



# Civic Federation News

March 2011

Serving the Public Interest since 1925

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Montgomery County  
Civic Federation

[www.montgomerycivic.org](http://www.montgomerycivic.org)

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## March Double Program County's Capital Budget By Chuck Lapinski, Public Finance Chairman

The first part of our program on Monday, March 14 will feature Joe Beach, Director of MC Office of Management and Budget, and Glenn Orlin, County Council Capital Programs and Infrastructure Director as our guest speakers. Even though this is an "off" budget year for the County's Capital (CIP) Budget, the process continues with a number of seemingly small, but not insignificant changes that reflect some financial policy changes. Joe and Glenn will discuss the capital budget process and schedules from the perspectives of both the Executive and the Council. They will also address the importance of the "off" year issues and policy changes reflected in this CIP cycle. These changes show some real and sound fiscal fortitude. They are proactive but cautionary first steps toward an improved process. What a change!

## Parks Director Mary Bradford

By Peggy Dennis, President

The second portion of our program will provide us with an overview of the key issues challenging the Department of Parks. Director Mary Bradford will cover the issues she deems most important, but they are sure to include: the proposed merger of the Park Police with the MCPD; budget cuts and their effects on staff and facilities; the evolving relationship with the Recreation Department; environmental challenges; public/private partnerships; volunteer programs and scope for greater public participation in neighborhood park management. This promises to be an interesting discussion, and we look forward to a lively Question & Answer session.

## Mark Your Calendar Now for the Montgomery County Civic Federation's 2011 ANNUAL AWARDS BANQUET

Friday, May 13, 2011

6:00 to 9:30 p.m.

Conference Center

at the

Universities at Shady Grove

## Community Hero: Mike Heyser

By Chuck Lapinski

A subtle but key characteristic of many of our Community Heroes is their passion for doing the right things for the right reasons. Mike Heyser exhibits this behavior in his everyday commerce, his relations with his family, his employees, his community and his business.

Mike took over Heyser Farms from his father in 1988. His father bought the farm and business in 1946, but the farm and stand have been in continuous operation since 1912, so next year will be the 100<sup>th</sup> anniversary of this community institution.

Mike describes himself as a "grower". What he grows, he sells from his produce stand. His produce is grown locally and sold according to what is ripe with the season. He trains his employees to appreciate what is grown and how it is grown, taking them on multiple farm field trips so they can learn how fruit trees are pruned, why they are pruned and when to judge that the fruit is perfect for picking. Some employees will even pick and sell the fruit on the same day. It is what he prides himself in doing, and he wants his employees to pride themselves on what they do and sell too.

So, Mike is much more than just the chief "grower" of Heyser Farms. He is a husband, father, trainer, educator, mentor, mechanic, business analyst, and community and environmental supporter. On top of all those attributes, he makes the best fresh apple cider whose flavors change from week to week according to which varieties are in season. Thanks, Mike. We appreciate what and how you contribute to the outstanding quality of life of Montgomery County.

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## President's Message: No Rush to Judgment on the Park Police Merger

By Peggy Dennis

Emails erupted with volcanic force last month around what was then the rumor of a proposed merger of the M-NC/PPC Parks Police and the Montgomery County Police Department. An email from a member of the Parents' Coalition was circulated decrying the merger and alleging that our parks would no longer be safe if the Park Police force were to be abolished. This was countered by a member of our Executive Committee calling it "hysteria" and giving a number of reasons why we should immediately pass a resolution supporting a merger.

I had attended the roll out of the Final Report by the County's Organizational Reform Commission on February 1, and read their recommendation. They wrote in support of the merger for a number of reasons. Commissioner Scott Fosler also wrote a very well reasoned dissenting opinion with the conclusion: "I do not believe the case has been made that the potential costs savings of the merger would outweigh these other costs and considerations, and I don't believe a decision of this consequence for the county should be driven solely by the interest in financial cost savings in program operations, especially since it could have a potentially negative impact on the County's long-term fiscal health, as well as on its quality of government."

