

TOWN OF CHEVY CHASE, MARYLAND

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TOWN COUNCIL

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PUBLIC HEARING ON THE PURPLE LINE

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WEDNESDAY,  
JULY 22, 2009

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The Council convened at 7:00 p.m.  
in the Town Hall of the Jane E. Lawton

Community Recreation Center, 4301 Willow Lane,  
Chevy Chase, Maryland, Kathy Strom, Mayor,  
presiding.

COUNCIL MEMBERS PRESENT:

KATHY STROM, Mayor

LINNA BARNES, Vice Mayor

PATRICIA BURDA

AL LANG

DAVID LUBLIN

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1 P R O C E E D I N G S

2 (7:00 p.m.)

3 MAYOR STROM: Good evening,  
4 everyone. I hope everyone gets a seat, and  
5 thank you for joining us this evening. We're  
6 pleased to see everyone, and we will hear from  
7 every resident who has signed up in the order  
8 that they've signed up in.

9 Since we're recording this  
10 hearing, we are going to ask that everyone  
11 step up to the podium here to speak and state  
12 their name and address for the record.

13 As in our informational meeting  
14 that we held about a month ago on the Purple  
15 Line, we ask that everyone listen respectfully  
16 to their neighbors and not speak out or  
17 interrupt. Everybody will have up to three  
18 minutes for their remarks.

19 Before we get going, I just wanted  
20 to briefly update you about our process. We  
21 scheduled this hearing and the informational  
22 session during the summer months because we

1 believe that by this time the Governor would  
2 have announced the state's preferred  
3 alternative for the Purple Line. But, as we  
4 all know, he has not yet done so, and so the  
5 Town Council need not make any decisions now  
6 on this matter.

7           For the same reason, I suggest  
8 that the Council keep the comment period open.  
9 I think in our postcard we had suggested a  
10 date when it would close, but since we clearly  
11 will have more information from the state, we  
12 would like to keep the comment period open.

13           I also just wanted to briefly  
14 reiterate for any of you who are not familiar  
15 with the town's position to date that the town  
16 does support one of the Purple Line  
17 alternatives, the BRT or bus rapid transit  
18 along Jones Bridge Road, which could save as  
19 much as \$1 billion, serve new riders,  
20 patients, and employees at BRAC, and safe the  
21 trail.

22           As we stated in our comments on

1 the state's draft environmental impact  
2 statement, the state failed to properly  
3 analyze the benefits of this alternative.

4 So we're going to begin, and  
5 before we begin, I just wanted to see if any  
6 other Council members would also like to make  
7 any preliminary remarks.

8 Council Member Burda.

9 COUNCIL MEMBER BURDA: (Speaking  
10 from an unmiked location) and also for all of  
11 the people who have written in. We've been  
12 getting a steady stream, and I think it's  
13 really good to have so many people  
14 participating in the process like this.

15 Secondly, I did want to just raise  
16 a couple of issues that have come up since the  
17 informational hearing that we had last month.  
18 One was there's an article in the Gazette  
19 about the Jones Bridge Road alternative and  
20 our outreach to that community, and I just  
21 wanted to clarify a couple of points.

22 Sam Schwartz Engineering completed

1 their initial report on the Purple Line in  
2 April of, I believe, 2008. We held a public  
3 meeting here where we invited the larger  
4 community representatives from North Chevy  
5 Chase, from East Bethesda, from the, you know,  
6 adjoining communities to come to hear from Sam  
7 and from Harris right then in May.

8           We then did another meeting. I  
9 can't remember the exact date at the 4-H about  
10 six months later, and some of our residents  
11 actually walked up and down Jones Bridge Road  
12 putting flyers into the homes there to  
13 encourage them to come to the meeting and  
14 bring their questions and concerns to that  
15 meeting, and several representatives did come,  
16 including somebody in the article who said  
17 that he had known nothing about the meeting,  
18 and he actually was there.

19           So I just wanted to clarify that,  
20 that we did, indeed, reject those communities.

21           Also, I wanted to say that we have  
22 finished going through some of the public

1 comments that were submitted, the written  
2 public comments that we requested from the  
3 state, and we're finding that basically it's  
4 very close. The written comments that have  
5 come in either through individual letters or  
6 through form letters for those groups that  
7 want to or individuals that want to not put  
8 light rail on the trail, the number that we've  
9 gotten so far is 1,217. I mean, that's going  
10 through. It's kind of complicated to try to  
11 sort these things out, but I just wanted you  
12 to know there were 1,217 supporters of keeping  
13 the light rail off the trail, and those who  
14 wanted light rail on the trail, there were  
15 1,137.

16 I did also want to mention that  
17 the groups in the Chevy Chase community area  
18 that wrote in, I just wanted to give you some  
19 sense of who wrote in in support of or against  
20 the light rail on the trail. Those who wrote  
21 in against light rail on the trail included  
22 the Chevy Chase Hamlet Homeowners Association,

1 Edgevale Civic Association, the Citizens  
2 Coordinating Committee of Friendship Heights,  
3 Kensington, the City of Edgewater, the East  
4 Bethesda Civic Coalition, and Chevy Chase  
5 Hills and also Rethinking the Purple Line.

6           Those groups that wrote in in  
7 favor of light rail on the trail, the groups  
8 were the Howard Hughes Medical Institute, the  
9 National Association of Railroad Passengers,  
10 B.F. Saul Company, the Greater Bethesda-Chevy  
11 Chase Chamber of Commerce, the Montgomery  
12 County Chamber of Commerce, the residents of  
13 the Chase Building, the Chevy Chase Land  
14 Company, North Chevy Chase Citizens  
15 Association, and the Greater Washington Board  
16 of Trade, including and then also the League  
17 of Women Voters, the Coalition for Smarter  
18 Growth and Progressive Maryland.

19           So I just wanted to give you sa  
20 sense of the types of groups that were also  
21 writing in either way.

22           So we have more information and

1 I'd be happy to share any of this after the  
2 meeting. Okay?

3 MAYOR STROM: Any other Council  
4 member wish to have any initial remarks?

5 (No response.)

6 MAYOR STROM: Okay. Then we'll  
7 begin the hearing. Rolf Sinclair.

8 I just wanted to point out there  
9 are individual chairs there, there, there,  
10 there. I'd encourage everyone to sit, to find  
11 a seat. All the chairs we have are out, but  
12 you're welcome to move this one back if you'd  
13 like, and there are some individual chairs,  
14 and I'm sure you'd be more comfortable, you  
15 know, if you wanted to sit down before the  
16 thing began.

17 COUNCIL MEMBER LUBLIN: There's a  
18 little more ledge at least over there, I  
19 think, too, beyond the camera.

20 MAYOR STROM: Okay. Andi, are you  
21 giving to me the three minute timing?

22 PARTICIPANT: Yes.

1                   MAYOR STROM:   Okay.   Can you share  
2   the process of how that's going to work so  
3   that the residents will know?

4                   PARTICIPANT:   Yeah.

5                   MR. SINCLAIR:   When do I start?

6                   MAYOR STROM:   She'll set it to  
7   three minutes.   I believe that you get a  
8   yellow light when it's 30 seconds before the  
9   completion of the three minute period; is that  
10  right?

11                   PARTICIPANT:   Essentially, yes.  
12  We have to check it with the first one, but I  
13  think it will be at two minutes and you will  
14  have one minute left.

15                   MAYOR STROM:   Okay.   Thank you.

16                   MR. SINCLAIR:   Thank you.

17                   Good evening.   My name is Rolf  
18  Sinclair.   I live in the Town of Chevy Chase.  
19  I've lived here --

20                   MAYOR STROM:   The microphone is  
21  not for amplification but for recording.   So  
22  I apologize for that.

1 MR. SINCLAIR: Speak loudly.

2 MAYOR STROM: So if everyone who  
3 comes up could use their loudest voice. I  
4 have a loud voice, but if you try to project,  
5 it will probably work better when it's  
6 especially quiet.

7 MR. SINCLAIR: Anyway, I've lived  
8 here for nigh on 40 years now. What I've seen  
9 is that the Purple Line has not become a  
10 transportation issue. It is clear it is an  
11 issue in political muscle, and I show you two  
12 things, what I call this hard ball that is now  
13 being played to get the Purple Line through on  
14 the trail.

15 One of them was this very sad  
16 editorial in the Washington Post which totally  
17 disregards the population opposition and  
18 blames us, the town, for the last spasm of  
19 opposition. It says that we're being  
20 obstructionists, but simply by using our  
21 legal, and I could add constitutional, rights  
22 to ask questions and challenge aspects of the

1 plans, and essentially the Washington Post  
2 orders us to cease and desist in our civic  
3 duties.

4           Then there is a group that wishes  
5 to control the Town of Chevy Chase spending.  
6 It says that we have lost our good name by  
7 daring to question the Purple Line plans and  
8 can only restore it by stopping any further  
9 questioning or legal action.

10           This movement is also grossly  
11 exaggerated. The cost of any further legal  
12 action, saying it can be as high as \$2  
13 million.

14           Now, the foundation of a free  
15 society is that there are no embarrassing  
16 questions, only embarrassing answers. I  
17 propose that the Town Council continue to  
18 defend the town environment and values against  
19 the presently planned Purple Line by asking  
20 any and all pertinent questions and by taking  
21 any appropriate legal action within our means.

22           The town should not give into

1 these inexcusable strong arm tactics. The  
2 Council should also work with the many citizen  
3 groups and the hundreds of thousands of trail  
4 users who oppose the present Purple Line  
5 lines.

6 Thank you very much for hearing  
7 me.

8 MAYOR STROM: Thank you very much.  
9 We'll go next to Loretta Sevier.

10 MS. SEVIER: Thank you.

11 I object to the town pursuing any  
12 further --

13 MAYOR STROM: Could you just start  
14 with your name and address?

15 MS. SEVIER: Oh, sorry.

16 MAYOR STROM: That's okay.

17 MS. SEVIER: Loretta Sevier, and I  
18 live at 4336 Leland Street.

19 I object to the town pursuing any  
20 further legal action in regards to the Purple  
21 Line. A lawsuit would be futile and possibly  
22 financially devastating for the town.

1           The most insightful opinion was  
2 submitted recent by town resident Doug  
3 Lowenstein. I don't know Doug. Is he here?

4           I hope the Town Council and all of  
5 you have a chance to read or hear his  
6 comments. However, tonight I would like to  
7 focus my comments on the legal ownership of  
8 the right-of-way on which the proposed Purple  
9 Line will be built.

10           In 1988, Montgomery County  
11 purchased the right-of-way from CSX for the  
12 express purpose to build mass transit. In  
13 1995, the county removed the railroad ties and  
14 put down crushed stone, but made it clear that  
15 the interim use of this right-of-way would not  
16 impact its future use as a transitway.

17           Every homeowner who lives along or  
18 near this right-of-way has known for over 21  
19 years that the county's intention to extend  
20 mass transit was designated for this trail.

21           Before it was a right-of-way, it  
22 was a rail line. Thus, for a very, very long

1 time property owners have known that this  
2 property was designated for transit.

3 All town residents should have  
4 been aware of the potential for a transit  
5 project when they bought or built their homes.  
6 I would guess that most of the homes on or  
7 near Elm Street have been purchased within the  
8 last 21 years, and note that many of these  
9 homes are newly constructed or completely  
10 renovated properties. I'm confident that  
11 these homeowners knew of the risk of a transit  
12 project along their property.

13 When you purchase a home, you  
14 weigh the cost and the benefits of the current  
15 and future value of the property. Why should  
16 homeowners now ask the town to finance a  
17 lawsuit to stop a longstanding and legal plan  
18 to build mass transit? This is the risk all  
19 of us took when we purchased a home near a  
20 proposed transit corridor.

21 I might add that all town  
22 residents benefit from increased home values

1 due to our proximity to the Metro.

2 Is that one minute or 30 seconds?

3 MAYOR STROM: You've got 30  
4 seconds.

5 MS. SEVIER: I would like the town  
6 to focus its efforts on minimizing the noise  
7 from the Purple Line and improving the  
8 pedestrian use of this corridor. I object to  
9 any further expenditures of town money to  
10 block this project.

11 Thank you.

12 MAYOR STROM: Joan Rood.

13 MS. ROOD: John Rood, 4509 Elm  
14 Street.

15 Last month Council members  
16 outlined the many missteps made by the MTA in  
17 vetting the rapid transit proposal, including  
18 using 20 year old census data and not  
19 considering the BRAC realignment. These  
20 missteps amounted to a statutory violation,  
21 which means there are clear grounds for us to  
22 sue the state.

1                   A lawsuit would almost assuredly  
2 prevent the federal government from funding  
3 the project with currently available  
4 transportation funds because the feds. shy  
5 away from projects that are being challenged  
6 in court. After the lawsuit is resolved,  
7 there may very well be no federal funding  
8 left.

9                   Also, proposals are circulating  
10 for an area-wide system of rapid transit  
11 buses, including a line from Shady Grove to  
12 Silver Spring, which is very ironic. If the  
13 MTA must go back to the drawing board because  
14 of our lawsuit, it very well may decide to  
15 make the Purple Line part of this BRT system.

16                   The final question I want to  
17 address is why should this town spend money on  
18 fighting the light rail proposal. Light rail  
19 would be bad for the entire town because it  
20 would bring much more development to the  
21 immediate area, which means clogged roads,  
22 more air pollution, more crime. It is in no

1 one's interest for Bethesda to become another  
2 Crystal City or Rosslyn.

3           The proposed rail also would  
4 create an even greater hardship to those  
5 residents whose homes abut the trail.

6           The town government has done a lot  
7 to preserve the town's character and the  
8 quality of life of town residents. It enacted  
9 the FAR ordinance, the water drainage  
10 ordinance, and the tree ordinance, to name a  
11 few. If the Town Council allows the state to  
12 place a high speed train essentially in  
13 several residents' backyards without a good  
14 fight, any future action you take to preserve  
15 the town's character would ring very hollow.

16           To those who say that spending  
17 this money will not directly benefit me, I say  
18 suppose a sinkhole involved the street in  
19 front of your home. I wouldn't object to the  
20 Council using town funds to repair the street.  
21 The same principle is at play here. The  
22 council has a fiduciary duty to protect those

1 of us who live along the trail. Plus its  
2 actions will have the added benefit of helping  
3 preserve the quality of life of all town  
4 residents.

5 All of this talk about us  
6 accepting the light rail because it is for the  
7 greater good of the region is irrelevant. You  
8 have a fiduciary duty to act in this town's  
9 best interest, and in my opinion, filing a  
10 lawsuit in which the law firm agrees to cap  
11 its fees to a predetermined amount, say, one  
12 million or whatever you believe is reasonable,  
13 is an appropriate exercise of that fiduciary  
14 duty. Plus you likely can get the country  
15 club and other affected communities to  
16 contribute, thereby reducing the town's  
17 outlay.

18 Thank you.

19 MAYOR STROM: Thank you very much.

20 Warren Topelius.

21 MR. TOPELIUS: Hello. My name is  
22 Warren Topelius. I live at 7503 Meadow Lane.

1                   And the reason why I'm talking is  
2 I think a lot of people ignored the  
3 environmental impact of light rail. The Union  
4 of Concerned Scientists has issued a dire  
5 warning. It said that if we continue burning  
6 coal the way they do today, it will be  
7 impossible to achieve the reduction in carbon  
8 emissions needed to have a reasonable chance  
9 of preventing the worst consequences of global  
10 warming.

11                   The proponents of the Purple Line  
12 have misconstrued the issue of the  
13 environment. The environmental impact  
14 statement ignored scientific information. The  
15 University of California at Berkeley conducted  
16 a study in 2008 which shows that trains  
17 produce much more pollution and use much more  
18 energy and buses are two to three times more  
19 energy efficient and significantly less  
20 polluting.

21                   If we do not stop pumping out  
22 billions of pounds of carbon dioxide into the

1 atmosphere from the burning of coal from coal-  
2 fired power plants, we will destroy the earth.  
3 This is not something that I'm making up.  
4 Most scientists believe this to be true. The  
5 Arctic is melting twice as fast as they  
6 thought it would be. There is a good  
7 possibility that methane gas will be emitted  
8 in huge quantities. That's 20 times more  
9 potent than carbon dioxide is itself.

