

GOVERNMENT OF THE DISTRICT OF COLUMBIA
ADVISORY NEIGHBORHOOD COMMISSION – 3B
GLOVER PARK AND CATHEDRAL HEIGHTS



Melissa J. Lane 3B03, Chair
Christopher J. Lively, 3B05, Vice-Chair
Charles L. Howe, 3B02, Secretary/Treasurer
Vacant, 3B01
Vacant, 3B04

ANC-3B Minutes
May 6, 2004

A quorum was established and the meeting called to order at 7:00 pm. Commissioner Lane asked if there were any changes to the agenda. None forthcoming, the agenda was approved.

Commissioners present
3B02 – Charles L. Howe
3B03 – Melissa J. Lane
3B05 – Christopher J. Lively
Commissioners absent
3B01 – Vacant
3B04 – Vacant

2nd DISTRICT POLICE REPORT:

No representative was available to attend the meeting.

OLD BUSINESS:

Resolution on Smoke-Free Workplaces in D.C. Sharlene Krantz gave an overview of the legislation introduced by Councilmembers Patterson and Fenty as well as the ballot initiative on Smoke-Free Workplaces in D.C. Because the legislation has stalled in Committee, the Coalition for Smoke-free Workplaces in D.C. is petitioning to have the measure (Initiative 66) included on the November ballot for the general election. Opponents of the initiative (primarily the Restaurant Association) has sued to keep the measure off the ballot. Because the issue is caught in the court system, there may not be enough time to get the required signatures to have the initiative placed on the ballot. Despite this problem, Commissioner Lane introduced a resolution to include Initiative 66 on the November ballot. The resolution passed unanimously.

Report by D.C. Parks and Recreation on the Status of the Guy Mason and Stoddert Recreation Center Projects. A community meeting was held on April 26th about the Stoddert Recreation center. A number of issues of concern were brought up at that meeting including the size of the proposed new center. Because of these concerns, DPR is revising the plans and will present them at the June 10th ANC 3B meeting.

Plans for renovating Guy Mason Recreation Center are in the early stages. Decisions are pending on whether to a) demolish the current building and build a new one; b) renovate the current building; or c) renovate and expand the current building.

Status of the Tenley Fire Station Project. Commissioner Howe gave an update on the Tenley Fire station. No progress is being made. Former contractors are suing the city and the city is countersuing. In addition, the Historic Preservation Review Board (HPRB) is considering an application to designate the façade of the building as an historic landmark. Commissioner Howe stated concerns with an historical designation because requirements often conflict with public safety objectives. Commissioner Howe introduced a resolution to endorse a resolution of ANC 3F which recommends that HPRB deny historic landmark status to working fire and EMS facilities. The resolution passed unanimously.

Update on the Proposed Extension for the Liquor License Moratorium in Glover Park. Commissioner Lane reported that the ABRA hearing has been scheduled for early July.

NEW BUSINESS:

Plans for Installation of a Pocket Park at 42nd Street and Davis Place, N.W. Glover Park residents Monette Melanson and Rosalie Werback presented their plans for installing a small park at the T-intersection of 42nd Street and Davis Place. They are planning both hard- and soft-scaping. Hardscaping will include the installation of two benches (one has been installed and is awaiting word from DDOT on whether it will be retroactively approved) and a chess table accessible to persons with disabilities. Softscaping will include native grasses and plants and maybe one or two new trees. They are working with Judy Tiger from GrowDC on appropriate plantings. They submitted an application to DDOT on April 23rd and a review hearing has been scheduled for June 24th. Commissioner Howe asked if they had community backing for this project; Ms. Melanson and Ms. Werback indicated that a number of individuals had volunteered to help them. They also said that they would have a table at Glover Park Day on June 5th to provide information and solicit donations. J. Lively asked if they would consider smaller benches in order not attract any homeless people from “moving in.” Also, a woman whose an artist suggested that they contact the Arts community at Guy Mason about designing and creating a chess table as a donation. Ms. Melanson and Ms. Werback agreed to check on that possibility.

Commissioners Lane, Lively, and Howe complemented Ms. Melanson and Ms. Werback on their project. Commissioner Lane will send a letter of support to DDOT officials prior to the June 24th hearing.