I counseled our Executive Committee to not rush to judgment, but spend time researching the issue. Although I have long enjoyed strolls and programs at Brookside Gardens, taken my children (when they were small) to play at Cabin John Regional Park, and hiked several of our stream valley parks, I had no idea of the extent of our County's park system and the responsibilities involved with caring for the parks and their users.

I spent time studying the Park Police Department's website and learned that "Park Police operate 24-hours per day, seven days per week throughout the park system of Montgomery County. Our jurisdiction covers 487 square miles or 33,000 acres of land that accommodates over 14 million visitors each year. M-NCPPC property includes more than 400 parks, 100 miles of trails, 219 playgrounds, swimming pools, campgrounds, golf courses, horse stables, soccer stadiums, and stream valleys."

On the website, I signed up to go on a "ride-along" with a uniformed officer. This adventure took place on a drizzly winter Saturday, so few people were out and about in the parks in the southeastern sector, but the time I spent with Officer Tom Mock, a veteran with 9 years of experience, was fascinating and enlightening. Like Kipling's elephant child who suffered from insatiable curiosity, I peppered Officer Mock with endless questions about his experiences as a uniformed officer. I learned about their criteria for employment, the training (the same as for the regular MCPD officers), the different kinds of work they do and how they view the differences in attitudes, values and operational techniques from those of the MCPD officers. They seem to embrace and deploy "community policing" much more so than their counterparts in the MCPD. They know the paths and facilities of the parks on their beats like they know their own homes. They know where the drug addicts go to shoot up and where the dealers hang out to make their sales; which surveillance points to check to spot illegal activities in process; what "tags" are associated with specific gangs; which facilities are routinely vandalized by taggers and graffiti "artists"; where gangs meet and their preferred escape routes. Because the same "beat officers" are out and about every day in the parks, they get to know the park users who are regulars and who provide them with vital tips and information to help keep their local parks safe. Anyone who feels cranky about the amount of taxes she or he pays for local government should take some time to study the Park Police website (<http://www.parkpolice.org>) and sign up for a "ride-along" to educate themselves and learn firsthand about how those taxes are being spent.

But, back to the issue! At the request of County Executive Leggett Bill MC/PG 112-11 was introduced in the Maryland General Assembly. I attended the Council's discussion of the bill on the afternoon of February 14 and was very impressed by the careful analysis and attention to detail and questions raised by our Councilmembers. Council President Valerie Ervin opened with the observation that the Council already has budget authority over the Parks and can defund the system. She said that the Executive was "overreaching" and expressed concern over the language on revenue authority saying that at the least the bill should be amended to set the tax rate to at least meet our debt service obligations and clarify whether real property was at stake as opposed to other forms of property such as police vehicles and Phil Andrews criticized the bill saying it was a device to bring about the merger of the two forces which he believed to be a fundamentally bad idea.

He predicted that if the merger were to be carried out, it would result in less attention paid to the parks and a poorer quality to both the policing and the parks themselves. He pointed out that the MCPD has significant retention and turnover in its personnel: the Park Police less so. MCPD officers are paid at a higher scale and cost more per man year than Park Police officers which causes him to question whether there would really be any financial savings from merging the two departments. He summarized with the belief that we should not destroy a system which is working very well. Joe Beach, Director of the Office of Management & Budget, agreed, opining that the level of service will decline if the merger takes place. He raised questions concerning the dual chain of command; liability issues; asked if fines imposed for infractions in the Parks would no longer go to the Park system; and asked if a merger would jeopardize bond funding for the Parks.

Marc Elrich indicated he could support the bill as enabling legislation if it were modified, and that he believes we should not close the door on studying this issue and its attendant problems, but should keep looking for solutions to find additional savings in the future.