10                   We need to stop using coal. It is  
11 destroying our environment, pumping all kinds  
12 of nasty stuff into our atmosphere. Sixty-  
13 seven different kinds of toxic and  
14 carcinogenic substances are pumped out of  
15 those smokestacks, and 50 percent of the  
16 electricity used by the Purple Line each year  
17 when they use 23 million kilowatts of energy  
18 each year will come from coal plants that are  
19 not regulated even in the new -- excuse me.  
20 I'm getting nervous here -- even the new  
21 legislation. Specifically, the coal plants  
22 will be exempt from the Clean Air Act, and we

1 need to stop this.

2           And I also want to mention that  
3 the Montgomery County Planning Board has now  
4 decided that if we have a Purple Line, the  
5 200,000 new residents from the next 20 years  
6 will be forced to live on or near the 12 Metro  
7 stations of the Purple Line. They are going  
8 to ignore the environmental impact of this  
9 density, and we're going to be having much  
10 higher taxes to pay for the schools that you  
11 would be building.

12           Thank you.

13           MAYOR STROM: Thank you very much.

14           Jeff Marqusee. Forgive me.

15           MR. MARQUSEE: That's okay.

16           MAYOR STROM: Thank you very much  
17 for helping out.

18           MR. MARQUSEE: No problem.

19           My name is Jeff Marqusee. I live  
20 at 4402 Ridge Street. I've lived about 15  
21 years in this town at four different  
22 locations. I keep hopping around.

1           I'm very concerned about the  
2 Council's proposal to initiate a lawsuit. I  
3 think it's a grave mistake.

4           I'm also very concerned with how  
5 at least as an outsider I perceive the Council  
6 addressing this issue in general.

7           I'll be brief. A lot of people  
8 here. My concern about a lawsuit is I think  
9 it's bad public policy. I think it's not the  
10 way a town addresses what is a contentious  
11 issue, which there will be pros and cons to  
12 the Purple Line. There will be winners and  
13 losers.

14           I think by launching the lawsuit,  
15 which I don't think the vast majority of  
16 people in the town want, is not the correct  
17 public policy.

18           If you think it is, I think you  
19 have to reach out to the town directly. We're  
20 not a large town. You're talking about an  
21 enormous expenditure of our resources. You  
22 should find a mechanism to find out what the

1 majority of people in this town want. You're  
2 representing the town, not the Council in  
3 these actions.

4           In addition, I'm concerned about  
5 how the Council has approached the whole  
6 Purple Line issue. Let me give you a little  
7 bit of my background. I'm an environmental  
8 scientist. I work for the National Academy.  
9 I manage environmental technology for the  
10 entire Department of Defense. I review  
11 environmental impact statements for extremely  
12 complicated and contentious issues. I know an  
13 enormous amount about the global warming  
14 problems. I'm very concerned about them.

15           I read the report you had  
16 commissioned by Sam something, Fort whatever.  
17 It was full of gross technical errors. It  
18 quoted known front groups for corporate  
19 interests who are well known to misrepresent  
20 basic technical facts.

21           I assure you any professional  
22 environmental planner would recognize that in

1 reading it. The fact that we've pursued such  
2 a biased report as opposed to addressing what  
3 our significant impact to the community raises  
4 a big concern.

5 At the town as opposed to the  
6 individuals, individuals have the right to  
7 express their opinion. They have a right to  
8 be advocates. I think as a town, even when  
9 you are in a position as a public entity, you  
10 have a responsibility to be balanced and  
11 present the facts as they are.

12 That report did not, and I think  
13 it has undercut the town's ability to raise  
14 issues which are of importance to everyone  
15 here. So I would, in summary, request that  
16 you not pursue a lawsuit. If you wish to get  
17 the input from everyone in the town, but  
18 instead pursue in a collaborative manner those  
19 issues as the final EIS and decisions are made  
20 which we could possibly impact to limit noise  
21 and limit other issues, other people who are  
22 going to be impacted by it who live next to

1 the tracks there.

2 Thank you.

3 MAYOR STROM: Thank you.

4 Arthur Rowse.

5 MR. ROWSE: My name is Arthur  
6 Rowse. I live at 7411 Oak Lane.

7 I'd like to address the town's  
8 reputation. When I first moved into town, it  
9 was a quite different atmosphere. People  
10 would stop and say hello and hi as you met  
11 fellow residents on the street. I was proud  
12 of the progressiveness of the town, and that  
13 speaks for all types of progressiveness,  
14 energy, transportation, environment.

15 But unfortunately, the atmosphere  
16 has changed, and the town is now split right  
17 down the middle, essentially split down the  
18 middle. I don't know what their exact  
19 leadership is going to be today or tomorrow,  
20 but anyway, I think that what's happened is it  
21 has happened over the last two years, which is  
22 when this whole issue of the Purple Line came

1 up.

2           Like it or not, we are living now  
3 in a town that has growing reputation,  
4 whether it's deserved or not, as an enclave of  
5 property owners who want to push the Purple  
6 Line over on to Jones Bridge Road, whether or  
7 not those people want it there or whether it's  
8 even safe for them to have it there.

9           And town leaders, these very nice  
10 representatives that are sitting here today,  
11 are determined that they're going to file  
12 suit, and perhaps in the process bankrupt the  
13 town for all we know. And certainly they will  
14 be giving up a chance, an opportunity to get  
15 rid of a lot of traffic and congestion and  
16 pollution in the town.

17           And at the same time they're  
18 essentially killing the public transportation  
19 system between Bethesda and New Carrollton.

20           Why? Why are these people doing  
21 this to us? They're impoverishing our  
22 treasury, already spent almost \$500,000, and

1 so I just think that it's silly for the town  
2 to be filing suit. Let the property owners  
3 that are affected by this most of all file  
4 suit on their own behalf if they want to.

5 The Columbia Country Club is  
6 probably going to file suit. Why should we be  
7 helping the Columbia Country Club file a suit?

8 Thank you.

9 MAYOR STROM: Thank you.

10 Deborah Vollmer.

11 COUNCIL MEMBER BURDA: Could I  
12 just say one thing? Just because I want to  
13 make sure that it was clear that the comments  
14 that I read that were sent to the state from  
15 the whole -- all the comments that were sent  
16 from throughout the state to this EIS, that  
17 was not the breakdown here in the town. So I  
18 just want to clarify that.

19 MS. VOLLMER: I'm Deborah Vollmer.  
20 I live at 7202 44th Street, and I grew up in  
21 this town, and I remember when there was a  
22 train, a freight train which ran along what is

1 now the trial. It was a single track, and it  
2 was a train that ran very infrequently, and  
3 our parents used to caution us, "Don't walk  
4 along the railroad tracks," and of course, as  
5 kids we did, but it was different. It wasn't  
6 a two-track train. It was a one-track train  
7 and it ran very infrequently, not every three  
8 to six minutes the way it's anticipated that  
9 this one would run if this project goes  
10 through.

11 I also grew up in this town at a  
12 time when we had a lot more green space in  
13 this portion of the county. We have a  
14 situation now where there is a development at  
15 the borders of our town. There is, I think,  
16 much too much development, and what we have  
17 with the trail is, in fact, a linear park  
18 where walkers can walk, hikers, vigorous  
19 hikers, people strolling, people with their  
20 children, people with their dogs, and  
21 bicyclists.

22 And what's going to happen if this

1 project goes through is not only will  
2 thousands of trees have to come down, but the  
3 hikers and the bikers will be driven in closer  
4 proximity.

5           Now, I don't know how many of you  
6 have had the experience of walking along the  
7 trail and nearly been hit by a bicyclist, but  
8 in fact, what's going to happen if this goes  
9 through is the hikers and the bikers are going  
10 to be driven closer together.

11           Now, I know there are some  
12 bicyclists that are considerate of  
13 pedestrians, but there are many who are not  
14 and they view it as a speedway, and if this  
15 project goes through, it's going to drive them  
16 closer together.

17           I don't know why more  
18 consideration wasn't given to the alternative  
19 of just increasing bus service generally along  
20 existing roads, including Jones Bridge, but  
21 also including East-West Highway, making buses  
22 as clean and energy efficient as you can make

1 a bus, having them run more frequently so that  
2 if you miss one you don't have to wait for 20  
3 minutes.

4 Certainly I'm a person who if I  
5 have a meeting in Silver Spring, I would be  
6 more inclined to take the bus than to drive if  
7 they ran more frequently, and I think a lot of  
8 people would, and if they were clean and  
9 comfortable and energy efficient.

10 I would like to say in terms of  
11 the lawsuit, I think it is worth pursuing if  
12 it means saving the trail, and I think we have  
13 to be careful how we spend our money, but if  
14 a lawsuit will preserve the trail or there's  
15 a good likelihood, and I think there would be,  
16 I would favor expending town funds toward this  
17 effort.

18 Thank you.

19 MAYOR STROM: Thank you.

20 Sue Hill.

21 MS. HILL: I'm Sue Hill at 7013  
22 Maple Avenue, and I'm speaking tonight to urge

1 the Council to continue to support the fight  
2 to stop the Purple Line on the trail, and if  
3 that effort involves spending more town money,  
4 I hope you will consider making the  
5 investment.

6 I know there are people in town  
7 who support the Purple Line. There are many  
8 who feel we shouldn't spend another penny of  
9 the town's money on defeating a project that  
10 might not even be stoppable.

11 We've heard all of the arguments  
12 for the Purple Line and against it, but here's  
13 something that I'm not hearing much about, and  
14 I hope that we can think about it. What if  
15 they build this thing and it's a mistake?  
16 What if they build it and the usage is  
17 minimal, way below the projections? If there  
18 is serious and legitimate concern about the  
19 validity and the source of the ridership  
20 projections that make this a very real  
21 possibility, if it is a mistake, we're stuck,  
22 folks, because that rail line will never go

1 away. You don't get do-overs with the state.  
2 They're not going to come in and tear it out,  
3 and thanks to that mistake, all of us will be  
4 spending many millions of both our personal  
5 and the town tax dollars in the years to come  
6 to fund the operation of a failed project,  
7 money that could be spent on other needs.

8           The trail and the green space that  
9 thousands enjoy every week will be gone. You  
10 can't restore it to what it is now. Hundreds  
11 of homeowners in the town and other close in  
12 communities in Bethesda and Silver Spring that  
13 abut the trail will see the value of their  
14 properties drop drastically, and since I'm a  
15 real estate agent I know that.

16           No one is going to pay anything  
17 remotely near market value to buy a house with  
18 a barrier wall as their backyard fence and  
19 trains going by every few minutes.

20           These are people who have paid  
21 their taxes. They've maintained their homes,  
22 and they've supported their communities, some

1 of them for a very long time. They're going  
2 to get shafted for nothing if this proves to  
3 be a mistake.

4 We're going to live with nightmare  
5 traffic on Connecticut Avenue the likes of  
6 which we haven't seen anywhere. It's bad  
7 enough now in the morning and in the  
8 afternoon, but the Chevy Chase Land Company  
9 will have developed every inch of land from  
10 Columbia Country Club to Manor Road for a  
11 Purple Line business that may not even be  
12 there.

13 The town has spent a great deal of  
14 money over the years on studies, legal costs,  
15 and consultants for various projects. I can't  
16 see anything more important at this point than  
17 for them to spend money working on something  
18 that could be a colossal mistake at the end of  
19 the day.

20 Thank you.

21 MAYOR STROM: thank you.

22 Naomi Kaminsky.

1 MS. KAMINSKY: My husband was  
2 going to.

3 MAYOR STROM: He has three  
4 minutes. You both have signed up. You both  
5 have three minutes. Oh, you're just showing  
6 while she talks?

7 MS. KAMINSKY: Yeah, he's  
8 separate.

9 MAYOR STROM: Okay.

10 MS. KAMINSKY: He's going to hold  
11 up -- he's going to hold these up.

12 MAYOR STROM: Thank you.

13 MS. KAMINSKY: Okay. All right.  
14 I'm Naomi Kaminsky, 6903 Oakridge Avenue.

15 Almost all of the jurisdictions  
16 along the Purple Line route are in serious  
17 talks with the Maryland Transit Authority to  
18 modify and approve the system through their  
19 areas. Our town is virtually alone in making  
20 no attempt to do this, preferring to keep its  
21 head in the sand and put our money in the  
22 pockets of consultants and lawyers.

1           I believe the town should use our  
2 funds to mitigate the environmental and visual  
3 impact of the light rail when it is built.

4           We recently spent three weeks in  
5 Adelaide, Australia which has a seven and a  
6 half mile light rail running from the central  
7 city to the city's beach. The tram is  
8 entirely in commercial and residential areas  
9 much like ours. We rode it a lot.

10           I have photographs of the system  
11 taken by an Australian who is letting me use  
12 them because he believes Adelaide's modern  
13 tram is one of the best things that ever  
14 happened there.

15           I'd like to link these photos to  
16 Robert McCartney's column that he wrote in the  
17 Washington Post Metro Section a week ago.

18           Number one, he said that 17 acres  
19 of mature forests would be bulldozed spoiling  
20 an enchanting walking and bike trail. This  
21 photo shows that that isn't necessary. The  
22 tram is an older model, but the same track is

1 used today by a sleek, modern tram the length  
2 of two or three articulated buses.

3           McCartney said the track would  
4 push pedestrians and riders to the sides of  
5 the trail. The next picture shows a walking  
6 path right next to the tracks on the left-hand  
7 side under large stately trees.

8           Nobody wants to walk and bike  
9 seven to ten feet from the train, said Pam  
10 Browning, resident of our town. The next  
11 photo which was taken near the beep (phonetic)  
12 side end of the tram route shows crowded  
13 sidewalk cafes on the left right next to the  
14 track. The modern tram is so quiet that you  
15 can't hear it until it is just a few feet  
16 away.

17           Pam continues. Opponents "don't  
18 want the Cathedral trees destroyed." This  
19 photograph speaks for itself.

20           McCartney said the Montgomery  
21 County Sierra Club has endorsed the Purple  
22 Line plan with caveats, such as preserving as

1 many trees as possible and running with tracks  
2 on a grassy roadbed.

3           This photo shows downtown  
4 Adelaide, grassy track and all. Note the  
5 broad sidewalk along the edge of a city park  
6 next to the tracks.

7           Finally, a photo of a curb section  
8 of the track much like the curb that is near  
9 our town. Are you afraid of a Purple Line  
10 that looks like this? I'm not.

11           I'd be happy to leave the photos  
12 here with the Town Council to help them in  
13 their negotiations with Maryland Transit  
14 Agency if you give up your quixotic venture in  
15 this drive to accept this.

16           Thank you.

17           MAYOR STROM: Thank you.

18           Irving Kaminsky.

19           MR. KAMINSKY: I speak.

20           (Laughter.)

21           MR. KAMINSKY: Irving Kaminsky. I  
22 live at 6903 Oakridge Avenue. At the last

1 Council information meeting on the Purple  
2 Line. Pat Burda was optimistic that the  
3 town's reserve funds were sufficient to  
4 sustain a lawsuit to stop the Purple Line.

5 I don't share her optimism. On  
6 June 18th, 1989, a widely destructive storm  
7 zeroed in on Chevy Chase Village and the Town  
8 of Chevy Chase. The town lost more than ten  
9 percent of its oldest and tallest trees. The  
10 fallen trees and downed power lines formed an  
11 impassible wall. Cars couldn't get into the  
12 town; cars couldn't leave. We lost power for  
13 an entire week.

14 According to the Chevy Chase  
15 Historical Society newsletter, Spring 2009,  
16 the village spent its entire treasury, all the  
17 money it held in its reserves that week to  
18 hire people to start hauling the stuff, that  
19 is, downed trees, away.

20 While the village experienced the  
21 brunt of the storm, the town was more  
22 fortunate. It was required to spend about

1 \$360,000, probably close to a million dollars  
2 in today's economy, to alleviate the  
3 destruction. Such a storm may well be  
4 repeated as climate changes progress.

