for your consideration the establishment of a Town working group on pedestrian safety, with membership drawn from our committees and any interested residents, and chaired by a member of the Public Safety Committee.**

Background

As stated in the July 10, 2023, joint memo initiated by the PNRC, walkability is a key indicator of a community's livability. However, numerous residents use our streets instead of sidewalks, increasing the likelihood of serious injury due to an automobile-pedestrian collision.

The use of streets instead of sidewalks is even more common when pedestrians view sidewalks as unsafe due to obstructions and tripping hazards. This is especially true for senior citizens and people with mobility concerns.¹

Sidewalk usage is so important that the World Bank has included it in its thought leadership on sustainable cities. In their recent article, “Accessible Sidewalks for Inclusive Cities,” they mention that unobstructed access is important for inclusivity.²

Moreover, sidewalk usage is so important that Montgomery County has created a pedestrian master plan. “The Pedestrian Master Plan is Montgomery Planning’s first comprehensive vision to create safer, more comfortable experiences walking or rolling around the county, and to make getting around more convenient and accessible for every pedestrian.” This plan’s top priority is to “increase walking rates and pedestrian satisfaction.” <https://montgomeryplanning.org/planning/transportation/pedestrian-planning/pedestrian-master-plan/>

This memorandum aligns with Montgomery County’s top priority for pedestrians’ safety.³

There are six specific concerns with respect to pedestrian safety in the Town:

- **Uneven and damaged sidewalks**
- **Town trees and residents’ landscaping that obstruct sidewalks**
- **Inadequate lighting in several stretches of the Town**
- **Lack of ADA compliance on many sidewalks**
- **Absence of sidewalks on certain streets**
- **Traffic volumes and speed on certain streets and general lack of driver compliance with STOP signs**

¹ See Katherine Coleman, “Accessibility in Somerset: How Are We Doing?” *Somerset Town Journal*, November 2021, p. 1, <https://cms2.revize.com/revize/somerset/Documents/Communications/Town%20Journal/2021/November%202021%20Journal.pdf>

² Choi, Basat. “Accessible Sidewalks for Inclusive Cities,” April 13, 2022, <https://blogs.worldbank.org/sustainablecities/accessible-sidewalks-inclusive-cities>

³ Creation of a pedestrian safety working group is also consistent with the Town's resolution declaring a climate emergency, the Town’s Declaration of Sustainability, and the Town’s signing on to the Fossil Fuel Non-Proliferation Treaty. [https://cms2.revize.com/revize/somerset/Documents/Government/Charter,%20Code%20of%20Ordinances,%20%20Resolutions/Resolutions/on%20Environment/Resolution%204-21-1%20\(Climate%20Emergency\).pdf](https://cms2.revize.com/revize/somerset/Documents/Government/Charter,%20Code%20of%20Ordinances,%20%20Resolutions/Resolutions/on%20Environment/Resolution%204-21-1%20(Climate%20Emergency).pdf) , <https://townofsomerset.com/>

By improving the safety of pedestrians, cyclists, and users of mobility devices, the Town would encourage walking, biking, and rolling (as opposed to use of motor vehicles); protect the environment; and enhance accessibility and residents' health.

Recommendation

The Council should create a pedestrian safety working group, with membership drawn from Town committees and from residents at-large. The issue of pedestrian safety cuts across the interests of several committees. The objective of the working group would be to develop recommendations to ensure that every street in Somerset is walkable, with safe and accessible sidewalks.

The pedestrian safety working group would be tasked with developing recommendations on the following topics, with a focus on prioritization of projects for FY25 and formulation of projects for FY26:

1. Improvements to current sidewalks, including a process for clearing sidewalks of plantings and cutting back vegetation obstructing signage and visibility at intersections; correcting defects; and ensuring that all sidewalks and intersections are ADA compliant.

The PNRC has already recommended action on vegetation obstructing sidewalks, and there have also been complaints from residents regarding plantings obstructing visibility at intersections. In addition, sidewalks are uneven on several streets, and some accessibility issues regarding curb cuts remain. For example, sidewalk access via the steps at the Cumberland/Surrey crossing presumably needs to be made ADA compliant.

2. Adding new sidewalks on streets that currently do not have them, including enhancing pedestrian safety at the Somerset Pool.

The lack of sidewalks on long stretches of Cumberland and Essex, the 5500 block of Warwick, the 5400 block of Trent, and on Warwick and Devon Lanes is hazardous for pedestrians. It is simply not safe for pedestrians -- especially children and the elderly -- to weave around parked vehicles while dodging two-way traffic on these streets.