Hans Riemer said he opposed the bill as written and wants to see an FY12 Budget that does not include the merger as it is not clear that we can do better by going forward with a merger. Roger Berliner similarly said he would support a bill that is strictly “enabling legislation”, but that this bill is not that, nor is her persuaded that the merger has merits. Nancy Floreen described the bill as a “power grab” on the part of the Executive that was inappropriate at this time. She sees no evidence of “real meaningful savings” in the ORC’s recommendations but worried that the control the Council exercises over Park & Planning will be diminished if the Parks should fall under the control of the Executive. She also expressed concern over the Executive’s ability to “tinker with the tax rate” should the bill be approved in its present form. Nancy Navarro voiced opposition saying that her constituents want more policing and safety in the parks. Craig Rice opposed the bill as “poorly crafted”. He said a future bill should be devised with more consultation and collegial work on the part of both the Council and the Executive. No vote was taken, but it clear that the Council did not support the bill.

Later that evening, the MCCF membership voted to neither support nor oppose the bill, but to ask that it be deferred until much more careful study and analysis of all aspects of a merger could be carried out. In the end, Executive Leggett pulled the bill, and there will be no further legislative action on this issue this year. I do urge

all our MCCF delegates and members to study this issue first hand by visiting the Park Police website at [www.parkpolice.org](http://www.parkpolice.org). And with spring coming, check out the Department of Parks website for ideas on exploring and enjoying more of our parks yourself: <http://www.montgomeryparks.org/>.

## Other Budget Issues

### By Chuck Lapinski, Public Finance Chair

For purposes of comparison, I've been closely watching the budget and financial processes in Fairfax County and the Commonwealth of Virginia. Across the river, Fairfax County will send their budget (equivalent to our operating and capital budgets) to their Board of Supervisors on March 1. They have done some cost cutting. In addition, we now know that Fairfax County employees and teachers will not receive any step increases, nor any other wage adjustments for the third year in a row. This past fiscal year Fairfax experienced an unexpected small operating budget surplus of less than \$50 million. At the state level, the Commonwealth of Virginia had a budget surplus of nearly \$400 million.

Maryland, by comparison, is still in a state of fiscal crisis, and the counties are likely to be significantly hurt as a result. The gap between this years projected revenues and budgeted expenditures is expected to exceed \$1.4 billion. Closing this gap will be painful and may jeopardize our future financial welfare. Governor O'Malley is making some \$949 million in cost cuts. The proposed budget will fund some \$5.7 billion for K-12 education, but school construction funds will be cut by some \$94 million back to a more sustainable \$250 million. The proposed budget will also reduce aid to counties by \$52 million. At a time when our schools are experiencing a significant growth spurt in new student enrollment exacerbating our need for new schools and additions to our old ones, it seems unlikely that Montgomery County will be getting the funds from the state that we so badly need.

The state-funded pension and health care plans for state employees and retirees are now underfunded by more than \$35 billion. As late as 2002, the pension portion was funded at 95%, and is now projected to be funded at only 59% for FY 2012. This change represents quite a drop in investment performance and funding levels. As I reported in earlier articles, research by the non-partisan Maryland Tax Foundation showed that Maryland's investment performance was more than \$5 billion less than our surrounding peer states. Our health portion funding at about 1% is in significantly worse shape. On top of this,

The Tax Institute analysis shows that Maryland taxpayers are ranked 4th as the most heavily tax burdened jurisdiction in the nation. Further, our Governor, with the approval of the President of the Senate and the Speaker of the House, has proposed significant reductions in the states contributions to teacher pensions (the counties pay directly to the fund for all other school employees) beginning with the next budget. This is the only program where Montgomery County is treated equitably; i.e. the same as the other counties and independent jurisdictions. And, it appears that our delegation will go along with this. Over the last few years, Montgomery County recouped less than 30 cents for every tax dollar that we paid into the state coffers. The City of Baltimore, by comparison, got back well over \$2 for every dollar they paid in and Prince Georges County received well in excess of \$1. Helping others less fortunate is admirable. But our needs must also be addressed fairly and equitably. For as long as I have lived in this county, this has not been the case.