5           We time we, not the village, could  
6 suffer the brunt. The town's reserves are a  
7 safety net for such emergencies. Attempting  
8 to defeat the Purple Line is not an emergency.  
9 It is irresponsible and violates the duty that  
10 Council owes the town not to gamble its  
11 reserves on a lawsuit whose purpose is at best  
12 questionable and whose chances for success are  
13 nil.

14           MAYOR STROM: Thank you.

15           Joan Hoover.

16           PARTICIPANT: Could you tell how's  
17 on deck?

18           MAYOR STROM: Sure. The on deck  
19 is Susan Blacklow. That's a good idea. Thank  
20 you.

21           MS. HOOVER: I'm Joan Hoover. I  
22 live at 6902 Oakridge Avenue, and I believe

1 that nobody wants a Purple Line. I don't  
2 think anybody gets up in the morning and says,  
3 "Gee, I wish we had a Purple Line."

4 (Laughter.)

5 MS. HOOVER: Nobody, but we don't  
6 live in Shangri-La. We live in a city that is  
7 strangling with traffic. Washington has the  
8 worst traffic in the United States, and if we  
9 don't do something, a lot of things, we're  
10 going to grind to a halt.

11 But I am more upset about  
12 something else. I've learned that our Town  
13 Council has spent half a million dollars to  
14 try to stop the Purple Line, and even worse,  
15 they plan to spend half a million more.

16 What are you thinking? With this  
17 expenditure it's not your money. We are so  
18 fortunate to have that money. Our property  
19 values went up and taxes went up and you have  
20 a lot of money, and we're so lucky to have  
21 something on hand just like Irving was  
22 explaining for an emergency.

1           You were elected as thoughtful and  
2 reasonable representatives, and we trusted  
3 you. Did you ask us what we thought about  
4 this foolhardy expenditure?

5           And there's nothing that enables  
6 you to stop the Purple Line forever. The next  
7 big press of traffic is going to come and come  
8 and come. We're not putting traffic on hold.  
9 In your minds is there any number that is too  
10 much for all of us as spoiled children to  
11 spend to get our own way?

12           I'm disgusted at the idea that  
13 we're saying, oh, give it to Jones Bridge.  
14 They ought to have it. People in Jones Bridge  
15 Road you hear all the time say, "We can't even  
16 back out of our driveway, but we think as long  
17 as it's not here it's all right."

18           We're acting very rich and spoiled  
19 in this town and we have no idea of the value  
20 of money, but surely we read the papers and  
21 watch the news, and people are without jobs  
22 and they're without health care, and they're

1 losing their houses.

2           When I was writing this yesterday  
3 I got something in the mail from UNICEF, and  
4 it told me that \$25 would give 50 starving  
5 kids a meal in Darfur, and that's not our main  
6 problem. But do you realize that you've  
7 already spent 20,000 times that amount of  
8 money just to keep a trolley car off the  
9 right-of-way for maybe one more year, maybe  
10 two more years?

11           We are so disappointed in you and  
12 the way you've wasted our treasury.

13           Thank you.

14           MAYOR STROM: Susan Blacklow.

15           No, we're not going to do applause  
16 or hoops or jeers tonight. Thank you.

17           MS. BLACKLOW: I'm Susan Blacklow.

18           MAYOR STROM: On deck is Marty  
19 Saggese.

20           Thank you.

21           MS. BLACKLOW: Ready?

22           MAYOR STROM: Yeah, go ahead.

1 Sorry.

2 MS. BLACKLOW: I'm Susan Blacklow  
3 and live at 6912 Oakridge Avenue.

4 I understand that you have heard  
5 many of these arguments and counter arguments  
6 before. However, I wonder who among you is  
7 actually listening.

8 You are considering spending our  
9 town's money, and you have many expressive  
10 residents who have endorsed spending whatever  
11 it takes to save the trail that was never ours  
12 to begin with.

13 And when we hear certain Council  
14 members speaking or responding to the press,  
15 it seems that the case for going ahead with a  
16 lawsuit has already been made. That our town  
17 has large reserves does not mean you have the  
18 right to gamble them away. It's totally  
19 unclear that you have reviewed all of the  
20 possible pitfalls.

21 This process could require a large  
22 bond, involve a legal suit, a counter suit, a

1 federal appeal, and so many unknowns as if our  
2 town has limitless funds, and what would  
3 happen if we experienced another down draft or  
4 serious event after you depleted our  
5 multimillion dollar surplus? Does new  
6 lighting get delayed? Should we put off  
7 spending more for our safety and security?  
8 Must we lose out on purchasing property within  
9 our town that would benefit all residents?

10           Instead what is needed is some  
11 sort of oversight on how you as Council  
12 members both authorize and appropriate funds.  
13 I'm not referring simply to an audit or a mass  
14 approval of the budget. We need experts to  
15 oversee these expenditures and we need limits  
16 on your spending.

17           Other towns do it, and we should  
18 adopt the practice. After all, it is our  
19 money.

20           Furthermore, I cannot understand  
21 how you or others could accept the given  
22 figure of 500 to \$750,000 in legal costs. How

1 in the world can anyone come up with a figure  
2 as low as what you suggested on June 22nd, and  
3 while we're continuously told about the flaws  
4 in the state's plans, have you ever  
5 acknowledged the flaws in your consultant's  
6 plan? Have you really looked at all of the  
7 contingencies and unforeseen events? Have you  
8 realistically evaluated your chances of  
9 winning a legal battle? Where is the  
10 oversight?

11 Will you simply appropriate those  
12 funds because they are, quote, available?

13 As an alternative, I hope you will  
14 give serious consideration to getting an  
15 expert who will protect our interests and  
16 prevent seemingly unlimited appropriations.

17 Even as you have residents who desire a  
18 lawsuit, there are also many of us who say no  
19 more to your spending. This process so far  
20 has been largely smoke and mirrors and it  
21 should not continue in this vein.

22 Thank you.

1                   MAYOR STROM: Thank you.

2                   The next person on deck is John

3 Meyerson.

4                   Marty.

5                   MR. SAGGESE: My name is Marty

6 Saggese and my wife Irena and I have lived at

7 4220 Oakridge Lane for 12 years.

8                   In a prior life I worked at the

9 Metropolitan Transportation Authority in New

10 York and served as Vice President for Finance

11 and Capital and Strategic Planning at the Long

12 Island Railroad.

13                   As a supporter of and lifelong

14 user of public transit, and I have served for

15 the past two years on the town's Long Range

16 Planning Committee, so I've become very

17 familiar with the issues involved in the

18 Purple Line.

19                   A light rail line along the trail

20 is a bad project from a transportation

21 planning point of view. State's analysis is

22 based on ridership estimates that are wildly

1 unrealistic and the costs are significantly  
2 understated.

3           It's a bad project in terms of  
4 quality of life, and it would have enormous  
5 noise and safety implications for our  
6 community, that it would not be possible to  
7 mitigate.

8           And from an environmental point of  
9 view, it would quite simply be a disaster to  
10 clear-cut 15 acres of mature trees. It will  
11 destroy a priceless and irreplaceable oasis of  
12 green space in and adjacent to our community.

13           The question before the town is  
14 not whether we as taxpayers are going to pay.  
15 If the Purple Line is built as proposed, the  
16 local share of the cost will approach \$1  
17 billion. With two million households in  
18 Maryland according to census data, the average  
19 household in the state will pay \$500 in state  
20 taxes alone to build the Purple Line. More  
21 funds with interest are involved and more for  
22 those in higher tax brackets and more for

1 operations.

2           Frankly, I'd rather pay to try and  
3 stop a bad transit project than to build it.  
4 I would support an effort by the town to  
5 prepare for a lawsuit if necessary, and I  
6 think there are grounds to make a pretty good  
7 case.

8           With that said, I believe we can  
9 and should seek allies and partners to join in  
10 and cost share this effort. I'm confident  
11 that we could limit the town's share, and we  
12 should actively seek at least 50 percent of  
13 the legal costs from other communities,  
14 individuals and organizations who share our  
15 concerns.

16           In seeking partners willing to  
17 contribute resources, we need to cast a wide  
18 net among those who have resources and are  
19 willing to participate. If the country club  
20 wants to join us in this battle, we should  
21 allow them to do so. This will primarily be  
22 a legal and financial battle, not a political

1 one, and we should set aside political  
2 sensitivities about being allied with the  
3 country club.

4 The point of a lawsuit is to win,  
5 and that will take resources from a broad  
6 community of allies. Both my wife and I urge  
7 the Town Council to do whatever is necessary  
8 to prepare for this fight.

9 Thank you.

10 MAYOR STROM: Thank you.

11 John Meyerson and Willie Blacklow  
12 on deck.

13 MR. MEYERSON: I am John Meyerson  
14 of 4425 Stanford Street.

15 I support the full light rail  
16 Purple Line for three reasons. First, the  
17 line is greatly needed to connect Bethesda to  
18 Silver Spring and beyond.

19 Second, the full light rail system  
20 is most environmentally efficient and most  
21 useful for Metro riders throughout the  
22 Washington area.

1           Third, the town has spent \$423,000  
2 on lawyers and consultant fees which is more  
3 than we spent on trash removal in a whole  
4 year, and it is double what we received from  
5 our property taxes. We should not spend a  
6 ha'penny more to fight the decision already  
7 made.

8           Regarding the environment, the bus  
9 alternative would mean adding dozens of buses  
10 traveling on parts of Wisconsin Avenue and  
11 Jones Bridge Road. Traffic is now bad. The  
12 jams would not only slow passengers, but our  
13 cars would pollute the air.

14           It is not a question of comparing  
15 low emission buses to light rail. We need to  
16 compare high pollution traffic versus no  
17 traffic pollution on the rail.

18           We also have to think about non-  
19 town residents, many who are poorer, who would  
20 go through contortions by going from Metrorail  
21 to bus and to light rail.

22           Bethesda is a center of employment

1 and activity, and we know it is a logical  
2 place to build the Purple Line, which is why  
3 the trail was reserved years ago. Any further  
4 lawsuit is wasting money. It may delay the  
5 line but not stop it and hurt disadvantaged  
6 people who can't pay for counter lawsuits and  
7 have to travel down from Silver Spring all the  
8 way up here continually to their jobs.

9           In the early 1960s, the debate  
10 going on in Washington was either to build a  
11 major north-south expressway or construct a  
12 Metrorail. Some were upset that the corner of  
13 Wisconsin Avenue and East-West Highway lost  
14 its People's Drugstore and charm, but  
15 Washington had to move on.

16           I think we will look back at the  
17 Purple Line in the same way as we look at the  
18 general good and not only our selfish  
19 interests. We will lose a portion of the  
20 Crescent Trail, although we have many miles of  
21 it to go, but again a more efficient  
22 transportation system. To me this is the

1 price we must pay to enjoy an urban  
2 environment.

3 I toured the Washington Metro  
4 system when it was being constructed. The  
5 tour guide pointed to the architecturally  
6 beautiful stations. She also said colorful  
7 mosaic tiles would be added to the walls over  
8 the years, but we have yet to see them.

9 The town should now focus its  
10 attention away from costly lawsuits and away  
11 from battling with neighborhoods and use its  
12 power to make the Purple Line trains and  
13 landscape as attractive as possible.  
14 Hopefully with our input the line will include  
15 something comparable to colorful mosaic tile.

16 MAYOR STROM: Thank you.

17 Okay. Willie and John Whitty on  
18 deck.

19 MR. BLACKLOW: My name is Willie  
20 Blacklow. I live at 6912 Oakridge Avenue.

21 I want to begin by correcting a  
22 misperception that seems to be prevalent.

1 Those of us who signed the "just say no" card,  
2 some of us are pro Purple Line. Some of us  
3 are very anti Purple Line. Some of us are in  
4 between, groups like our very own Sierra Club.  
5 But I want to make clear that that card at no  
6 point stated that we were pro or anti.

7           What we all have in common is that  
8 we object to the open ended spending that's  
9 taking place. We object to the lack of  
10 oversight. We object to the free wheeling use  
11 of our budget. We object to the lack of  
12 checks and balances.

13           It's becoming a near obsession,  
14 this heavily emotional investment, emotional  
15 as well as financial. It's going to lead to  
16 lawsuits. It's going to lead to appeals.  
17 It's going to lead to taking on the Feds., and  
18 clearly we're willing to spend whatever it  
19 takes to tilt at windmills. As has been  
20 pointed out, we don't even own the trail. We  
21 never have.

22           There's no end in sight as far as

1 I can see. It's fiscally imprudent to say the  
2 least. Recent cost estimates at an  
3 information meeting were based on what, one  
4 lawsuit, two at the federal level? What about  
5 the need to hire a lawyer to check on whether  
6 it makes sense to hire another lawyer for this  
7 effort?

8           It's naive to think that this is  
9 all leading up to laying the foundation for  
10 lawsuits.

11           As for the attack on some very  
12 limited aspects of the Gazette article, I  
13 think you're ignoring the main point. You're  
14 not seeing the forest for the trees. What we  
15 favor is no more spending with budget numbers  
16 that are near impossible to find, with  
17 meetings that are equally impossible to find.

18           How did we go beyond the initial  
19 \$250,000? That number was, indeed, publicized  
20 by you. I'm told it won't happen again. Its'  
21 kind of like a nolo contendere. We didn't do  
22 it and we promised not to do it again.

1           This money could be devoted to  
2 mitigating the impact of the Purple Line. It  
3 could be devoted to a lot of things. We can't  
4 be like a bunch of addicts who don't know how  
5 or when to quit. So, please, let's save our  
6 reserve funds for more productive uses.

7           Thank you.

8           MAYOR STROM: Thank you.

9           Andy Hill will be next after John  
10 Whitty.

11           MR. WHITTY: Good evening. My  
12 name is John Whitty. I live on Oakridge  
13 Avenue.

14           And thank you for this opportunity  
15 to speak publicly. I am opposed to the Town  
16 of Chevy Chase spending anymore money on legal  
17 action or engineering consultants in any  
18 further attempt to delay or obstruct light  
19 rail on the Capital Crescent Trail.

20           I don't want to talk about the  
21 pros and cons of the Purple Line, LRT versus  
22 BRT options. I don't want to talk about

1 ridership, the environment or developers  
2 getting richer.

3 I want to talk about the town's  
4 expenditures, past and future, aimed at  
5 delaying or obstructing the light rail option.

6 The town has spent nearly half a million  
7 dollars already. It has largely gone for  
8 naught, and there is no realistic chance of  
9 more spending by the town preventing light  
10 rail on the trial, especially if that is the  
11 option that the Governor decides to endorse.

12 Given the preponderance of  
13 engineering and scientific support for the LRT  
14 option, the preponderance of political support  
15 for the LRT option, the majority support of  
16 the public comments during the draft  
17 environmental impact statement hearings and  
18 the perceived bias inherent in any anti-LRT  
19 action the town takes, I believe the further  
20 expenditure on legal action to combat LRT will  
21 be money wasted.

22 In addition, further action may

1 tend to unnecessarily cast the town and its  
2 residents in a bad light. I firmly believe  
3 the town should be actively engaged in making  
4 the best of the LRT eventuality, focusing  
5 particularly on maintaining a functional trail  
6 and providing neighborhood access, not  
7 spending any additional money to fight the  
8 light rail transit option.

9 Thanks again.

10 MAYOR STROM: Thank you.

11 Okay. Lance Hoffman will be after  
12 Andy Hill and then Mary Anne.

13 MR. HILL: Andy Hill, 7602 Leland  
14 Drive.

15 My name is Andy Hill, and I'm here  
16 to ask the Town Council to continue its fight  
17 against construction of the proposed Purple  
18 Line. I'm a fairly new homeowner within the  
19 town, having purchased my house in late 2007.  
20 However, I was fortunate enough to have grown  
21 up here and crossed over what was then the  
22 railroad tracks every day for four years while

1 I was on my way to B-CC High School.

2           One of the many reasons why I  
3 chose to live here again was to have access to  
4 the Capital Crescent Trail. I truly believe  
5 it is one of the most amazing pieces of park  
6 land in the entire metropolitan area. I hope  
7 some day to be able to take my kids for a walk  
8 or a bike ride along the trail without having  
9 training going by every four to five minutes  
10 at 50 miles an hour.