The Council should require that if the working group recommends construction of any new sidewalk, the working group shall draft for the Council's consideration a consultation process with residents on the street where the sidewalk is proposed.

3. Installing pedestrian-scale lighting on sidewalks in "dark zones" that are not adequately lit by streetlights.

Due to the location, height and design of our streetlight fixtures, many stretches of the Town's sidewalks remain poorly lit.⁴ The same trees that provide wonderful shade on

⁴ **See, e.g.,** Sabra, Wang & Associates, Inc., Letter to Town Manager Richard Charnovich, December 2, 2013, at 5 (page 22 of the pdf), (“**All lighting is the overhead utility pole-mounted “cobra head” street lighting – not pedestrian scale lighting. While sufficient for AASHTO standards, it may not meet the needs of pedestrians. Tree canopy obscures street lighting because of the lamp’s height**”).
<https://cms2.revize.com/revize/somerset/Documents/Government/Town%20Committees/Traffic/Traffic%20Study%202013.pdf>

sidewalks by day block streetlights by night. Pedestrian scale lighting -- "directed toward the sidewalk, positioned lower than roadway lighting, and more closely spaced than roadway lighting" -- would resolve this problem.

4. Traffic calming measures for pedestrian safety, such as speed bumps, raised crosswalks, chicanes, and “STOP for Pedestrians” crosswalk signs. The working group could also assess the option of closing Warwick Lane at the Somerset-Drummond line.

Dorset often looks less like a residential street and more like Main Street, with sometimes more than half a dozen vehicles at the Surrey or Warwick intersections (even outside of school drop-off/pick-up hours) and several residents have complained that many drivers do not yield to pedestrians at the crossings. Cumberland sees a lot of school traffic and cut-through from Drummond. Many residents have also complained that, throughout the Town, compliance with Stop signs is weak, putting pedestrians at risk.

The working group could also identify, in the course of its work, other measures that would benefit pedestrian safety.

As in the case of the work on storm water management, an expert consultant might need to be contracted to assist the working group in assessing technical options. A key role of the working group would be to collect the necessary data for informed decision-making by the Town. The working group should also ensure adequate opportunity for public input as the working group formulates its recommendations.

We recommend that the Council mandate that the working group carry out its tasks until the end of fiscal year 2025. The working group would then cease to exist, unless the Council extends its mandate.

Thank you for considering this recommendation.

TOWN OF SOMERSET
PUBLIC SAFETY COMMITTEE

M E M O R A N D U M

DATE: March 11, 2024

TO: Town of Somerset Council

cc: Mayor Jeffrey Slavin
Town Manager Matthew Trollinger

FROM: Kumar Vaswani, Chair, Public Safety Committee (PSC) 

SUBJECT: Recommendations Regarding (1) Repair of Sidewalk Defects and
(2) Periodic Trimming of Town Trees

At its January 31 meeting, the PSC unanimously approved the following recommendations:

RECOMMENDATION 1:

that the Town (a) repair all sidewalk defects now (tripping hazards; raised or uneven sidewalk panels; depressions that collect water, etc.) and (b) raise curb heights near sidewalks now so that the tops of the curbs are level with sidewalks, with funds for both (a) and (b) to come out of the Fiscal Year 2024 budget.

Sidewalk tripping hazards have persisted for years and are a public safety hazard. The Town staff did yeoman's work last year in contracting out for the repair of some hazards and the rehabilitation of curb cuts and ramps. However, some hazards remain. Some of these hazards have resulted in injury to residents. The Dewberry study documented some hazards but omitted others from its report. **To avoid injury and discomfort to residents, the Town should repair any remaining defects this fiscal year (FY 24).**

Depressions and misaligned sidewalk panels can collect water that is just downright uncomfortable to walk through or that freezes and presents a hazard.

Raising curb heights near sidewalks will address tripping hazards caused by the sheer drop-off at the edge of the sidewalk. It will allow dirt to be filled in so that the sidewalk is level with the adjacent land.

Sidewalk panels pushed up by tree roots present an interesting challenge. The Town has a strong interest in protecting trees. However, sidewalk panels pushed up by roots present an impediment both to those who are walking, as well as to those who use mobility devices.

Solutions are available (and the Town has addressed this situation in the past). The Town staff may need to conduct some research before proceeding, but there is no reason why these defects can't be cured this fiscal year.

The Town staff should solicit, via the emailed Town Announcements, input from residents regarding specific sidewalk tripping hazards and then contract out for the work. PSC members have also documented some hazards and will forward specific defects (with pictures) to the Town staff. Additionally, PSC member Lucy Freeman and Deputy Town Manager EJ Hardwick planned a Town walk-around survey, so that effort should yield some valuable data as well.