Liquor License Renewal for Echo Deli. Commissioner Howe reported that he had checked with the 2nd District Metropolitan Police Department and that there were no offenses against Echo Deli, located at 2216 Wisconsin Avenue, NW. However, Bill Strydesky, the owner of the property, reported that the proprietors of Echo Deli had moved out without notice on the previous Sunday night and that they owed a lot of back rent. The Commissioners agreed that because of this problem, ANC 3B will write a letter to ABRA regarding the current status of the business. (Because their liquor license was issued in a moratorium zone, it cannot be transferred elsewhere.) Commissioner Lane agreed to contact Milton Grossman, the lawyer who does pro bono work for ANC 3B, about sending a letter.

ADMINISTRATIVE:

Approval of the April 2004 Meeting Minutes. Commissioner Lane presented the April 2004 minutes for approval. Commissioner Lively presented a motion to approve the minutes, Commissioner Howe seconded, and the minutes were approved 3-0 (attached).

OPEN FORUM:

Commissioner Lane asked if there were any issues the community would like to bring up. Commissioner Howe stated that a problem had arisen in Holy Rood Cemetery. A number of homeless persons are sleeping there. Commissioner Howe will contact Bennie Goodman from the National Park Service (who has jurisdiction over the cemetery) and discuss ways to solve the problem.

ADJOURNMENT:

Commissioner Lane asked for a motion to adjourn. A motion was so presented, seconded, and passed. The meeting was adjourned at 7:46 pm.

**RESOLUTION IN FAVOR OF INCLUDING D.C. SMOKEFREE WORKPLACES
INITIATIVE OF 2004 ON NOVEMBER BALLOT**

WHEREAS many studies have found tobacco smoke to be a major contributor to indoor air pollution and that breathing secondhand smoke contributes to heart disease, stroke, respiratory disease and lung cancer;

WHEREAS the D.C. Smokefree Workplaces Legislation was introduced in the D.C. Council by Councilpersons Patterson and Fenty in September 2003;

WHEREAS the D.C. Smokefree Workplaces Legislation has failed to emerge from the D.C. Council Committee on Public Works and the Environment;

WHEREAS D.C. community groups are petitioning to include the D.C. Smokefree Workplaces Initiative of 2004 (Initiative 66) on the November ballot;

WHEREAS the purpose of the D.C. Smokefree Workplaces Initiative of 2004 is to protect the public health and welfare by prohibiting smoking in public places and places of employment; and

WHEREAS all citizens shall have the right to vote on issues concerning their health and environment;

NOW THEREFORE BE IT RESOLVED that ANC 3B endorses the inclusion of Initiative 66 on the ballot for the General Election on November 2, 2004.

_____/s/_____
Melissa J. Lane
Chair

May 6, 2004

_____/s/_____
As Witnessed by Commission Secretary
Charles L. Howe

May 6, 2004

Commission Action:
 Approved Disapproved

Vote (of 3) Commissioners: 3 in favor with 0 opposed.

ANC 3B Commissioners present:

Charles L. Howe (02); Melissa J. Lane (03); Christopher J. Lively (05)

**RESOLUTION ENDORSING RESOLUTION OF ANC 3F RECOMMENDING
HISTORIC DESIGNATION OF WORKING FIRE AND EMS STATIONS BE DENIED**

WHEREAS the Historic Preservation Review Board is considering applications for designation to many working fire and EMS stations as historic landmarks; and

WHEREAS requirements of historic designation often conflict with public safety objectives of working Fire and EMS Stations; and

WHEREAS ANC 3F passed a resolution recommending that historic designation be denied to working Fire and EMS stations because public safety objectives are undermined;

NOW THEREFORE BE IT RESOLVED the ANC 3B endorses the resolution and recommendations of ANC 3F to deny historic designation of working Fire and EMS stations.

_____/s/_____
Melissa J. Lane
Chair

May 6, 2004

_____/s/_____
As Witnessed by Commission Secretary
Charles L. Howe

May 6, 2004

Commission Action:

Approved Disapproved

Vote (of 3) Commissioners: 3 in favor with 0 opposed.

ANC 3B Commissioners present:

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Vacant, 3B01
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ANC-3B Minutes
April 8, 2004

A quorum was established and the meeting called to order at 7:06 pm.

Commissioners present

3B02 – Charles L. Howe

3B03 – Melissa J. Lane

3B05 – Christopher J. Lively

Commissioners absent

3B01 – Vacant

3B04 – Vacant

2nd DISTRICT POLICE REPORT:

Officer Tony MacElwee gave the police report for PSA 205. There has been a 60 percent reduction in crime between April 03 and April 04. In March, however, theft from auto numbers have increased. These crimes most often take place after midnight on Thursdays, Fridays, Saturdays, and Mondays.