11           The Town of Chevy Chase has always  
12 been a place where I believe community was of  
13 the utmost importance. It's another reason  
14 why I chose to live here, a place that would  
15 not sit idly by while injustices were being  
16 forced upon not only its residents, but also  
17 the surrounding communities.

18           We are fortunate enough to have  
19 the financial means to fight this plan, demand  
20 answers and influence the decision that serves  
21 the greater good and does not destroy forever  
22 one of the most valuable stretches of nature

1 that we have.

2 I'd also like to say that I was  
3 taught to leave a place better than it was  
4 when you found it. I think back to previous  
5 generations that made sacrifices, spent money  
6 and put up a fight so that all of us can call  
7 the town as we know it today home. I know  
8 that I will be asked to do the same many years  
9 from now, and I will not think twice because  
10 it is just as important to me that future  
11 generations have every advantage that we have  
12 living here today.

13 If nothing else, let us stop and  
14 consider the families to come. Do we not want  
15 to give them and leave them something special  
16 like the Capital Crescent Trail?

17 I would also like to ask that  
18 those that are opposed to trying to preserve  
19 the trail ask if they feel the same. If they  
20 do not, then I feel sorry for them and, more  
21 importantly, I feel sorry for the future of  
22 our town.

1           So I'm begging the Town Council to  
2 continue its fight with any and all means  
3 necessary to preserve the trail, prevent the  
4 destruction of the magnificent piece of  
5 nature. This fight is far from over, and if  
6 we give up now, we will lose the trail, and we  
7 will never ever get it back.

8           Thank you very much.

9           MAYOR STROM: Thank you.

10          Lance Hoffman.

11          MR. HOFFMAN: Good evening. I'm  
12 Lance Hoffman. I've lived at 7104 44th Street  
13 since 1986.

14                I speak as a former Council member  
15 and the former treasurer of the town, and thus  
16 I have some familiarity with the budget  
17 process and the town's revenue stream and  
18 expenditures from year to year. This  
19 testimony is given to address the concern that  
20 some have expressed independent of pros and  
21 cons of the Purple Line about any additional  
22 expenditures of town funds.

1           If the Council decides to pursue  
2 any of the options with the price tag that the  
3 town now has before it, including becoming a  
4 party to a lawsuit, the town will still be  
5 able to maintain the current high level of  
6 town services. It will be able to do this  
7 while maintaining its operating budget, its  
8 contingent reserve, and its capital budget at  
9 the current levels.

10           The town can do this because its  
11 main revenue source is the portion of income  
12 tax revenue it receives back from the state.  
13 In general, since residents of this town have  
14 relatively high incomes, in a typical year the  
15 town will get 75 or 80 percent of its  
16 operating revenues from this source.

17           Despite the current economic  
18 climate, total town revenues from the state  
19 payment have actually increased each  
20 succeeding year over the last four years.  
21 Indeed, because of the balance in the genera  
22 fund build-up over many years, the town could

1 easily afford a number of additional  
2 initiatives in the years to come, including a  
3 Purple Line lawsuit if it chooses to become a  
4 party to one.

5 Under any scenario currently  
6 anticipated, we have sufficient funds. For  
7 example, if the town property tax rate were  
8 reduced as it was this year or even  
9 eliminated, we'd still have enough for  
10 business as usual at the same level of  
11 services. If the town income has failed 20  
12 percent, thus decreasing state contributions  
13 by that amount, we'd still have enough.

14 If the town made a capital  
15 expenditure for a new park of \$300,000, we'd  
16 still have enough. If the town spent \$220,000  
17 to replace all of the street lights with  
18 energy efficient LED lights, we'd still have  
19 enough.

20 If the town obtained legal  
21 assistance at a cost of \$150,000 to help them  
22 in preparing comments about the final

1 environmental impact statement for the  
2 governor's preferred alternative, we'd still  
3 have enough.

4           If the town became a party to a  
5 Purple Line lawsuit and spent \$750,000 on it,  
6 which I'm told is a high estimate, we'd still  
7 have enough, and I don't have this in my  
8 prepared written testimony which I'll leave  
9 with you, but if we use Irving Kaminsky's  
10 scenario where there was another great storm  
11 of 1989 or whatever it was and cost a million  
12 dollars in today's dollars, we'd still have  
13 enough.

14           In fact, even if all these events  
15 took place simultaneously, we'd still have  
16 enough for business as usual in the bank to  
17 maintain the operating budget, a contingent  
18 reserve in the capital budget at current  
19 levels.

20           All of these scenarios are shown  
21 on a spreadsheet I will turn in for the  
22 record. The numbers taken from the official

1 town budgets are there for all to see on the  
2 Website and speak for themselves.

3 We have the luxury of deciding  
4 what actions to take based on the merits of  
5 the arguments and what is best for the town.  
6 The money will be there if the town chooses to  
7 spend it.

8 MAYOR STROM: Thank you very much.

9 Mary Anne. Marie Gaarder and Ken  
10 Gaarder are the next two following Mary Anne  
11 Hoffman.

12 MS. HOFFMAN: I'm Mary Anne  
13 Hoffman, 7104 44th Street.

14 Saving the Lacy Path seemed like a  
15 lost cause. The year was 1954, and the  
16 federal government had decided to pave over  
17 the C&O Canal towpath to build a scenic  
18 parkway. A Washington Post editorial endorsed  
19 the idea, but an outdoorsman named William O.  
20 Douglas, who also happened to be a Supreme  
21 Court Associate Justice, dared the Post  
22 editorial writers to walk with him the full

1 length of the canal to discover what would be  
2 lost if the highway were built.

3           The Post and others who favored  
4 the road took him up on his challenge, and by  
5 the end of the eight-day hike, they no longer  
6 thought the highway made sense. As the Post  
7 wrote, "Out here the first signs of spring  
8 seem far more important than what Congress  
9 does with the tax bill."

10           Plans for the parkway were  
11 abandoned, and the towpath became the C&O  
12 Canal Park we all treasure today.

13           How fortunate our town is more  
14 than half a century later to have our chance  
15 to leave something as lasting as the tranquil  
16 towpath Justice Douglas left us. We don't  
17 have to apologize for cherishing the natural  
18 sanctuary along our northern border. We don't  
19 have to apologize when some call us NIMBYs.  
20 The Capital Crescent Trail is in our backyard,  
21 and we don't want to see an ill conceived  
22 transit scheme destroy it.

1                   What else but ill conceived can  
2 you call a project that ignores the  
3 environmental impact of clear-cutting 15 acres  
4 of trees, a project that underestimates its  
5 real cost, but still comes in at a whopping  
6 \$139,000 per rider?

7                   I do hope the town will decide to  
8 stay in the ring and continue to fight if  
9 necessary after the Governor announces his  
10 preferred alternative and the final  
11 environmental impact statement for that  
12 alternative.

13                   We need to be ready to hire  
14 attorneys familiar with the complex NEPA  
15 process to help us wade through the FEIS and  
16 respond, and then after the record decision is  
17 announced, if our concerns still haven't been  
18 addressed, we need to be ready to litigate and  
19 ask the courts to be sure the state goes back  
20 and follows that NEPA process.

21                   It is clear the town can afford to  
22 pursue any of the legal options now before us.

1 Advocates for trains on the trail said we  
2 should give up. Saving the trail is a lost  
3 cause.

4 Well, as my neighbor Fred Solomon  
5 said at the information meeting last month,  
6 the only causes worth fighting for as those  
7 that are deemed lost causes.

8 Remember the canal towpath.

9 MAYOR STROM: Thank you.

10 We're going to take just a three-  
11 minute break at the request of some Council  
12 members. So we'll start right afterwards with  
13 Marie Gaarder. It will be three minutes. So  
14 don't go far. Everyone stretch.

15 (Whereupon, the foregoing matter  
16 went off the record at 8:05 p.m.  
17 and went back on the record at  
18 8:09 p.m.)

19 MS. GAARDER: Well, I should begin  
20 by saying that I thank the Council for all  
21 your hard work and for not giving up, and I  
22 feel that Obama is not giving up the fight and

1 neither are we.

2 My name is Marie Gaarder. My  
3 husband, Ken and I, have lived here for almost  
4 40 years on 4221 Oakridge Lane.

5 I am not as concerned about our  
6 house abutting the path. I am more concerned  
7 about how the rest of the community has  
8 reacted to not wanting to preserve our  
9 environment.

10 We raised our two sons in the town  
11 because we believed it offered the best  
12 quality of life in the best of communities  
13 with the best of schools. We welcomed the  
14 trail when the train stopped running. It was  
15 safer for our sons when they went to B-CC and  
16 could take a shortcut over the tracks. Now  
17 students still take it and cross at McDonald's  
18 to get to B-CC. It would be a safety hazard  
19 with light rail.

20 My husband and I do our walking on  
21 the trail. We really enjoy it. When our boys  
22 are home, they jog and our grandchildren can

1 ride bikes or play tag.

2           Go tomorrow and get away from  
3 traffic and cell phones to commune with  
4 nature. I may see you there and maybe some of  
5 the other neighbors. Walk by the oak trees,  
6 honeysuckle, buttercups and other shrubs.  
7 You'll see the walkers, bikers and baby  
8 strollers from the town and everywhere.

9           Some go for miles to and from  
10 Georgetown to Silver Spring. You might stop  
11 at the Chevy Chase Supermarket or eat at  
12 Manoli Canolis. They have great Greek and  
13 Italian food and wonderful shish kebab.

14           Get off in Bethesda at the  
15 bookstore and walk around the town or continue  
16 on. Going by trail saves gas and meter money.  
17 It enhances our health and quality of life.

18           Walkers tend to live longer, and  
19 you might want to think about that because we  
20 have the best place to walk in our town for  
21 however long we want to talk.

22           Our pollution free trail is the

1 town's only green space and we would lose it  
2 forever. Let's respect the ecosystem. The  
3 air we breath out the trees breathe in. When  
4 trees are axed, the birds are evicted.  
5 Tearing down green walls exposes to sun,  
6 noise, air pollution from the trains scheduled  
7 to flash by every six minutes louder than  
8 thunder, drowning out our voices, and exposing  
9 us to possible hearing loss, which I have  
10 investigated.

11           Bulldozing the trail would be  
12 committing murder. Why would you want to kill  
13 the trees and cement the trail? Children are  
14 safer falling on the ground.

15           The day care centers adjacent to  
16 the trail would close. Townspeople and others  
17 depend on them, and it's wonderful to see the  
18 children playing by the trail, going on the  
19 trail with some of the teachers, and that is  
20 just right there for them, and at Halloween  
21 you can see them all in their costumes.

22           Trains whizzing by like the

1 roaring wind at rapid speed, coming and going  
2 would be like going to track, watching the  
3 trains go back and forth. Do we want to  
4 sacrifice our nature trail or keep it for  
5 posterity? We owe it to our children and to  
6 future generations to find another way.

7           MAYOR STROM: Ken and then  
8 Lawrence Rothman.

9           MR. GAARDER: Hi. I'm Ken  
10 Gaarder, also on Oakridge Lane.

11           And I wanted to start out by just  
12 saying no. I don't know if chanting is  
13 allowed or if everybody has to keep -- you  
14 probably don't want that, but anyway, that  
15 copyrighted by Nancy Reagan, and it's the  
16 thing that I'm going to say.

17           Well, the question is what am I  
18 going to say no to. Well, okay. I say no to  
19 the Purple Line, and I support the town in  
20 their best decision on that. I hope that they  
21 can make it in a considered way, and I hope  
22 that they're able to do it with the maximum of

1 forethought and deliberation.

2           And finally, I'm sorry that I've  
3 offended some neighbors by my opinions. I'm  
4 also saddened that we come to a state where  
5 honest disagreement seems to be out of bounds.  
6 I hope we don't lose anything in the town by  
7 the tenor that seems to sometimes get  
8 promoted.

9           Thank you.

10           MAYOR STROM: Thank you very much.

11           After Lawrence Rothman we'll have  
12 David Salzman.

13           MR. ROTHMAN: I'm Larry Rothman.

14 I lived at 4219 Oakridge Lane for 25 years.

15           I remember the trains coming by  
16 behind the house, seemed to come by every  
17 other Tuesday at about 10:30 p.m., and they'd  
18 rumble and all of that. I remember the big  
19 storm of 1989, and I managed to miss out on  
20 that one, but we had a problem more recently.

21           But I really don't understand what  
22 the urgency is for the Purple Line other than

1 maybe they do it now or next year. We won't  
2 have to worry about dealing with the more  
3 important or more urgent problem and that is  
4 the base realignment which is going to have a  
5 big impact in Walter Reed.

6           Being on the north side of  
7 Oakridge Lane, odd numbered, we would be  
8 looking out our rear window at either the  
9 light rail or the Jersey wall or whatever they  
10 decide to put behind us. So there's that,  
11 too.

12           Anyhow, I'm done.

13           MAYOR STROM: Oh, thank you.

14           So we'll start again with David  
15 Salzman and after him we'll have Fred Solomon.

16           MR. SALZMAN: Thank you.

17           I'm going to try and organize this  
18 first talking about the happy stuff and then  
19 the Dr. Doom stuff.

20           My name is David Salzman. I live  
21 at 4407 Elm Street.

22           And I support the town continuing

1 to fight against the rail. I strongly support  
2 public transportation, and that's the key  
3 basis of my perspective, although I do endorse  
4 the outlying suggestion made privately that  
5 there needs to be a much more open process to  
6 involve voters before the Council actually  
7 makes these commitments.

8 In my view nothing compares to the  
9 trail as an amenity and benefit to this town.  
10 If we tried to assemble that real estate today  
11 at today's prices, not 1989 prices, it's about  
12 \$60 million in housing lost. So we wouldn't  
13 do it.

14 In addition, the estimate that  
15 I've now heard through real estate agents is  
16 about \$100,000 of lost home value by virtue of  
17 comparables across all 1,000 houses in the  
18 town and somewhat more than twice, perhaps two  
19 and half times that for the houses nearer to  
20 the train itself. That's \$100 million of lost  
21 value for the town if the rail goes in.

22 Now, I believe the lawsuit may

1 well prevail. I do not see it as tilting at  
2 windmills, and let me explain why.

3           The basic thesis here is that what  
4 we want should be pro town and pro region, and  
5 I view fighting the LRT as supporting both the  
6 town and the region, and I view supporting the  
7 LRT as opposing regional interests, never mind  
8 the town's interest.

9           Why is that? The LRT is a line.  
10 It is not a network. What is needed is a  
11 network that integrates a solution in my view  
12 across the county and neighboring counties,  
13 and that's about a year away. Mark Eldridge's  
14 plan for ERT county-wide, including all of the  
15 Purple Line, does that for less than the  
16 proposed cost of the rail itself.

17           Now, why the stampede, this  
18 urgency to go with rail? Well, that's the  
19 Chevy Chase Land Company and other real estate  
20 developers wanting to lock in a route rather  
21 than letting a network serve the community at  
22 large. I think that's a travesty. Again,

1 that's an opinion, not an argument, but I  
2 believe that urgency is not in our public  
3 interest, and failing to stop it is poor  
4 public policy.

5 Let me now go to the Dr. Doom  
6 portion and talk about why the rail is really  
7 not the appropriate solution here. I want to  
8 talk about draft EIS costs and pollution.

9 First of all, I read through the  
10 draft environment impact study cover to cover  
11 and I worked all of the math in here, and I'm  
12 quite sure I'm the only one in this room who  
13 has done that. I can tell you from the number  
14 of typos that no one at the MPA did that. The  
15 numbers do not tie together. That document is  
16 a travesty. That document is a lie. Their  
17 internal numbers don't match up.