## Awards Committee

The Civic Federation's Annual Awards Banquet on May 13 is fast approaching. Past President Jorge Ribas is chairing the Awards Committee, and he is looking for others - delegates and associate members - to help him. The work of this committee is easy and pleasant – accepting nominations for potential award recipients, evaluating those nominations and making final recommendations to the members. The work should be of short duration and may not require any face-to-face meetings. The committee will be confirmed in March, so this is the last call for volunteers.

If you cannot serve on the Awards Committee, perhaps you can think of someone you would like to see receive an award. The award descriptions follow:

**The Wayne Goldstein Award** – is given to an individual or group for outstanding service to the people of Montgomery County.

**The Sentinel Award** - sponsored by the *Montgomery Sentinel* newspaper, is awarded to an individual or group for a significant contribution to good government at the local level.

**The Star Cup** - sponsored by the Federation, is to be awarded to a Delegate or Committee of the Federation for outstanding public service on behalf of Montgomery County.

Please contact Jorge at 301-404-1946 or by email at [jribas@ribasconsulting.com](mailto:jribas@ribasconsulting.com) to help with the committee or to nominate someone for an award.

## Civic Federation Leadership, 2011-2012

### Nominations Committee

It's YOUR turn to volunteer to serve on the MCCF Nominating Committee. There is no better way to help highlight shared County concerns and provide more clout for citizens and their civic associations. The Committee is looking to fill the elective positions on the Executive Committee: President, First Vice President, Second Vice President, Secretary and Treasurer. Most of the work will be done by telephone. No travel! No meetings! Please contact Dan Wilhelm, Chuck Lapinski or Paula Bienenfeld (see chart of officers for contact information) to sign on and help with this important task.

## Please Spread the Word

Civic Federation members are encouraged to forward the electronic version of this newsletter to friends, neighbors and others in their associations. Information is like manure – it's better if you spread it around, far and wide!

## Minutes of the February 14 Meeting by Arnold Gordon, Acting Recording Secretary

**Call to Order:** President Peggy Dennis called the meeting to order at 7:45 PM with introductions all around . The agenda was duly approved.

The minutes of the January 10 meeting as published in the February newsletter were approved. No corrections or amendments were offered.

**Treasurer's Report:** Mr. Schrader reported on our finances. We now have 57 member associations. An amendment to the by-laws to change the name of the "Gazette Award" to the "Wayne Goldstein Award," which was introduced at the January meeting and published in the February newsletter, was adopted by 2/3rds vote of the members present.

**Program:** Vernon Ricks and Richard Wegman, Co-chairs, were joined by Joan Fidler and Susan Heltemes, fellow Commissioners, to report on and discuss the recommendations of the Organizational Reform Commission. The report made a number of

recommendations to improve the economic efficiency of the county government.

**Committee Reports:**

**Legislation:** Mr. Wilhelm, Chairman, made a series of recommendations concerning state legislative bills that are of special importance to the Federation and to the County. The membership took the following positions with regard to each:

- MC 9-11: Electioneering Boundaries: Motion to support the bill with an amendment to set the allowable limit/distance for electioneering at the polls at 50 feet, not 25 as set forth in the bill. *Motion was adopted.*
- MC 20-11: Panhandling in the public right of way. *Motion to support this bill adopted unanimously.*
- HR391/SB692/SB341: Fines leviable on public utilities for failure to perform to standards set by the State Public Service Commission: *Motion to support adopted.*
- HB44/SB53: Waiver of Education Maintenance of Effort by the school systems. *Motion to support adopted unanimously.*
- MC/PG112-11: Authorizing the county to assume and consolidate certain functions of the MNCPPC, including police and recreation functions into County government. Motion to defer the bill until next year. **Adopted.**
- HB518/SB 677. Transportation Trust Fund Protection Act. Motion to Support this bill adopted.
- HB1054/ Maryland Offshore Wind Energy Act: *Motion to support this bill adopted.*
- HB/SB 168. Sheehan Health and Community Services Act. *Committee made no recommendation, but membership discussed and adopted a motion to support the bill with the proviso that revenue collected from an increased tax on alcohol should go into general fund rather than just be used for developmental disabilities.*

An emergency resolution was submitted by Mr. Lapinski and having received the necessary five seconds to the motion, was duly considered. The resolution was to: "Request the County Executive and Council to focus on the major drivers of county budget deficits: public employee salaries, benefits, and pensions, and the collective bargaining process that is exploding these costs". *This motion was adopted.*

**Planning & Land Use Committee:** Mr Humphrey reported on the status of the rewrite of the Housing Chapter of the General Plan and especially on the provision that would establish accessory apartments as permissible as a matter of right--PHED Committee will

hold worksessions on March 7 and 14.  
**Meeting Adjourned** at 10:05 PM.