The changeover in the PSA structure has been put on hold for the time being. No explanation was given. When the restructuring takes place, the number of PSAs in the Second District will decrease from 9 to 7. Glover Park will become part of PSA 204 which will extend from roughly Glover Park to Connecticut Avenue.

Robert Hyman, Vice President of the Glover Park Citizens Association (GPCA) asked if patrols could be increased when the bars in Glover Park close since there has been an increase in vandalism at that time. Ofc. MacElwee said that the Second District has just gotten 10 scooters making officers more mobile. Ten officers will be deployed in PSA 205 in the overnight hours from Tuesday to Saturday to address the problem.

Commissioner Howe asked how many more officers the 2nd District would get since the number of MPD officers in the city is being increased. Ofc. MacElwee does not have information on the new number of officers that will be deployed in the 2nd District.

Lynn Reichhardt asked if patrols could be increased in the wooded areas around 42nd Street and W Street since the Spring has often brought an increase in car vandalism. Robert Hyman suggested that cars parked in the area be notified of the problem with a flyer. Officer MacElwee is going to look into the suggestion.

OLD BUSINESS:

Stoddert Recreation Center Update. Cathy Fiorillo, Co-Chair of the Friends of Glover Park, the group spear-heading the new Recreation center was unable to attend the meeting so Commissioner Lane gave an update. A meeting between the FoGP, ANC 3B representatives, DCPS (Public Schools) representatives, DCPR (Parks and Rec), and community members was held in late March. Many issues still need to be resolved including the size and location of the new recreation center as well as coordination of programming between the Guy Mason and Stoddert Centers. FoGP is scheduled to meet with the Friends of Guy Mason as well as DCPR to discuss programming. Guy Mason will be primarily targeted at adult programming while Stoddert will focus primarily on children's programming. DCPR is also taking under consideration suggestions for revising their current drawings of the new recreation center. DCPR will call a meeting of Glover Park residents to discuss the new recreation center.

Guy Mason Recreation Center Update. Commissioner Howe said that the D.C. Department of Parks and Recreation were considering three alternatives for the recreation center: a) renovate the building, b) add an addition to the existing building, and c) tear down the existing building and rebuild it. Commissioner Howe reported that at the April 1 meeting about the Recreation Center that an architect reported that the building itself had little historical significance so all options were available. Commissioner Lively suggested that Commissioner Howe contact Carlton Fletcher (Glover Park's historian) to ask him his opinion on the issue.

The Friends of Guy Mason have not taken a position on any of the alternatives yet. The next meeting is scheduled for May.

Update on the Proposed Extension for the Liquor License Moratorium in Glover Park. Commissioner Lively reported that the Glover Park Citizen's Association had agreed at its April meeting to partner with ANC 3B to petition for a five year extension in the current moratorium. The ABRA hearing is currently scheduled for June 9th.

Discussion of D.C. Smokefree Workplace Resolution. This discussion was postponed until the May 6th ANC 3B meeting.

NEW BUSINESS:

Presentation by the D.C. Health Care Coalition. The presentation was cancelled. A representative from the Health Care Coalition did not attend the meeting.

ADMINISTRATIVE:

Report of the D.C. Auditor on ANC 3B. Commissioner Lane presented some of the key findings and recommendations from the report of the D.C. Auditor on Activities of ANC 3B, dated March 9th, 2004.

- The audit found that 82 percent of ANC 3B's expenditures lacked adequate supporting documentation between FY 2000-FY 2003 (as of March 31, 2003). This lack of documentation included 53 cancelled checks that were not submitted with ANC 3B's quarterly reports including several that were not returned from the

Internal Revenue Service and the D.C. Office of Tax and Revenue. Commissioner Lane said that the tax problems were extremely complicated and that previous Commissioners had also tried to address it but that it hadn't been resolved yet. Commissioner Lane said that current commissioners would make every effort to straighten out the tax problems. Commissioner also said that additional internal controls have been implemented to insure adequate documentation including adding redundancies into the process so that each Commissioner had a full set of records.