18 For instance, they'll get 2,700 to  
19 2,400 riders per hour in each direction. The  
20 Red Line gets 25,000 an hour. Those numbers  
21 don't match.

22 ERT they claim is less, but in

1 fact, if you look at loading and unloading,  
2 you can go to several times more.

3           There are 200,000 people a day on  
4 the ERT line --

5           MAYOR STROM: Thank you very much.

6           MR. SALZMAN: Just --

7           MAYOR STROM: Thank you. We'd  
8 like to get more in writing, again.

9           And the next person is Fred  
10 Solomon, followed by John Midlen.

11           MR. SOLOMON: I'm Fred Solomon.  
12 My wife and I have raised our family on Leland  
13 Street, 4114, sine 1970. That's almost 40  
14 years.

15           Lance Hoffman said there'll be  
16 enough money, and lo and behold, there's  
17 plenty of money. It turns out those who say  
18 that we are in danger of being bankrupted by  
19 500 or \$750,000 may not know that on the  
20 Website the operating expenses are all  
21 covered, and there is \$5.7 million in reserve  
22 for capital expenditures, general fund,

1 contingent reserve, et cetera, et cetera. I  
2 don't know how fungible each of those  
3 categories is, but there's \$5.7 million that's  
4 not required for operating expenses.

5 So please, when talking about  
6 bankruptcy, I'd like to bankrupt the Chevy  
7 Chase Land Company to tell you the truth.

8 (Laughter.)

9 MR. SOLOMON: Now, I want to  
10 compliment the members of the Council and  
11 especially Kathy Strom and Pat Burda for their  
12 letter to the Sunday Post, July 19th in which  
13 the Purple Line (unintelligible), and they  
14 note that the ridership estimates in this  
15 environmental impact statement are the highest  
16 of any transit project in the country. This  
17 comes under the heading of wildly  
18 overestimating ridership; can't be  
19 substantiated until the state reveals how it  
20 arrived at those numbers, which it refused to  
21 do despite our repeated pleas.

22 Now, how did the state come to the

1 conclusion that there would be such great  
2 ridership? Now, it's a very important issue  
3 because if there's a lot of riders, presumably  
4 there's a lot of cars being taken off the  
5 road.

6           But as Sue Hill said, maybe this  
7 is a mistake. There won't be that many cars  
8 taken off the road, and the environmental  
9 impact will not be so favorable. I have a  
10 theory that the whole environmental impact  
11 statement is -- I'm sorry.

12           The reason to sue is because the  
13 process and agency actions to reach a policy  
14 were inadequate or arbitrary and capricious.  
15 That's the reason to sue. We can't sue  
16 because we don't like the policy that's been  
17 chosen, but the process has been flawed, and  
18 that is subject to judicial review because  
19 it's a legally required process.

20           And if you want to know how flawed  
21 it is, go to the Website and read Kathy  
22 Strom's pages 24 to 30 of the transcript of

1 the information session in June in which she  
2 summarized everything.

3 MAYOR STROM: Thank you. Thank  
4 you very much.

5 MR. SOLOMON: Okay.

6 MAYOR STROM: The next person is  
7 John Midlen, and the person after is John  
8 Keppler.

9 MR. MIDLEN: I am John Midlen,  
10 7618 Lynn Drive.

11 Assuming, one, the state proposes  
12 to supplant the Capital Crescent Trail as we  
13 know it with the Purple Line and the Air  
14 Rights Tunnel to Silver Spring and, two,  
15 produces an environmental impact statement not  
16 in compliance with the National Environmental  
17 Policy Act, the town must take the state to  
18 court.

19 I came up with six benefits of  
20 litigation. First, discovery. After we have  
21 filed our complaint in federal court, we'll be  
22 permitted to seek production of the various

1 documents and things that we have been denied  
2 by the state authorities, such as the  
3 underlying numbers and methodology concerning  
4 ridership, which is key to the state's case  
5 for the Purple Line at all, and bus rapid  
6 transit versus light rail in particular.

7 Any refusal to produce will be  
8 decided by or will be reviewed by an impartial  
9 federal judge, not a state functionary  
10 purporting to act pursuant to the state FOIA.

11 Second, victory. We could well  
12 win in federal court, but if we do, we'll be  
13 winning getting an EIS that complies with  
14 NEPA, not the garbage the state has spewed  
15 forth to date and most likely will spew forth  
16 in its attempt at the final EIS.

17 A compliant EIS, if we ever get  
18 one, might well convince the powers that be  
19 not to destroy the trail.

20 Delay. Well, delay shouldn't be  
21 the reason for the suit or its goal, but it is  
22 an acceptable byproduct. Were we to

1 ultimately suffer loss of the trail as we know  
2 it, the longer it is put off into the future,  
3 the better.

4           Fourth, bargaining strength. As a  
5 litigant, we have strength not otherwise  
6 obtainable. Settlement of lawsuits, always  
7 favored by the courts. As a party to a  
8 lawsuit, we will be in a position to extract  
9 concessions from the state should there be a  
10 settlement.

11           Five, intervening developments.  
12 Bus rapid transit seems to be gaining  
13 traction. County Councilman Mark Elrich has  
14 proposed a county-wide BRT system which could  
15 be modified to include a Purple Line  
16 substitute, and the metropolitan COG is  
17 proposing BRT for Maryland, D.C. and Virginia  
18 to be built in the next two years, part of the  
19 stimulus package. It could go from Bethesda  
20 through Silver Spring and east obviating the  
21 need for a stand alone light rail Purple Line.

22           And finally, bar to funding. If

1 the Purple Line is in litigation, there's a  
2 good chance it will not qualify for federal  
3 funding and/or that the federal authorities  
4 will shy away from it.

5 Thank you.

6 MAYOR STROM: Thank you.

7 Okay. John Keppler and then Beth  
8 Kevles.

9 MR. KEPPLER: My name is John  
10 Keppler, and my wife and two small children  
11 and one very large dog live at 7508 Lynn  
12 Drive.

13 I'd like to begin by thanking you  
14 all for the thoughtful effort that you  
15 directed at the Washington Post and its  
16 editorial coverage of the Purple Line. Thank  
17 you.

18 A month ago you posited the  
19 question to this community about what the role  
20 and responsibilities of the Council and the  
21 town are in addressing the Purple Line. I'd  
22 like to begin by reminding us of what the

1 fundamental tenet and the primary purpose of  
2 government and its representatives is, and  
3 that is to protect its citizens from harm.

4           It is no small but, in fact, a  
5 very sad irony that last month's public  
6 hearing on this was coincident with one of the  
7 most recent traffic and train fatalities here  
8 in this region, and during its public hearing,  
9 many bodies were being pulled from the  
10 wreckage of the trail, a Red Line, a public  
11 transit which we are now contemplating in the  
12 inestimable wisdom of our planners to put 200  
13 yards from this very building.

14           Anyone who walks up and down that  
15 trail or participates in this town sees  
16 riders, hikers, joggers, children, as we've  
17 heard testified tonight, walk across those  
18 tracks to B-CC, to access to this community.

19           Failure to act to address that  
20 very real harm, you would fail in your duty as  
21 our elected representatives to protect this  
22 town from harm that is real and near and

1 immediate.

2           And to those this evening who have  
3 used the phrase "the forest for the trees" in  
4 articulating that they have lost sight of  
5 them, we will no longer see forest or trees  
6 should this proposal continue. Fifteen acres  
7 of foliage, of CO2 sequestration and capture  
8 will be eliminated in favor of an increase in  
9 coal fired generation.

10           I run a renewable energy company.  
11 I understand the impact of energy and the  
12 environment. So we're faced with both a near  
13 term and direct threat to the residents of  
14 this area as we are with the long-term impact  
15 on health and safety.

16           I'm asking you to do what is  
17 right, not what is easy; to dig deep into that  
18 bag of courage that comes along with being an  
19 elected official and do what is required, not  
20 what is expedient.

21           Please continue to oppose this and  
22 fight with all of our effort, with all of our

1 resource, and with the resources that we  
2 reserve for such an occasion.

3 Thank you.

4 MAYOR STROM: Thank you.

5 Beth and then the next person is  
6 Henry Smith.

7 MS. KEVLES: Good evening. My  
8 name is Beth Kevles. I live at 4407 Elm  
9 Street.

10 One thing that has not been  
11 addressed is the issue of community, which in  
12 my heart is the most important thing about any  
13 place where you live or work or exist. The  
14 Purple Line as written right now by the county  
15 will divide communities from each other  
16 probably for the benefit of developers,  
17 although there has been a little bit of  
18 argument about that, but it will divide  
19 communities from each other and from  
20 themselves.

21 Every school day dozens and dozens  
22 of B-CC students cut across the trail to get

1 between the school and the town. Many  
2 residents also go across the trail. That's  
3 not along the trail, but cutting across the  
4 trail to get between the town and their  
5 friends in east Bethesda and from east  
6 Bethesda to other part of east Bethesda.  
7 There are many, many ways to cross the trail,  
8 and people use them all.

9           As we have seen in the newspaper  
10 recently, people, especially kids, will find  
11 a way to cross a trail if it is faster than  
12 going to the end of the block, and especially  
13 if it's faster than going all the way out to  
14 noisy Wisconsin Avenue.

15           And in the newspaper we see that  
16 sometimes they are hit by trains because it's  
17 hard to judge how fast the train is coming,  
18 and the Purple Line as written will be coming  
19 quite often and pretty fast.

20           In large, the county and region  
21 are discussing regional ERT. The Purple Line  
22 would be stand alone, a stranded system. It

1 would beggar other transit projects in the  
2 region. There would be no money left for many  
3 of the other projects that people need to get  
4 from 270 North down to here, from  
5 Gaithersburg, Germantown into this area and  
6 from other less direct places to get down to  
7 the new BRAC.

8           It would also increase traffic and  
9 congestion because once the Purple Line is  
10 built, the county will encourage development  
11 along the Purple Line causing local gridlock.  
12 If you think it's bad now trying to go up  
13 Connecticut Avenue, think about what it's like  
14 going through Friendship Heights at rush hour.

15           As citizens not just of the town,  
16 but of the county and the region, it is our  
17 responsibility to pursue whatever means  
18 available, including a lawsuit, to see that  
19 the light rail line standing alone along the  
20 trail is replaced by a better thought through  
21 and regional transit system that will bring  
22 our communities together rather than dividing

1     them from each other.

2                     Thank you.

3                     MAYOR STROM:   Thank you.

4                     Henry Smith, then Don MacGlashan.

5     Is Henry Smith here?   Okay, Don MacGlashan.

6     Yes, and then the person after him is Jim Roy.

7                     MR. MacGLASHAN:   My name is Don

8     MacGlashan.   I live at 4114 Woodbine Street.

9                     There's been a lot of discussion  
10    about the Purple Line and a lot of  
11    misinformation passed out on what the Town  
12    Council is doing or not doing.   I, on the  
13    other hand, voted in the last election, and I  
14    trust what this Town Council is doing.   They  
15    can evaluate the situation far better than I  
16    can, and they can make an estimate of what's  
17    going to be needed to be done and when to do  
18    it.

19                    To make a commitment now not to  
20    pursue the matter of the Purple Line   when  
21    there are years to go before a final decision  
22    is made would, in my opinion, just be

1 premature. Although there are many reasons  
2 for keeping the trail, my reason centers on  
3 one thing. There are precious few park  
4 facilities in the down county area that offer  
5 what the Capital Crescent Trail does, and it  
6 would be a shame to lose it to a poorly  
7 conceived and flawed light rail system.

8           It goes without saying once that  
9 bucolic trail is gone, it's gone. Because the  
10 county seems to be headed towards a county-  
11 wide BRT system, I think it offers a more  
12 coherent transportation solution for the whole  
13 county than a one of a kind light rail  
14 transit.

15           I heard that some residents are  
16 suggesting they hold a referendum.  
17 Fortunately we have not heard that tonight,  
18 and I'm pleased to hear that. I would rather  
19 have a knowledgeable Town Council make a  
20 decision rather than town residents who have  
21 not studied all the information or who may  
22 have accepted at face value what they are told

1 in a flyer or by someone with a poor  
2 understanding of the issues.

3 Look at the pickle California is  
4 in largely due to a whole series of  
5 referendums. It's not a very effective way to  
6 govern.

7 We recently had a town election.  
8 We elected these people and so let's let the  
9 Council do its job.

10 MAYOR STROM: Thank you.

11 Jim Roy, then Bruce Russell.

12 MR. ROY: Hello. My name is Jim  
13 Roy. I own property at 4511 Elm Street.

14 I have four main points. The  
15 first one is we did elect the Town Council in  
16 the last several elections partially based on  
17 their position on preserving the trail. One  
18 of the things that I like about our board, a  
19 commitment to the trail.

20 Number two, on line I've seen a  
21 computer generated image of what the trail  
22 will look like created by the MTA. There is

1 no way this is possible along many parts of  
2 the trail, particularly near our town. To me  
3 this is a bold faced lie and an empty promise.

4           Number three, even if the original  
5 use of the land in question was planned for  
6 something by taxpayers over two decades, we  
7 pay taxes now and think we need to decide how  
8 we will spend my money, your money, and with  
9 the numbers that I've seen, we're talking  
10 about future generations paying for this  
11 decision as well. A train there, a bad idea,  
12 and we must act to change this.

13           Number four, what should we do?  
14 We need to fight with any and all means  
15 necessary, including litigation and  
16 campaigning. We also need to coordinate with  
17 neighboring communities. There's a lot of  
18 misinformation out there and in here. I would  
19 love to see the state try to defend their data  
20 in court. That threat may get them to rethink  
21 their plan before we spend any serious money.

22           If only half the information I've

1 heard about their data and methods are  
2 accurate, we do need to stand up in court to  
3 oppose the destruction of the trail.

4 Thank you.

5 MAYOR STROM: Thank you.

6 Bruce Russell, then Veda Charrow.

7 MR. RUSSELL: My name is Bruce  
8 Russell. I live at 7107 Oakridge.

9 I would love to save the trail,  
10 but I'm a realist and wary of giving the town  
11 another blank check to pursue a lawsuit, a  
12 lawsuit with questionable probability of  
13 success, a high risk strategy for the town  
14 that would at best be a delaying tactic, and  
15 judges do not take to delaying tactics  
16 lightly.

17 In an earlier life I worked with  
18 the Department of Transportation and was  
19 involved with a lot of environmental impact  
20 statements and very large projects and  
21 actually dealt with some projects that were  
22 disastrous. Taking 15 acres in this area is

1 not a disaster. Sorry; it's not. It's a  
2 disaster to people who live there, but it's  
3 not in the larger realm of things.

4 I could actually see if wanting no  
5 significant impact for at least this portion  
6 of the trail that would be taken, and I  
7 suspect that's the way the Department of  
8 Transportation would view that.

9 I cannot support another blank  
10 check with questionable merit. I was, quite  
11 frankly, shocked when the price tag jumped  
12 over \$200,000 from what I had heard at a  
13 public hearing. I wasn't following it. I  
14 mean a Town Council decision about originally  
15 funding the study of \$250,000.

16 I think that we are putting the  
17 town at political and fiscal risk, and it's  
18 going to be too great if we pursue this suit.

19 The town and residents most  
20 affected by the trail, the Purple Line, should  
21 investigate other avenues, but not a lawsuit,  
22 not an endless black hole of consulting some

1 lawyers.

2 My concerns are not about rebates  
3 or referendum or how the Town Council manages  
4 our money, but a wide open view of the risks  
5 involved and a taking over other options. I  
6 just say no to another blank check.

7 Thank you.

8 MAYOR STROM: Thank you.

9 Veda Charrow, then Lowell  
10 Turnbull.

11 MS. CHARROW: I name is Veda  
12 Charrow. I live at 4001 Underwood Street.  
13 We've lived there for over 20 years.

14 And one thing that I know that you  
15 folks don't know, although some of you have  
16 heard this before, is that I was on the -- I  
17 am still on the Advisory Board, the Maryland  
18 Public Advisory Group, for the Purple Line,  
19 and this is, I think, Montgomery County Parks  
20 and Planning Department. So I know all of the  
21 details of how this thing has been put  
22 together, and believe me, if you think sausage

1 making is awful, this was really bad.