RECOMMENDATION 2

that the Council (a) set a schedule for regular trimming of Town trees so they are not obstructing streetlights, street signs, or passage on sidewalks; (b) direct the Town staff to publicize the schedule so the public knows when the trimming will take place; and (c) direct the Town Staff to report to the public every time the work is completed.

Periodic trimming of Town-owned trees helps ensure public safety. Last year, the Town staff did an excellent job contracting out for this work. The Council and staff should ensure that the momentum continues by mandating periodic tree trimming on some type of schedule.

The Council has a few options, which it may want to explore in conjunction with the Town staff and the Town arborist:

- The Council could specify a schedule for trimming of Town trees. In this case, it should specify the frequency of the trimming (e.g., annually—such as every July—or biannually, etc.).
- Or the Council could specify a schedule for inspection of Town trees, with subsequent trimming of specific trees, as determined by the inspections. In this case, it should specify the frequency of the inspections (e.g., semi-annually, annually, etc.)

Specifying a schedule (whether for trimming or for inspections) and publicizing it helps the Town staff ensure that the work is done on time and reassures the public that the Town is acting to protect public safety. The Town staff could use its soon-to-be-acquired project management software to ensure that the trimming (or inspections) are done on schedule.

Notifying the public of planned inspections and trimming, and notifying the public when the work is completed, also reassures residents that the Town is constantly (and predictably) acting to ensure the public's safety.

Thank you for considering these recommendations.

MEMO

TO: Somerset Town Council
FROM: Matthew Trollinger, Town Manager
DATE: 3/18/2024
SUBJECT: **Safety Improvements for Somerset Town Pool Parking Lot**

Dear Council Members,

I am writing to bring to your attention the recommendations provided by Fehr & Peers regarding the safety of the Somerset Town Pool parking lot. The full report is included in the Council packet as a reference. These recommendations offer insights into enhancing pedestrian and vehicular safety in the area.

Recommendations:

The key recommendation is to reduce conflict points between pedestrians and vehicles by shifting pedestrians to the south side of the parking lot. This adjustment effectively removes conflict with left-turning vehicles and addresses safety concerns. Additionally, the report suggests removing seven perpendicular parking spaces on the south side to accommodate this change. To further enhance pedestrian safety, it is recommended to maintain striped crosswalks and potentially introduce a raised crosswalk for increased visibility.

Implementation Plan:

While the construction at the Town Pool has delayed the implementation of these recommendations, funding has been allocated in the FY25 budget to proceed with the necessary improvements. However, the Council may consider implementing stopgap measures ahead of the 2024 Pool season to address immediate safety concerns. For example, blocking off three spaces across from the recommended parking spaces could prevent potential accidents caused by cars backing out into each other. Although this does not fully resolve pedestrian safety concerns, it offers a temporary solution until comprehensive improvements can be made.

Conclusion:

While the recommended improvements may require time and resources to implement fully, interim measures can be taken to mitigate risks and enhance safety in the short term. I encourage the Council to review and consider these recommendations to prioritize the well-being of those using the Town Pool in 2024 and beyond.

Sincerely,

Matthew Trollinger,

Town Manager

Memorandum

Date: September 30th, 2022

To: Matthew Trollinger, Town Manager

From: Anjuli Tapia, PE, Fehr & Peers

Subject: Somerset Pool Safety Study

DC21-0092

Purpose and Need

The Town of Somerset is a small, incorporated municipality consisting of roughly 0.28 square miles of land, consisting of residential houses, a Town Hall, Town pool, and tennis courts. For several years, members of the Town's Pool Committee and other residents have raised concerns about pedestrian safety in the pool parking lot, and inadequacy of signage. The Pool entrance makes up the east leg of the Warwick Lane / Falstone Lane intersection as shown in **Figure 1**. The path to the pool runs between Warwick Lane and the pool house, through a parking lot, and across a bridge as shown in **Figure 2** and **Figure 3**. The path is used year-round, and there is a need to address safety for those accessing the pool, those walking to and from the Friendship Heights metro, and those walking to and from Somerset Elementary School.