- The Auditor also found that 52 checks were not in full compliance because "D.C. Government" did not appear on the bank statement although it did appear on the face of the checks. Commissioner Lane said that problem had been resolved.
- The Auditor found that only 31 percent of ANC 3B quarterly reports were submitted on-time and complete. ANC 3B Commissioners who were serving during that period claim that quarterly reports were submitted on-time but no copies were kept. Commissioner Lane announced that quarterly reports would be completed in a timely manner, documentation would be kept, copies would be given to all ANC 3B commissioners, and that stamped receipts would be required from the D.C. Auditor's office.
- The Auditor found that in violation of statute, a Commissioner was a paid employee of ANC 3B while simultaneously serving as a Commissioner for a six-month period in 2002. Note: ANC 3B had asked for a ruling from the Corporation Counsel and D.C. Auditor on the legality of this issue in December 2001 before the Commissioner was appointed. Since documents on the D.C. Auditor web site indicated that the practice was legal, the Commissioner was allowed to act in the dual roles. A ruling was received from Corporation Counsel in June 2002 and the D.C. Auditor in October 2002 disallowing the practice and it was discontinued as of the summer of 2002. The Auditor recommended that the \$3,732.80 paid to the Commissioner in his role as employee in 2002 be reimbursed to ANC 3B. The Commissioner reimbursed ANC 3B for the total amount in February 2004 and the D.C. Auditor's office was notified.
- The Auditor found that there was no evidence of a valid employment contract with a paid staff employee between February 1, 2000 and December 31, 2002. The D.C. Auditor recommended that ANC 3B ratify the salary of \$23,199.47 paid to the staff person over that period as well as a biweekly increase of \$1,012 paid during that period (\$1,012 is included in the \$23,199.47). Commissioner Lane introduced a resolution to ratify the salary and the biweekly increase. Commissioner Howe seconded the resolution. The resolution passed 2-0 (attached). Commissioner Lively recused himself from the discussion and the resolution.

Members of the audience expressed concerns about the problems found in the audit and asked for accountability. Commissioner Lane agreed that some of the problems were serious and that the community should continually demand accountability for the actions of its Commissioners.

Approval of the March 2004 Meeting Minutes. Commissioner Lane presented the March 2004 minutes for approval. Commissioner Lively presented a motion to approve the minutes, Commissioner Howe seconded, and the minutes were approved 3-0 (attached).

Quarterly Reports. Commissioner Lane announced that the current commissioners now have full access to the ANC 3B bank account and bank statements and are now able to complete past due and current quarterly reports and submit them to the D.C. Auditor.

Approval of the FY 2003 Fourth Quarter Report. Commissioner Howe presented details for the Fourth Quarter FY 2003 report (July-September 2003). A motion was introduced and seconded to approve the report. The motion passed 3-0.

Approval of the FY 2004 First Quarter Report. Commissioner Howe presented details for the First Quarter FY 2004 report (October-December 2003). A motion was introduced and seconded to approve the report. The motion passed 3-0.

Approval of the FY 2004 Second Quarter Report. Commissioner Howe presented details for the Second Quarter FY 2004 report (January-March 2004). A motion was introduced and seconded to approve the report. The motion passed 3-0.

OPEN FORUM:

Commissioner Lane asked if there were any issues the community would like to bring up. None were forthcoming.

ADJOURNMENT:

Commissioner Lane asked for a motion to adjourn. A motion was so presented, seconded, and passed. The meeting was adjourned at 8:16 pm.

Resolution to Ratify Employment Net Salary Paid February 1, 2000 through December 31, 2002

WHEREAS In a report dated March 9, 2004 from The Office of the Auditor recommends that ANC 3B ratify the \$23,199.47 in net salary paid for an Administrative Assistant during the period of 02/01/00 through 12/31/02, and;

WHEREAS the Office of the D.C. Auditor has recommended that ANC 3B specifically ratify \$1,012.00 in increased biweekly salary payments during the audit period;

NOW THEREFORE BE IT RESOLVED ANC 3B ratifies \$23,199.47 in net salary paid for an Administrative Assistant and specifically ratifies \$1012.00 in increased biweekly salary payments during the audit period, which is included in the \$23,199.49 net salary.

_____/s/_____
Melissa J. Lane
Chair

April 8, 2004

_____/s/_____
As Witnessed by Commission Secretary
Charles L. Howe

April 8, 2004

Vote (of 3) Commissioners: 2 in favor with 0 opposed, 1 abstained. (Commissioner Lively recused himself from the discussion and vote.)

ANC 3B Commissioners present:
Charles L. Howe (02); Melissa J. Lane (03); Christopher J. Lively (05)