2           Furthermore, the sausage has been  
3 shoved down our throats because I'm on the  
4 Advisory Board, none of us on this board gets  
5 to give any advice. The best we've been able  
6 to do is pick apart time and time again, and  
7 often the same things the things that are  
8 wrong with the state's concept of the Purple  
9 Line.

10           The state as I said before has  
11 been less than candid. In other words, it has  
12 lied to us, and the DEIS has been -- is full  
13 of gross misrepresentations, and I know it  
14 because I was there to see it.

15           They will not divulge their  
16 methodology for determining ridership. They  
17 keep changing the numbers to support  
18 themselves. They initially lied about the  
19 impact of trees along the trail, and those of  
20 you who have seen those misleading pictures,  
21 you see little trees and so on. There will be  
22 no trees along the trail, none. They will

1 even have to cut down some of the trees on  
2 private property because anything that  
3 overhangs at all the catenary lines, the  
4 electrical lines above the tram must be cut  
5 down.

6           So it's going to look awful. The  
7 sound impacts will be awful, and it's going to  
8 adversely affect the quality of life in the  
9 town as well as the dangers to the kids and so  
10 on.

11           There's really no room for rail  
12 and trail in the final part of the trail where  
13 it goes through the tunnel and so, of course,  
14 what they've proposed is a draconian and even  
15 rather silly measure of putting the trail on  
16 top of the trains in sort of a cage. That's  
17 not a trail. That's ridiculous.

18           What became clear from all of this  
19 is that this also from these meetings that we  
20 have had every month is that this is not the  
21 best alternative route for the Purple Line.  
22 BRAC didn't exist when the county master plan

1 was developed, and yet no changes were made to  
2 the master plan for transportation with regard  
3 to BRAC.

4 Jones Bridge Road alternative  
5 makes so much more sense from any point of  
6 view. It also became clear that the main  
7 people supporting Capital Crescent Trail  
8 alignment were the commercial interests and  
9 developers, and we had some of those on the  
10 Advisory Board as well, including the  
11 president of the Chevy Chase Land Company.

12 MAYOR STROM: Thank you very much.  
13 We appreciate it. You can submit further  
14 comments in writing.

15 MS. CHARROW: Okay.

16 MAYOR STROM: After Lowell  
17 Turnbull John Coble.

18 MR. TURNBULL: Good evening. My  
19 name is Lowell Turnbull. I live at 4012  
20 Virgilia Street.

21 Some 40 years ago I took a course  
22 in college on transportation economics, and

1 one of the major themes of the course which  
2 startled me at the time is that buses are  
3 clearly more cost efficient than rail in  
4 almost every circumstance other than really  
5 high density areas like Manhattan or London.

6           But the fact is, although I  
7 believe this remains the consensus and  
8 certainly was one of Mr. Schwartz's major  
9 themes, it has no political impact. I mean,  
10 were those studies taken seriously, Metro  
11 wouldn't have been built and probably  
12 shouldn't have been because you could have  
13 done amazing things with buses in this area  
14 for what you spend on Metro. BART never would  
15 have been built.

16           The fact is it has no political  
17 impact, and therefore, I'm not terribly  
18 impressed with the arguments that are being  
19 made about Jones Bridge and the like because  
20 I just don't think ultimately they're going to  
21 have much effect. For some reason rail just  
22 has a national appeal. That's certainly

1 reflected in where the Washington Post has  
2 come out and where the County Council has come  
3 out and where we fear the governor may come  
4 out.

5           Tonight, as I understand it, we're  
6 supposed to be addressing whether we should  
7 spend substantial resources on a lawsuit, and  
8 an awful lot of what's being said here tonight  
9 goes to the politics of the trail and not the  
10 lawsuit.

11           And one of the things that  
12 troubled me after I read the entire transcript  
13 of the last meeting in June, June 22nd, I  
14 think, is that there was no serious discussion  
15 of how likely it is that one could succeed.

16           I know there are a lot of  
17 criticisms of the state's environmental impact  
18 statement, not the final one because it isn't  
19 here, but what exists, but the fact it there  
20 have been thousands of NEPA cases. Presumably  
21 in the Fourth Circuit there have been hundreds  
22 if not thousands of NEPA cases, and it seems

1 to me that the threshold step before you  
2 decide to commit hundreds of thousands of  
3 dollars is to get some sense as to whether  
4 you're likely, you have a reasonable prospect  
5 of prevailing, and I haven't heard anybody say  
6 that the Council has yet obtained any such  
7 opinion, and I would urge them to do so before  
8 they make a commitment to go beyond where we  
9 are today.

10                   Finally, the fact is politics  
11 affect judges, and the politics are working  
12 rather dramatically in favor of the light rail  
13 option, and I think that has to be taken into  
14 account. If you have the post and the  
15 politicians of the county on one side, that's  
16 going to affect how a judge views a case in  
17 most circumstances.

18                   MAYOR STROM: Thank you.

19                   John Coble, then Nobuko Pierce.

20                   PARTICIPANT: (Speaking from an  
21 unmiked location.)

22                   MAYOR STROM: Okay. Is John Coble

1 here? Okay. Is John Coble here?

2 PARTICIPANT: I saw him before.

3 MAYOR STROM: Okay. Is Nobuko  
4 Pierce? You would like to speak?

5 MS. PIERCE: Yes, ma'am.

6 MAYOR STROM: Okay, fine, and then  
7 after Nobuko is Pam Browning.

8 MS. PIERCE: Hi. My name is  
9 Nobuko Pierce. I live at 7200 45th Street.

10 A lot of people, well spoken  
11 people presented why we shouldn't put money  
12 more on the road to restore. I just want to  
13 present my little silly idea of, you know,  
14 just -- is there any -- anyone came up with  
15 the sort of covered, you know, covering the  
16 whole system in our section so that noise  
17 would be prevented, covered with sort of rail  
18 structure and then so that, you know, the  
19 noise will be prevented, and also that tree  
20 doesn't need to be cut down so much because  
21 it's covered.

22 And it's just silly idea. I'm not

1 engineer, but is there anymore ideas to cut  
2 down any noise or any environmental, you know,  
3 impact besides just refuse whole system or  
4 not?

5           And you know, if it's possible,  
6 just a couple of things will work. Noise will  
7 be cut down, and if it's nicely structured,  
8 futuristic (unintelligible) structure, it  
9 would look nice and, you know, it would be  
10 safe for the people to cross. You know, we  
11 can make some sort of a stair bridge to cross  
12 the trail and the trail so we will be safe.

13           So is there any alternative was  
14 considered by Council or any other, you know?  
15 When you paid the consultant, did you just try  
16 to push this rail to the other communities?  
17 Was there any consideration was made how to  
18 reduce the noise, how to, you know, make it  
19 safer?

20           I think it's more productive to  
21 spend money onto that study rather than  
22 (unintelligible).

1                   MAYOR STROM: Thank you very much.

2                   Pam Browning and Christine Real.

3                   MS. BROWNING: My name is Pam

4 Browning. I live at 4317 Elm Street.

5                   I have here a letter signed by 211

6 town residents so far urging the town to take

7 legal action to stop the light rail from being

8 built along the Capital Crescent Trail. We

9 didn't have the money, the \$1,000 we'd need to

10 send out two oversized postcards. So these

11 signatures have been gathered by word of mouth

12 and E-mail.

13                   Those of us who have signed this

14 letter believe the light rail will have a

15 devastating effect on the trail and that money

16 spent for a lawsuit would be money well spent.

17 The town could not buy a more significant

18 amenity than the trail anywhere for any price.

19                   We believe the value of this

20 outstanding trail to the town and to the

21 region is immeasurable. In contrast, the cost

22 to the town of not opposing the light rail is

1 enormous. Nothing that has ever happened to  
2 the town or might happen in the future can  
3 compare to the adverse impacts that will be  
4 felt by the town of having a light rail pass  
5 every three minutes from early in the morning  
6 until late at night immediately adjacent to  
7 the town's backyards.

8           But the town is not alone in this  
9 opposition to the light rail, More than  
10 18,000 trail users have signed petitions  
11 urging that the Purple Line be built elsewhere  
12 or underground. The Capital Crescent Trail is  
13 one of the most popular trails in the nation.  
14 Studies document that as of 2006, there were  
15 more than 10,000 uses of the trail between  
16 Bethesda and Silver Spring on a weekly basis.  
17 That number has grown a lot since 2006.

18           Because the trail between Bethesda  
19 and Silver Spring is an essential link in a  
20 circuit of regional trails, petition signers  
21 come from all over the region. While 40  
22 percent are from the greater Bethesda-Chevy

1 Chase area, 60 percent come from other areas,  
2 including 20 percent from Silver Spring,  
3 Kensington, and Rockville, 19 percent from  
4 D.C., and nine percent from Virginia.

5           A light rail along the trail would  
6 be an environmental disaster. According to  
7 MPA's environmental impact statement, which is  
8 very clear on this point, all of the trees and  
9 terrain in the right-of-way would be  
10 bulldozed. Imagine the erosion that would be  
11 caused by this massive destruction of  
12 vegetation for us which lies close to the  
13 Copeland Run.

14           Trains would run only seven to ten  
15 feet from the trail and just a few feet from  
16 homes in the town, in Edgevale, in East  
17 Bethesda, and Copeland Terrace, and in Silver  
18 spring.

19           A light rail running so close to  
20 all our neighborhoods is not safe and should  
21 never have been considered. I am submitting  
22 news articles about the deaths of children

1 killed by rail lines, and here is an excerpt.

2 Tragedy hit Laurel on April 23rd  
3 of this year when a 14 year old boy reportedly  
4 taking a shortcut across railroad tracks was  
5 struck by a CSX train and died. Unfortunately  
6 nothing about the fatal accident is all that  
7 unusual. The article is still continuing.

8 Overall the state has averaged slightly more  
9 than nine trespasser deaths per year since  
10 2003. Even fences built along railroad tracks  
11 aren't enough of an obstacle to deter  
12 trespassers according to the article.

13 Tragically a month after this  
14 article was written, two more teenagers were  
15 killed, this time by a Baltimore light rail  
16 train running through their residential  
17 neighborhood of Lutherville. This was just  
18 last couple of weeks ago.

19 Trains and pedestrians do not mix.  
20 As a CSX spokesman said after a boy was killed  
21 by a train in Garrett Park, the important  
22 message is that railroad tracks are places of

1 business in a sense like a highway or an  
2 important airport runway, he said. These are  
3 not places for recreation or taking shortcuts.

4 Why should we be concerned? With  
5 the Purple Line, access to the trail for  
6 recreation --

7 MAYOR STROM: I apologize. You  
8 talked through the three minute point.

9 MS. BROWNING: Oh, am I done?

10 MAYOR STROM: I think you're done.  
11 We will definitely take --

12 (Laughter.)

13 MAYOR STROM: Thank you very much.  
14 Christine and then the next person  
15 is Joe Frankl.

16 MS. de AZUA: Okay. I'm Christine  
17 Real de Azua, and I live at 4502 Elm Street.

18 I'll be brief. I just wanted to  
19 talk about a few principles, and then I have  
20 a question. The principles are that from my  
21 point of view I support public transportation.  
22 I have lived many years in Europe. I use the

1 bus; I use the Metro. I think it's a great  
2 thing to do, and what we need is to help solve  
3 our transportation congestion here in the  
4 region.

5 I am in support of reducing  
6 emissions. I think climate change is an  
7 issue, and we want to find -- the town has  
8 committed to reducing emissions, and we want  
9 to look at solutions that are going to help  
10 with that.

11 I'm in support of cost effective  
12 solutions and of spending money wisely, and  
13 I'm also in support of green spaces.

14 So where do I stand. I am  
15 actually in opposition of the light rail  
16 solution on the trail, and the reason is that  
17 the green space is, I think, the most  
18 important of the considerations. Public  
19 transportation, we have many solutions, and  
20 it's up to the environmental impact to look at  
21 those.

22 Reducing emissions can be achieved

1 by using bus rapid transit. For those of you  
2 who look at the New York Times on the front  
3 page last week, there was an article about how  
4 successful that solution is both in addressing  
5 climate change solution, helping with  
6 transportation, and doing that in a cost  
7 effective way.

8           What is going to be very difficult  
9 to replace is the green space that we have now  
10 on the trail, and I think it's a wrong choice  
11 to have to pit public transportation against  
12 green space. We need to find public  
13 transportation solutions by looking at public  
14 transportation in general.

15           What we have now is a right-of-way  
16 that has been acquired a long time ago, but it  
17 has been adopted by the community at large.  
18 I use the trail all the time as a biker and as  
19 a walker. I see people who used other parts  
20 of the Capital Crescent Trail and who may  
21 imagine that it's possible to keep the Capital  
22 Crescent Trail along where we live here in the

1 same manner as they enjoy it in other parts of  
2 the trail, that is, with trees and with space  
3 for bikers and for families, as we heard.

4 That is simply not the case.

5           When you look at the area that we  
6 have, it's not going to be possible for the  
7 light rail and the trail to coexist and for  
8 the green space, what is, in effect, a green  
9 cathedral to continue to exist.

10           So we need to continue to support  
11 the town's efforts which have been very  
12 thorough in reviewing the options. We also  
13 need to be more public about the fact that  
14 this is in the public interest. It's not an  
15 envy issue where actually they're going to be  
16 helping the entire region preserve valuable  
17 green space, and we need to urge the governor  
18 to make a legacy decision and --

19           MAYOR STROM: Thank you.

20           MS. de AZUA: -- protect the  
21 trail.

22           Remember the towpath.

1                   MAYOR STROM: Thank you very much.

2                   The next person is Joe Frankl and  
3 then David Steeds.

4                   MR. FRANKL: Joe Frankl, 4317 Elm  
5 Street.

6                   Just as an aside. I enjoyed the  
7 travelogue, but this is not Australia. As the  
8 environmental impact statement makes clear,  
9 even a flawed document has some points of  
10 truth. They made this key concession that's  
11 been repeated again and again and again that  
12 building this thing will entail clear-cutting  
13 about 15 acres of trees.

14                   Now, we don't have any koalas  
15 here, but we do have plenty of living things  
16 that depend on that green space over there for  
17 their sustenance.

18                   Now, my main point is I've lived  
19 here for about 20 years. We moved in around  
20 the time that the county was acquiring in such  
21 a manner as it has the right-of-way to build  
22 this. Many things have changed in those 20

1 years. The trail has become an incredibly  
2 valuable and beloved resource to thousands and  
3 thousands of people. That was not foreseen.  
4 We have the whole issue of BRAC, which is  
5 completely changing the transportation needs  
6 for the lower county.

7           And finally and most recently we  
8 have, I guess, the emergence of bus rapid  
9 transit sort of coming into its own as a  
10 legitimate and respected transportation  
11 solution, and the growing understanding that  
12 light rail is sort of a relic.

13           So why does this thing keep  
14 persisting in the face of and seemingly  
15 impervious to all of these developments to  
16 logic and reason?

17           Well, the Post sort of gave the  
18 game away finally last Saturday when they  
19 said, well, developers prefer rail. There you  
20 have it, and it's clear that that is what has  
21 been animating this project for these last 20  
22 years and probably beyond, and that is why the

1 politicians, not all of them, thankfully, but  
2 most have been behind this thing from the get-  
3 go and show no sign of being budged. They may  
4 give hints that they don't really like it, but  
5 nobody is going to go against it.

6 Well, how do you overcome that?

7 The way you overcome that is with a lawsuit.  
8 Nobody is for tilting at windmills. If we  
9 don't have a case, we don't have a case and we  
10 don't go forward, and I wouldn't urge the town  
11 to go forward in a losing case, but when  
12 you've got a case that's got some credibility,  
13 that's got some legs, then you push it and you  
14 fight it, and if for no other reason it gives  
15 the governor and the Council and Ike Leggett  
16 and everybody else cover to back down from  
17 this ridiculous folly.