**Minutes of the February 23 Executive Committee Meeting by Dan Wilhelm, Acting Recording Secretary**

**Attendees:** Paula Bienenfeld, Peggy Dennis, Jim Humphrey, Chuck Lapinski, and Dan Wilhelm. The meeting was called to order at 8:07 pm. at the home of Dan Wilhelm.

The January meeting minutes as published in the newsletter were approved without amendments. There was no Treasurer's report.

**Awards Committee.** The banquet will be held Friday, May 13th at the Conference Center, Universities of Shady Grove. Jorge Ribas is chairing the committee to recommend award nominees. Several possible awardees were discussed.

**MCCF Nominations Committee.** The committee was firmed up with Paula Bienenfeld, Chuck Lapinski and Dan Wilhelm agreeing to serve. Dan indicated he would not be President again. There was a discussion about the need to get new people involved in MCCF and Executive Committee.

**Upcoming Programs.** March: Chuck is organizing a short program on the County's FY12 Capital (CIP) Budget. Because it is an "off year", this program is expected to be short. Peggy will invite Mary Bradford, Parks Director who has expressed a desire to meet with us. If she can do so, this will cover the second half of the program period. The April program will be on FY12 Operating Budget with Chuck organizing. Possibilities for future programs include public safety topics; Zoning Code Rewrite and ZAP; bus rapid transit; creating better local civic associations; charter schools.

**Discussion on Community Heroes.** Subject to their availability, we plan to honor Mike Heyser in March and Gordon Clark in April.

**Committee Reports:**

**Chuck Lapinski – Public Finance Chair.** He reported that many wealthy people appear to be leaving the state.

**Dan Wilhelm – State Legislation Chair.** The membership took positions on 8 pairs of bills at the February 7 meeting. Bill MC112-11 to enable merger of the Park Police with the MCPD has been withdrawn. Peggy testified in person at the Delegation hearing on MC 20-11 - Roadside Solicitation Permits. Dan has written letters and emailed them on six other bills.

**Jim Humphrey – Planning and Land Use**

**Committee Chair.** The zoning rewrite process is still ongoing. Jim indicated that the PLU committee has the opportunity to suggest language in zoning text amendments being drafted by the Planning Department.

**Paula Bienenfeld – Education Committee Chair** reported on a number of items:

- Neighbors are not happy about a cell tower under construction at Sligo Middle School.
- School gardens may now go forward using containers (and some limited in-ground plots). The MCPS guidelines are available on the MCPS website.
- The new Waring Station Elementary School Holding will have 700-800 students, which is large for an elementary school. The surrounding neighbors were unaware of the size and location of the holding school. It was pointed out this was part of the Master Plan. One of the concerns is that the final location was chosen without the public being notified or involved with the final site location.
- New Superintendent Selection Process: The public is not aware of who is being considered for superintendent. Choices and interviews are being done secretly. There was discussion about whether the process used to select Planning Board members might not be a model at least for the final stage in the selection process. The County Council holds public interviews with the Planning Board finalists, and the resumes are available to the press and the public prior to the interviews. (MCCF interviews the Planning Board finalists that the council selects to interview and provides our assessment to the Council.)
- Charter Schools. Paula Bienenfeld is working some of the charter school applicants to organize a series of discussions about charter schools in the county.
- A review of MCPS credit card use shows that some spending is occurring on items that should not be charged to the school system. For example, higher-up administrators at Carver are charging regularly for meals at local high-end restaurants when the regulations state that such charges are only for out-of-town per diem expenses.