This study sought to address the following issues:

- Signage
- Pedestrian and vehicle visibility
- Parking spaces
- Additional parking requirements



Figure 1

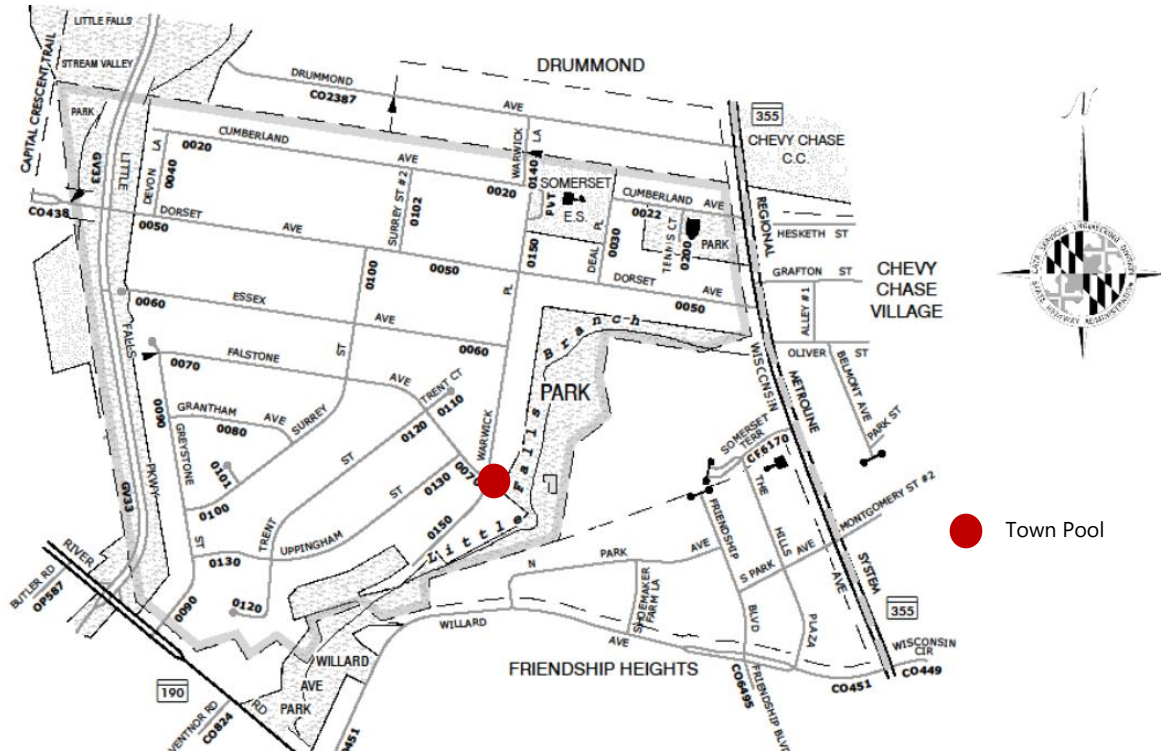


Figure 2

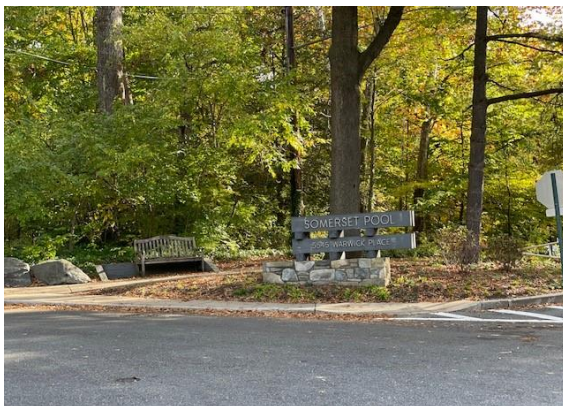


Figure 3





Existing Conditions

Existing conditions data was collected through stakeholder interviews, a site visit in November 2021, and observations of a peak weekend event in July 2022. Interviews indicated that the majority of people walk from the neighborhood. The Town Pool is only open to Town residents, with the exception of swim meets during the Summer which bring regional visitors. The peak traffic conditions at the Town pool occur during swim meets which mostly happen on the weekends, and a few weeknights through the Summer. Interviews noted that parking is mostly full during these peak events. No one is out directing or managing traffic at entrance during these peak events. It is also worth noting that children frequently walk from the nearby elementary school to the Pool after school using the sidewalk as shown in **Figure 4**.