18 Thank you.

19 David Steeds and then Dedun  
20 Ingram.

21 MR. STEEDS: Good evening. My  
22 name is David Steeds. Live here on Elm

1 Street.

2 Ladies and gentlemen, this Purple  
3 Line-like train is an absurdity both  
4 economically and environmentally. Some of you  
5 who believe otherwise, frankly, I don't  
6 understand why. I'm not going to call you  
7 names, but I will refer you to an excellent of  
8 independent analysis done by the World  
9 Resources Institute. It's available on their  
10 Website.

11 One thing I've learned tonight,  
12 and I'm grateful to Mr. Blacklow for pointing  
13 out, and that is that the people who signed  
14 your postcard are not necessarily pro or con  
15 Purple Line. They are concerned about the  
16 town spending money in a lawsuit that may  
17 prove to be futile, and I share these  
18 concerns.

19 But I would suggest one means of  
20 thinking about this already alluded to by  
21 David Salzman is that that trail has value.  
22 If we were to go and purchase land to make

1 parkland, the equivalent of the four miles  
2 between here and Silver Spring and the 66 feet  
3 right-of-way, that's actually 32 acres.

4 Now, two years ago it cost \$4  
5 million an acre. That makes \$130 million,  
6 right? This year it probably only costs \$3  
7 million an acre. So it makes \$100 million.

8 So what I'm here to plead with  
9 you, ladies and gentlemen of the Council, is  
10 put into your budget for next year \$1 million  
11 to spend on a lawsuit that if it works will  
12 save us an amenity which is clearly worth 100  
13 million. I cannot think of a better  
14 investment.

15 MAYOR STROM: Thank you.

16 Dedun Ingram and then John  
17 Fitzgerald.

18 MS. INGRAM: Dedun Ingram, 4411  
19 Elm Street.

20 I moved into the town almost 23  
21 years ago, and I live on Elm Street, as I just  
22 said. The train had stopped running at that

1 time, but it was still a green space, and we  
2 used it even before the trail came along.

3 I just want to make a couple of  
4 points. I agree with everyone that I've heard  
5 speak so far. I would like the town to pursue  
6 the legal options that they have before them  
7 as best as they can and as responsibly as they  
8 can, and I trust you to do that.

9 If the suit looks like it's not  
10 going to go anywhere, fine. Let's stop, but  
11 from all that I have heard and read, the  
12 environmental impact statement is grossly  
13 flawed. There has been a considered effort by  
14 everyone to ignore the environmental and  
15 economic reasons not to put the Purple Line on  
16 the trail and to look at other alternatives,  
17 and the town should fight that.

18 I'm particularly concerned about  
19 some of the sentiments that I've heard  
20 expressed by various townspeople that the town  
21 should not pursue this because it only affects  
22 a small number of residents in the town and

1 it's a waste of their money. They don't want  
2 to see their money spent on people on Elm  
3 Street and Oakridge and Lynn's personal  
4 problems and those people should pay for it to  
5 suit themselves if they want to pursue it.

6 I find that really offensive. We  
7 all live in this community. As a member of  
8 this town I have the right to have the town  
9 protect me and my interest, and even if this  
10 was only affecting people on Oakridge, Elm and  
11 Lynn, we would have that right.

12 However, it doesn't only affect  
13 people who live on those streets. It affects  
14 everyone in this town who uses that trail and  
15 whose children use that trail, et cetera. And  
16 I think that the town has the right and the  
17 responsibility to help protect us.

18 We don't object to seeing projects  
19 that are done that affect other people in the  
20 town and only them. The town spends a huge  
21 amount of money on police protection or  
22 actually traffic control. So that doesn't

1 affect me personally. I could care less, but  
2 I'm perfectly happy to recognize that it  
3 affects other people's quality of life in the  
4 town and support the town's expenditures for  
5 those purposes. So that's my main point on  
6 that issue.

7 But again, I urge you to pursue as  
8 responsibly as you can and as openly as you  
9 can so that everyone feels comfortable with  
10 the procedure, but to pursue the legal aspects  
11 as best you can.

12 MAYOR STROM: Thank you.

13 John Fitzgerald, then Beth  
14 Barnett. If John Fitzgerald isn't here, then  
15 we'll go to Beth Barnett. We'll come back to  
16 the people who weren't in the room when we  
17 called their names. And after Beth Barnett  
18 Barbara Fendrich.

19 MS. BARNETT: My name is -- I want  
20 to thank you, Madam Chairperson and members of  
21 the Town Council, for the opportunity to speak  
22 to you today. My name is Barnett actually,

1 and I have lived at 4315 Elm Street for ten  
2 years, and my husband has owned the property  
3 for over 40 years.

4 I think it's very important for  
5 the Town Council to pursue every legal and  
6 political initiative and do everything in  
7 their power to protect the border of Chevy  
8 Chase.

9 I have many reasons for taking  
10 this position, but to night I will stress two  
11 of them. One is the ridership data in the  
12 draft impact statement is very suspect, and  
13 the state should be made accountable to make  
14 their assumptions transparent.

15 Secondly, public transportation is  
16 good, but not all public transportation  
17 projects are good ideas. The Purple Line is  
18 an example of a bad public transportation  
19 idea.

20 Let me expand on these points.  
21 First, with respect to ridership I'm going to  
22 use the word "train" in my testimony because

1 the conversation is not about a pretty color  
2 on a map, nor about that lovely trolley in the  
3 movie "Meet Me in St. Louis." We are talking  
4 about a train that will be going every six  
5 minutes both ways. Instead of hearing singing  
6 birds, we'll hear grinding wheels and  
7 screeching brakes. We will see that train  
8 every time we drive to or from the Beltway on  
9 Connecticut Avenue whether the train car, the  
10 one train car is full or empty.

11 I've done research on my own on  
12 ridership to the Bethesda stop. For the train  
13 to be cost effective, people who currently  
14 drive to or from school or work will have to  
15 take the train. Are you going to commute by  
16 the train? Is anybody in this room going to  
17 commute by the train? Anybody in your  
18 household? Anybody on your block?

19 If the answer to that is no, then  
20 that tells the tale. There is no ridership on  
21 this train.

22 The second point is -- and I've

1 run numbers using the Maryland publicly  
2 available information from the Maryland  
3 National Capital Park and Planning on their  
4 projection to 2030 of what's going to happen  
5 in Bethesda, and it doesn't add up. We need  
6 to make the state accountable for those  
7 numbers.

8           The second point I have to make is  
9 about this particular public transit project.  
10 Beginning in 1986 when CSX abandoned the  
11 Georgetown branch line, the public  
12 transportation interests had dreamed of  
13 putting a trolley, then a Metro, now a train  
14 on that bed. But as others have pointed out,  
15 that was a one track bed and a freight train  
16 only went on that bed one time a day. That is  
17 peak.

18           MAYOR STROM: Thank you very much.

19           Our next person is Barbara  
20 Fendrich and then Doug Lowenstein.

21           MS. FENDRICH: Well, good evening.

22 I wish to congratulate our Town Council for

1 being so attentive to this extraordinarily  
2 important project which is getting rid of the  
3 Purple Line, period, and now you see my  
4 biases.

5 I have lived here since 1958. All  
6 my children, five of them, and grandchildren  
7 cross what might be the Purple Line to get to  
8 and from school. I do it myself every time I  
9 go up to my health club in Bethesda. And so  
10 our family loves it. They bike it; they walk  
11 on it. New grandchildren come along. They've  
12 started using it, but in another section, and  
13 I think it is an importantly valuable thing to  
14 keep.

15 I consider it our linear Central  
16 Park. We could even call it our Champs  
17 Elysees because it's a place where people  
18 walk. It's extremely important to keep and  
19 it's not just for us.

20 When I was doing counting for how  
21 many people were using the trail on a certain  
22 weekend, I found so many foreigners and many,

1 many people bike the entire circuit. And I  
2 said, "Don't you get awfully tired?"

3 "Oh, no, we do this every single  
4 weekend."

5 So why do they do that? Because  
6 there are no interruptions from some other  
7 form of some public transportation. I think  
8 it is important to get back to the more  
9 sentimental, the heart of the matter, which is  
10 no public transportation on the Purple Line.  
11 I trust you all to do your very best to keep  
12 it away.

13 Thank you.

14 MAYOR STROM: Thank you.

15 Doug Lowenstein and then Steve  
16 Seidel.

17 MR. LOWENSTEIN: Wow, I don't envy  
18 you guys, and I will say that I really thank  
19 you for the work and the time that you put  
20 into it, and I absolutely don't question the  
21 integrity of your work or this process  
22 regardless of how it comes out. So thank you

1 for that.

2 I'm not pro/anti-Purple Line.

3 Frankly, I'm sort of stunned by how certain  
4 people can be that it's either good or bad  
5 because, frankly, I think the call is probably  
6 very close, but what matters is not whether  
7 people here think the Purple Line is a good  
8 thing or whether there's a better alternative  
9 or worse alternative. This is a legal  
10 question, and the legal question goes to the  
11 standard of proof required to prove and  
12 succeed in this case. It's not whether the  
13 county has got some good ideas for other  
14 alternatives. It's has the process been  
15 arbitrary and capricious. That is a very high  
16 bar to prove, and there are some other folks  
17 that said that clearly -- by the way, I'm Doug  
18 Lowenstein and I live on Rosemary Street, and  
19 I'm opposed to spending the money, not  
20 necessarily opposed to Purple Line.

21 If you proceed on this, you must,  
22 must get sound legal advice as to the

1 viability of the legal action. I would rather  
2 see you spend money on that than retain a law  
3 firm and start this process because without  
4 that, you really are taking a huge gamble  
5 without a sufficient grounding to do it.

6           Lance Hoffman made another comment  
7 on the budget, and I don't say this  
8 facetiously, but I wish you were running my  
9 family budget because I could get everything  
10 I wanted it sounds like.

11           It's simply not possible. Maybe  
12 there's enough for the lawsuit, but to suggest  
13 that everything that we want and every other  
14 priority can be funded by that simply defies  
15 common sense. This is not a zero sum game.  
16 There is only so much money. We are facing an  
17 enormous financial recession. It's going to  
18 last for at least a year and a half longer.  
19 The town is going to face fiscal pressure. It  
20 needs to make this decision not just based on  
21 what's here today, but a sound, long-term  
22 projection of what the financial situation

1 could be a year or two from now because it  
2 could be worse than it is today.

3 A final couple of points that I'd  
4 like to leave you with, if I may. In the end  
5 to me this is a question of highest and best  
6 uses. It isn't a question of right or wrong,  
7 Purple Line or anti-Purple Line.

8 But here's what we have. We have  
9 almost certainly by any objective standard a  
10 difficult chance to succeed. We have limited  
11 resources. We have a very controversial  
12 issue. We will be opposed by groups like the  
13 NRDC and other very credible people. This is  
14 not -- and we're highly isolated, and those  
15 are very important variables for you to  
16 consider as you pursue this.

17 So, again, I don't envy you.  
18 There is much more that I've written to you.  
19 I thank you again for your time and attention.

20 MAYOR STROM: Thank you.

21 Steve Seidel, then Tina Coplan.

22 MR. SEIDEL: Thank you.

1                   My name is Steve Seidel. I live  
2 at 4426 Stanford Street.

3                   I want to start by thanking the  
4 Council for the work they're doing, for  
5 sitting through this this evening, but most  
6 importantly for the work that they've done  
7 leading up to this point, that they're really  
8 laid the necessary groundwork. They've done  
9 their homework. They've put together a very  
10 credible technical analysis by a world class  
11 expert, and they've put together excellent  
12 comments on the draft EIS that really provide  
13 the basis for going forward, and so I think  
14 they've done their work to date and have  
15 provided the ground upon which we can continue  
16 moving forward.

17                   I also want to thank Pam Browning  
18 for the amazing job that she's done over many  
19 years now in saving the trail, and those  
20 efforts should certainly be recognized.

21                   On a personal level, all members  
22 of my family are frequent users of the trail

1 even though I live over on Stanford Street,  
2 about as far away from the trail as possible  
3 in town. My daughter crosses the trail twice  
4 daily to get to high school, along with scores  
5 of other students that go there. My wife  
6 bicycles on the trail to commute to her job in  
7 Silver Spring, and I run on the trail  
8 frequently.

9           And I have to tell you anybody  
10 who's a runner and uses the trail knows that  
11 the best thing about the trail is the tree  
12 coverage. Without the trees, you couldn't go  
13 out there and run for the nine months of  
14 summer that we appreciate in Washington.

15           But tonight really the question is  
16 should we go forward with the lawsuit and the  
17 last speaker, I think, put it really well. Is  
18 there a reasonable basis for going forward?

19           And I think we heard tonight that,  
20 in fact, there is. On my day job I worked for  
21 many years at the Environmental Protection  
22 Agency. I worked as a counselor on

1 environmental quality. I've actually written  
2 an EIS. I worked very closely with NRDC, the  
3 group the last speaker just mentioned, and  
4 this is exactly the type of case that goes  
5 forward, where there are major concerns that  
6 the work that was done by the federal agency,  
7 by the state agency has some real problems.

8           And I think the point that was  
9 made about that we need through our lawsuit to  
10 provide a basis to allow some of the  
11 politicians a way out is really a critical  
12 point.

13           In addition, the point is that a  
14 lawsuit isn't just about winning or losing.  
15 It's staying in the game. We have a treasure  
16 at risk here, and that treasure is not the  
17 amount of money on the balance of our books in  
18 the city hall. It is the treasure that is the  
19 trail. We should not sacrifice that without  
20 putting up a reasonable fight.

21           Thank you.

22           MAYOR STROM: Thank you.

1                   Tina Coplan and then Donna  
2   Worsham.

3                   MS. COPLAN: I'm Tina Coplan. I  
4   live at 7003 Meadow Lane.

5                   Can you hear me?

6                   MAYOR STROM: It's not amplifying,  
7   but --

8                   MS. COPLAN: I live at 7003 Meadow  
9   Lane, and I'm speaking for myself and my  
10   husband.

11                   And first, we've lived here 29  
12   years, and I would like to address the  
13   comments of an earlier resident who spoke  
14   about how things have changed in the  
15   neighborhood. I would certainly agree with  
16   that, but I would say that the current Council  
17   is in the best tradition of governance in this  
18   town. They're fair; they're conscientious;  
19   and they act in the best interest of the  
20   residents.

21                   And instead of making personal  
22   attacks, I would like to say thank you very

1 much.

2           Most of what we were going to say  
3 has already been said, but I will summarize.  
4 We believe that the town should pursue legal  
5 remedies for one simple reason. The proposed  
6 light rail Purple Line won't solve any  
7 problems. It will create them, especially for  
8 the town.

9           The need for this transit line has  
10 not been established, as someone said so well.  
11 The state refuses to release ridership numbers  
12 along this route. Although nothing is  
13 guaranteed, a lawsuit to release that  
14 information is a case we could win, according  
15 to a transit expert who spoke at the last  
16 meeting.

17           The problems of the light rail  
18 have been very well identified so far. I  
19 don't think it was mentioned that it would add  
20 to erosion problems along our border as heavy  
21 equipment regrades and moves the land, and it  
22 will put even bigger holes in our state and

1 county treasuries.

2           Who will pay the \$1 billion  
3 minimum over reach for light rail beyond what  
4 bus rapid transit would cost? We will. Even  
5 if the federal government pay a portion, it  
6 will still come out of our taxpayer pocket or  
7 those of our children.

8           The town spending on legal action  
9 is a modest investment. Delaying this swindle  
10 is itself a worthy goal. Time is money out of  
11 developers' pockets. Public opinion may catch  
12 up with the thinking of transportation leaders  
13 and elected officials who now are proposing  
14 network or bus rapid transit as the preferred  
15 mass transit solution to urban and suburban  
16 traffic gridlock.

17           If it is delayed, support for the  
18 proposed light rail Purple Line may erode as  
19 people learn the facts and see the folly and  
20 danger of this proposed rail line.

21           thank you.