**Old Business:** Peggy reported that the all-county Bicycle Conference is coming together. It will be held on Saturday, May 14th at the EOB from 9:00 a.m. to 1 p.m. All relevant stakeholders are being invited and co-sponsors sought.

**New Business:** None. Meeting adjourned, 10:10 pm

## MCCF Officers

Position	Name	Home Phone	Office or Cell Phone	Email
<b>Elected</b>				
President	Peggy Dennis	301-983-9738	202-744-3019	<a href="mailto:hotyakker@gmail.com">hotyakker@gmail.com</a>
1st Vice President	Dan Wilhelm	301-384-2698	Call home	<a href="mailto:djwilhelm@verizon.net">djwilhelm@verizon.net</a>
2nd Vice President	Carole Ann Barth	301-593-7863		<a href="mailto:cbarth@mindspring.com">cbarth@mindspring.com</a>
Treasurer	Bill Schrader	301-946-6545	same	<a href="mailto:schraderw@erols.com">schraderw@erols.com</a>
Recording Secretary:				
<b>Appointed and Past President</b>				
Member at Large	Virginia Sheard	301-949-3372	same	<a href="mailto:boots3303@aol.com">boots3303@aol.com</a>
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Member at Large	<i>vacant</i>			
Member at Large	<i>vacant</i>			
Member at Large	<i>vacant</i>			
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	Caren Madsen	301-587-8128	301-713-9042	<a href="mailto:carenmadsen@msn.com">carenmadsen@msn.com</a>
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Planning and Land Use & Housing	Jim Humphrey	301-652-6359	same	<a href="mailto:theelms518@earthlink.net">theelms518@earthlink.net</a>
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Public Finance	Chuck Lapinski	301-384-0392	Call home	<a href="mailto:charles.lapinski@yahoo.com">charles.lapinski@yahoo.com</a>
Public Safety	<i>vacant</i>			
Transportation	<i>vacant</i>			
Parks and Recreation	Carole Ann Barth	301-593-7863		<a href="mailto:cbarth@mindspring.com">cbarth@mindspring.com</a>

**Federation Meeting**

**Session 825**

Monday, March 14, 2011  
7:45 1st Floor Auditorium  
County Council Office Building,  
100 Maryland Avenue  
Rockville, MD

Agenda:

7:45 Call to Order & Introductions  
7:53 Announcements  
7:56 Approval of Agenda  
7:57 Approval of Minutes of February 14 Meeting  
7:58 Treasurer's Report  
8:00 Program: Part I - CIP Budget  
Part II - Parks Director, Mary Bradford  
  
9:20 Committee Reports  
9:44 Old Business / New Business  
9:45 Adjournment

The **Montgomery County Civic Federation** is a county-wide nonprofit educational and advocacy organization. It was founded in 1925 to serve the public interest. Its monthly Federation meetings are open to the public and are held on the second Monday of each month September through June at 7:45 p.m. in the First Floor Auditorium, County Office Building, 100 Maryland Avenue, Rockville, MD.

The **Civic Federation News** is published monthly. It is mailed to Delegates; associate members; news media, and local, state, and federal officials. Permission is granted to reprint any article provided proper credit is given to the "**Civic Federation News of the Montgomery County Civic Federation.**"

Submit contributions for the next issue by: **Midnight, Saturday, March 26, 2011.** Prepare submission as an MS Word, Word Perfect or text-only document, **attach** it to an e-mail, and send it to:

**hotyakker@gmail.com**

Please send all **address corrections** to Dan Wilhelm, 904 Cannon Road, Silver Spring, MD 20904, 301-384-2698, or [djwilhelm@verizon.net](mailto:djwilhelm@verizon.net).

**NEXT EXECUTIVE COMMITTEE MEETING**  
**Wednesday, March 23, 7:45 p.m.**

At the home of Sandy Vogelgesang  
9009 Charred Oak Drive  
Bethesda, MD 20817



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County Civic Federation

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