Figure 4



Feedback during interviews did not identify any concerns for traffic or vehicle queuing at the Falstone Avenue / Warwick Place intersection. Access and circulation within the parking lot is the predominant safety concern as it creates numerous conflicts between vehicles and pedestrians. The biggest factors contributing to the safety concern include:

- The double-loaded perpendicular parking spaces line the driveway entrance creating conflicts between parked vehicles trying to exit and circulating visitors
- The pedestrian pathway is striped in the street creating conflicts between pedestrians, parked vehicles, and circulating visitors as shown in **Figure 5**
- The driveway entrance is narrow to accommodate for two-way traffic and pedestrians
- Landscaping in the parking lot results in limited sight distance for parked vehicles trying to exit



- A confusing circulation pattern between the parking lot and the bridge to the Town pool, as well as overgrown trees blocking signage create confusion for circulating vehicles and increased conflicts with pedestrians as shown in **Figure 6**

Figure 5



Figure 6



Observations of a weekend swim meet in July 2022 captured detailed parking occupancy data, traffic counts, and vehicle conflicts. The swim meet was scheduled for 10am-12pm on Saturday, July 16th, 2022, and observations were conducted one hour prior (8am-9am) and one hour after (11:30am-12:30pm). **Table 1** below summarizes the data collection. The following can be concluded from observing the peak event parking and circulation:

- The parking lot is fully occupied 60-90 minutes prior to the start of the swim meet, yet vehicles continue to enter the parking lot to look for available spaces. This causes queuing and congestion within the parking lot as shown in **Figure 7**.
- There is heavy drop-off and pick-up activity within the parking lot at the entrance to the bridge, as well as at the Falstone Ave/Warwick PI intersection.
- Numerous U-turns were observed at the Falstone Ave/Warwick PI intersection.
- Pedestrians use space on south side of the parking lot entryway more than the crosswalk on the north side of the entryway as shown in **Figure 8**.
- On-street parking on Falstone Ave and Warwick PI fills up as a result of overflow parking as shown in **Figure 9**.



Item		Analysis Period	
		08:00 - 09:00 AM	11.30 AM - 12.30 PM
Common parking lot spaces	<i>Total</i>	29	
	Occupied	29	29
	Unoccupied	0	0
	Vehicles parked back-in	10	4
	Vehicles parked front-in	19	25
Handicapped parking lot spaces	<i>Total</i>	3	
	Occupied	3	2
	Unoccupied	0	1
	Vehicles parked back-in	0	0
	Vehicles parked front-in	3	3
Modal Counts	Vehicles	19	27
	Bicycles	7	7
	Scooters	2	2
	Pedestrians	90	179
	Strollers	1	0
Number of vehicle-pedestrian conflicts	Parking lot	2	6
	Entryway	0	1
Number of vehicle-vehicle conflicts	Entryway	0	1



Figure 7



Figure 8



Figure 9





Recommendations

A critical piece to improving safety is reducing the number of conflict points between pedestrians and vehicles in the parking lot. By shifting pedestrians to the south side of the parking lot, which seems to follow the pedestrian desire lines, this effectively removes the conflict point with left-turning vehicles just before the bridge. While the Town previously considered a paved sidewalk in the landscaped area on the southern edge of the pool site, hardscape improvements can be costly and lead to drainage issues.

Given there is only one access point to the parking lot and pool, two-way traffic at this driveway must continue which means converting to angled parking is not ideal. At present, there is approximately 57-58 feet of available space in this double-loaded parking aisle.

The recommendation is to remove the seven (7) perpendicular parking spaces on the south side. Due to the angles of the driveway entrance it's not possible to shift the pedestrian walkway and maintain these spaces. This would reduce the available parking within the lot, but observations indicate available capacity on the neighborhood streets to absorb additional parking demand. The striped pedestrian walkway on the north side of the aisle should be removed. The parking spaces on the north side of the aisle could remain as they are or they could be converted to a single parallel space directed outbound, resulting in additional loss of two spaces. The Town could maintain the perpendicular spaces in the short term, continue to monitor circulation, and then consider this change as a near term option.

To further address pedestrian safety, the striped crosswalk at the driveway entrance should remain, and a second striped crosswalk is recommended where the sidewalk brings out pedestrians slightly east of the driveway. Consideration could also be made for a raised crosswalk which would slow vehicles down even further and increase the visibility of pedestrians crossing.

To address circulation within the parking lot the Town could use signage at the parking lot entrance to indicate when the parking lot is full and potentially station a person managing circulation and pedestrian crossings at the Falstone Ave/Warwick PI intersection. This would prevent vehicles from continuing to enter the lot and improve queueing and congestion while leaving travel open for pedestrians and bicyclists. The signage could be removed once the swim meet concluded allowing vehicles to exit smoothly. This will likely result in increased drop-off activity at the Falstone Ave/Warwick PI intersection. The Town could use cones and signage to designate two to four on-street parking spaces as drop-off/pick-up areas specific to peak weekend swim events.

These recommendations represent striping and other pavement marking improvements that could be implemented fairly quickly and at low cost