22           MAYOR STROM: thank you.

1 Donna Worsham and then Jonathan  
2 Berlowe Binder.

3 MS. WORSHAM: I'm Donna Worsham,  
4 and I live at 4117 Woodbine Street.

5 I guess to me when you talk about  
6 going forward with a lawsuit I don't think  
7 that people ought to be looking to the end  
8 result of can we defeat the purple line by  
9 having a lawsuit. I think we should be  
10 looking at the shorter term goal of forcing  
11 the state to come out with how they came up  
12 with these ridership numbers and how they came  
13 up with the environmental impact study that  
14 they came out with.

15 I don't see how spending the money  
16 on that portion of it could possibly be a  
17 waste of money. It's just putting sunshine  
18 into a process that should have had sunshine  
19 already.

20 In my family, no one uses the  
21 trail. We are not trail people at all, but we  
22 think that the trail increases our property

1 values, and we think that the loss of the  
2 trail and where you can say that you have a  
3 town next to a railroad track is not going to  
4 be as attractive. It's not going to just  
5 affect the people who live by the trail. It's  
6 going to affect everybody in the town because  
7 the property values on this side of the town  
8 will inevitably go down, and that will affect  
9 everyone.

10                   And when you're sitting here  
11 talking about the cost of this lawsuit,  
12 somebody ought to factor in the cost of the  
13 long-term depreciation in property values on  
14 the tax revenue in the town.

15                   And one thing I would like to say  
16 is that when people have been, in my view,  
17 impugning the members of the Council, the  
18 people in this town voted for the people on  
19 the Council knowing exactly what their views  
20 were on the Purple Line. So I think it's  
21 disingenuous to say that they have been going  
22 out on a limb not allowing for what the people

1 in the town think.

2 Thank you.

3 MAYOR STROM: Thank you.

4 Jonathan and then the next person  
5 is Jacob Bardin.

6 MR. BINDER: First thank you very  
7 much for taking the time to listen to the  
8 town. You're obviously hearing a lot of  
9 diverse opinions.

10 My name is Jonathan Berlowe  
11 Binder, and I live on Walsh Street. My house  
12 does not abut the trail. I use it on a  
13 regular basis. I ride my bike. I run. I  
14 take the train downtown, and I very rarely  
15 drive. So that sets the framework.

16 I've been a resident of the town  
17 for 14 years. I grew up in Bethesda. I  
18 remember riding my bicycle and very  
19 infrequently being forced to stop and wait for  
20 the railroad to pass, and I have a lot, after  
21 14 years, I have a lot of confidence in the  
22 Town Council. I support your decisions.

1 We've elected you. You have made and continue  
2 to make good, sound fiscal decisions, and I'm  
3 hoping that that will continue.

4 And I think that the decision for  
5 the Purple Line was flawed when it was  
6 originally made and it remains flawed.

7 This, as you've heard from people  
8 supported by independent -- reviewed by the  
9 World Resources Institute, and the legal  
10 standard for NEPA is not, as the gentleman  
11 before me said, arbitrary and capricious.  
12 It's not an arbitrary and capricious standard.

13 If we were looking at this  
14 decision today it would not come out this way,  
15 in my opinion. The county is looking at bus  
16 rapid transit. Northern Virginia is looking  
17 at bus rapid transit. About two weeks ago  
18 there was an article in the front page of the  
19 New York Times that talked about bus rapid  
20 transit in developing countries and how  
21 effective that is in getting people off the  
22 roads, funneling them into the city center and

1 back home effectively, and I think that that  
2 would be what the outcome would be today.

3           And I think it's appropriate for  
4 us to use our town's budget to litigate this  
5 issue. I think that you are elected leaders.  
6 My expectation and the expectation of the  
7 people who vote is that the leaders lead, and  
8 with that leadership I believe that the  
9 governor would follow. I believe that it  
10 would give the Town Council something to look  
11 for and to follow, and I think it would lead  
12 to the County Executive to alter his opinion  
13 as well.

14           And you are the elected leaders.  
15 We're looking for that leadership.

16           Thank you.

17           MAYOR STROM: Thank you.

18           Jacob Bardin and then Rose Miller.

19           MR. BARDIN: Thank you.

20           I'm Jacob Bardin. I live at 6905  
21 Oakridge, and I'm speaking for myself and my  
22 wife.

1           I think you guys know what I'm  
2 going to say, but I'll say it anyway, but I'll  
3 be brief.

4           The net is I don't believe this  
5 passes the sniff test. If you guys had to  
6 send out a letter to every town resident and  
7 say you were raising taxes by \$1,000 for this  
8 year to cover litigation against the Purple  
9 Line, for the Purple Line, whatever you want  
10 to call it, you wouldn't even be considering  
11 this. So in my opinion, that kind of is an  
12 open and closed issue.

13           Taking a step beyond that, just  
14 the fact that we have the money doesn't mean  
15 that we have to spend it. I think Lance did  
16 a good job documenting that we have and are,  
17 frankly, fortunate and blessed to have these  
18 funds, but we don't need to spend them just  
19 because we have them, and certainly returning  
20 them to the community might be one option to  
21 be considered.

22           Finally, on my own personal

1 opinion, and I realize that different people  
2 can have different views on this, I think that  
3 you are clearly on the wrong side of this.  
4 You like to compare yourselves to Justice  
5 Douglas fighting to preserve the C&O Canal.  
6 You're not fighting a highway here. You're  
7 fighting mass transit that's going to be used  
8 by lower and middle income folks who, frankly,  
9 aren't represented in the town for the most  
10 part.

11           The better analogy is the  
12 Georgetown community fighting to keep  
13 Georgetown from having a Metro stop which in  
14 my opinion is the biggest strategic deficiency  
15 of the system to this day, although to be  
16 honest, I don't know how the Georgetown  
17 community itself considers that.

18           A couple other quick points. I  
19 don't see the issue as BRT versus LRT. When  
20 Mark Elrich was here during his presentation,  
21 he made it clear that for BRT to be successful  
22 you needed to have a dedicated right-of-way.

1 The dedicated right-of-way that's available  
2 into Bethesda happens to be right over here.  
3 It was bought 25 years ago to be a dedicated  
4 right-of-way for public transit, and for us to  
5 sort of try to usurp that at this point is, I  
6 think, bad faith, to say the least.

7 One other last point. There's  
8 sort of an undertone that the Chevy Chase Land  
9 Company is evil and everybody who supports or  
10 anybody who disagrees with that is somehow  
11 evil themselves. I, first, resent that.

12 Second, I think that we all would  
13 say that we support smart growth. Smart  
14 growth is providing for public transit and  
15 developing around that in the denser areas of  
16 the county. We all happen to live in a denser  
17 area of the county, and that's why most of us  
18 chose to live here in the first place. We're  
19 not out in the wilds beyond Gaithersburg.  
20 We're in a densely part of the county, and  
21 this is where public transit needs to be built  
22 and where development needs to occur.

1 Thank you.

2 MAYOR STROM: Thank you.

3 And I recognize both Rose Miller  
4 and Bill Miller. I think each one speaks?

5 MS. MILLER: I think, yes.

6 (Laughter.)

7 MAYOR STROM: You're both signed  
8 in. I realized I only called Rose, and then  
9 Bill and then Amy --

10 MS. MILLER: Our daughter signed  
11 in, too.

12 MAYOR STROM: No.

13 (Laughter.)

14 MAYOR STROM: -- Amy Costant.

15 Okay. Thank you.

16 MS. MILLER: Rose Miller, 7000  
17 Valley.

18 Like Doug Lowenstein, we're not  
19 here to debate the righteousness of the Purple  
20 Line. We're just here to address the question  
21 tonight.

22 We're opposed to expenditures for

1 litigation in addition to the half million  
2 already spent, whether directly or indirectly.  
3 That's because we're balancing the likelihood  
4 of success that Pat Burda herself described  
5 at the last meeting, the barriers to come and  
6 the results that would improve against the  
7 cost.

8           The Purple Line preserves the  
9 usable trail, but not the tree canopy. Many  
10 may say the canopy is worth the total  
11 expenditure of a couple of million. The  
12 question is not can we afford more legal  
13 expenses, but are they reasonable. In light  
14 of opportunity costs for other things we'd  
15 like to do as a town and in light of the  
16 likely outcome.

17           I noticed in the recent Chevy  
18 Chase Historical Society mailing that Pat  
19 Baptiste said the village sent all of its  
20 reserves in one week to dig out of the storm  
21 of '89.

22           We feel the council needs a

1 consultant to cost out infrastructure  
2 placement and to cost out various disaster  
3 scenarios. Until the Council establishes a  
4 credible capital budget, spending so largely  
5 on legal fees with the potential outcomes  
6 really doesn't seem reasonable

7 Basically a community association  
8 board of some consequence wouldn't find 5.7  
9 million, as big as it seems to us, in the  
10 replacement reserves excessive.

11 MAYOR STROM: Thank you.

12 Bill Miller. You don't have to.

13 (Laughter.)

14 MR. MILLER: I would like not to  
15 address --

16 MAYOR STROM: Could you state your  
17 name and address again please?

18 MR. MILLER: I'm sorry. Bill  
19 Miller at 7000 Valley Place.

20 MAYOR STROM: Thanks.

21 MR. MILLER: I'm not trying to  
22 take sides in this particularly, but I'd like

1 to suggest some factors that should go into  
2 consideration in making the decision.

3           The first would be where the  
4 constituents come out. I would suggest that  
5 anyone who is either indifferent or  
6 sympathetic to the Purple Line, but opposed  
7 going forward with the lawsuit; for those who  
8 are opposed to the Purple Line it's a little  
9 different calculation. There you have to  
10 evaluate the best and alternative uses of the  
11 money; the probabilities of success, whoever  
12 that's defined; and how much it's going to  
13 cost, of which we've had various estimates.

14           Those are really the relevant  
15 issues in this, not whether or not we care  
16 about the ecology or the environment or all of  
17 the other things that could be debated on  
18 this. The question is are we going to go  
19 forward with a lawsuit.

20           And I suggest that those are the  
21 relevant considerations for that.

22           MAYOR STROM: Thank you.

1           Amy Costant. The other people who  
2 signed up -- actually wait a minute. I'm  
3 sorry. And Dennis Van Dusen.

4           MR. VAN DUSEN: Am I to come  
5 forward?

6           MAYOR STROM: Yes, you are, and  
7 you're the last one on our list, and then I'm  
8 going to go back to a few people who signed up  
9 but weren't here when I called their name.

10          MR. VAN DUSEN: Hi, folks. I am a  
11 little bit concerned. I don't know --

12          MAYOR STROM: I just need your  
13 name and address.

14          MR. VAN DUSEN: I'm sorry.

15          MAYOR STROM: You're fine.

16          MR. VAN DUSEN: My name is Dennis  
17 Van Dusen, 6910 Ridgewood Avenue.

18                 I'm concerned because the Council  
19 is showing that they can spend money, and this  
20 has always been a big problem for me, but now  
21 I see how much money they can spend on these  
22 kinds of issues.

1           The real problem with that is the  
2 issue of focus. I don't think that there is  
3 enough focus on specific things that you can  
4 actually claim and win on in this particular  
5 suit. The kinds of issues that you might be  
6 able to win on are not the global question of  
7 whether this should be a Purple Line, but  
8 whether or not there's a specific stretch that  
9 has to be handled in a certain way in order to  
10 complete the line and whether or not there's  
11 a specific way that's an alternative to that.

12           If you don't have any alternatives  
13 that are real and the overall Purple Line is  
14 going to have to be built, then you don't have  
15 a case. If you have an ability to make some  
16 change in that plan that's realistic, then you  
17 don't have focus if you're saying that the  
18 whole Purple Line has to be stopped.

19           If you're going after the  
20 environmental impact statement and they can  
21 come up with some good alternative to that  
22 statement, either that or a good purpose from

1 the state's point of view, then you don't have  
2 any chance of winning whatsoever unless you  
3 stay very focused.

4 I don't see that focus. I think  
5 the expenditure is ridiculous because you  
6 don't have that focus. If you had that focus,  
7 I'd be supportive of it. If you chose  
8 something like the last 700 feet have to be  
9 underground. The last two miles have to be  
10 underground. If you could find a way to  
11 support that, if you could find an alternative  
12 statement, then you might have a good reason  
13 to say that the overall purpose may be  
14 correct, but in this particular case it  
15 affects you in a way that's improper. I don't  
16 think you're doing that.

17 And I don't see any way to justify  
18 an expenditure to lose just to delay, just to  
19 say that the overall Purple Line has no  
20 purpose when it does. So I'm just confused  
21 about why you folks have stood up this kind of  
22 overall excitement in a community without a

1 very good focus and why you've tried to  
2 polarize the community in the way you have  
3 because you don't have the focus.

4 Thank you.

5 MAYOR STROM: Thank you.

6 I'm just going to call the names  
7 of several people who signed up that weren't  
8 here when I called their name, and if they are  
9 here, please come forward if you'd like to  
10 speak still.

11 Henry Smith.

12 John Coble.

13 John Fitzgerald.

14 Amy Costant.

15 And then finally, is there anyone  
16 else in the room who hasn't testified who's a  
17 resident who would like to testify?

18 (No response.)

19 MAYOR STROM: Okay. Well, thank  
20 you.

21 I wanted to announce something  
22 totally unrelated to our evening since we have

1 so many residents. We are having a community  
2 progressive dinner Saturday, September 12th.  
3 It is after Labor Day. We inserted something  
4 about it in your July "Forecast." We'll send  
5 you another mailing in August, and it's going  
6 to be a celebration of the town's centennial,  
7 100 years since the first home in the town.  
8 People are volunteering; for example, Ketch  
9 Ryan, your neighbor is volunteering to cook.  
10 Other people are volunteering to host. Other  
11 people are doing desserts. You won't know who  
12 you are going to see. You might see the  
13 person you disagreed with tonight, and I think  
14 that's fine.

15 (Laughter.)

16 MAYOR STROM: Come here, have, you  
17 know, some hors d'oeuvres to start with and go  
18 over to sort of a sorting hat and pick the  
19 house you're going to. It really should be a  
20 lot of fun. We've got a lot of volunteers  
21 from the community relationship committee  
22 working on it. So I hope you'll all RSVP, you

1 know.

2 PARTICIPANT: (Speaking from an  
3 unmiked location.)

4 MAYOR STROM: September 12th.

5 It's a Saturday night, and we hope that a lot  
6 of people will come and you'll meet a lot of  
7 people maybe that you've never seen before in  
8 the town. We're hoping it will be a great  
9 chance just to meet some new people, and I  
10 want you all to know we really very much  
11 appreciate your letters, your coming out  
12 tonight. I assure you we are listening, and  
13 we've heard a lot of very, very important  
14 opinions and facts tonight.

15 And as I stated at the beginning,  
16 I just want to reiterate that we have not made  
17 a decision about litigation and that was the  
18 purpose tonight because we knew that people  
19 had a lot of points of view.

20 As I mentioned at the beginning as  
21 well, the governor has not announced his  
22 position. So we are at this point really

1 gathering a lot of feedback from the  
2 residents, and we really appreciate that you  
3 all took the time tonight to join us.

4 So does anyone else here want to  
5 add anything?

6 COUNCIL MEMBER LANG: My main  
7 comment is that we're here trying to decide  
8 something. So the people that think we've  
9 decided something already are kind of out of  
10 sync with where my head's at. I haven't  
11 really decided anything yet about where I  
12 stand or don't stand. That's the purpose for  
13 these hearings as far as I'm concerned.

14 COUNCIL MEMBER BARNES: I would  
15 agree. I would certainly echo that, as I  
16 think all the Council members would.

17 COUNCIL MEMBER LUBLIN: I think  
18 that's completely right. I'm tempted to offer  
19 Lance Hoffman his seat back on the Council.

20 (Laughter and applause.)

21 MAYOR STROM: Okay. Thank you all  
22 very much and if you didn't get to finish, I

1 apologize for interrupting you. Please E-mail  
2 us. We'll leave the record open.

3 (Whereupon, at 9:33 p.m., the  
4 meeting was concluded.)

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