



Town of Berwyn Heights

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Minutes Town Meeting January 10, 2018

The meeting was called to order at 7:00 p.m. Present were Mayor Cheryl Jewitt, Mayor Pro Tem (MPT) Jodie Kulpa-Eddy, Councilmembers (CMs) Patricia Dennison, and Gerald Shields. CM Chris Rasmussen had an excused absence. Also present were Cpl. Scott Krouse, Code Compliance Supervisor Freddie Glass, Treasurer Michelle Rodriguez, Clerk Kerstin Harper, Officer-in-Training Christiane Rufino, PRECA aide Stephen Isler and citizens. Town Administrator (TA) Jessica Cowles and Chief Antolik had an excused absence.

Mayor Jewitt led the Pledge of Allegiance.

1. Minutes

Clerk Harper read a summary of the December 13 Town meeting minutes. The minutes were approved in a 4 to 0 vote.

2. Guest Presentation (added item)

Mayor Jewitt welcomed Judge Tom Love, a former Mayor of Berwyn Heights. Judge Love said he came here tonight because he wants to thank the Council and the Town in person for erecting a bench with a plaque honoring his mother, the late Geraldine Love. The Town generously paid for the bench and plaque that surrounds a Linden tree planted in memory of Mrs. Love. This is in addition to naming the conference room after her, where she used to run a small library on a volunteer basis. He complimented the Town for memorializing the people who contributed significantly to its civic life around the Town Center.

3. Mayor's Report

Mayor Jewitt stated for the record that the Council held an executive session prior to its November 6 and December 4 worksessions regarding a personnel matter. She then gave a State of the Town address.

The Police Department continues to ensure that the Town remains one of the safest places in Prince George's County. They did a great job communicating with residents when a body was discovered on the Nevada Street trail, and worked seamlessly with County Police to arrest the suspects in short order. The effort to secure an emergency vehicle at low cost failed when many residents objected to the police having possession of a Humvee, a vehicle designed for military use. However, the Town will look into other vehicles that could serve the Town during an

emergency. The Police also hired a new police officer to replace Officer Ramirez, who will be introduced later tonight.

The Administration Department engaged the business community to obtain approval for an increase in the special public safety tax levied on the commercial district, and led the amendment process of the Town Charter to reflect the 2005 annexation of several properties along Branchville Road, as well as the rewriting of the Town's Emergency Operations Plan (EOP).

The Code Compliance Department spearheaded the revision of the Rental Housing Ordinance to ensure it conforms with current State and County property maintenance regulations and to tighten rental rules for owner-occupied rental units. The Code Department continues its collaborative approach to get residents to comply with Town ordinances. Two code appeals were adjudicated by the Town Council in 2017; these demonstrated the importance for home owners to communicate with the Code Department when cited for a code violation.

The Public Works Department underwent a change of directors, with TA Cowles and Foreman Cardenas managing the Department in the interim. Kenneth Hall, who was engaged as a consultant to perform an in-depth study of the condition of Town streets, was hired as the new director in December. He will supervise the upcoming road project the Council set as a top strategic priority. The Department also conducted two citizen surveys to determine residents' preferences for refuse and recycling bins. Before undertaking the purchase of new bins, the Town launched an educational campaign to improve residents' refuse disposal habits.

The financial condition of the Town remains healthy, with revenues exceeding expenditures, and reserves continuing to grow. Berwyn Heights was one of the Maryland municipalities approached by the State in 2017 for reimbursement of an overpayment in income tax disbursements, which would have cost the Town \$159,000. However, since the overpayment was not the fault of municipalities, reimbursement was cancelled by legislation enacted by the Maryland Assembly.

Mayor Jewitt concluded by thanking volunteers for their contributions to the civic life of the Town, noting that the Shade Tree Board is the latest body among the variety of volunteer-staffed organizations operating in the community. Lastly, she encouraged residents to consider running in the upcoming Town Council election and wished all a happy new year.

4. Department Reports

Administration: MPT Kulpa-Eddy reported on the State of the Administration Department. The Department was busy revising the Charter to reflect changes in the Town boundaries, helping update the Rental Housing Ordinance, implementing live streaming of Council meetings over the internet, and acquiring new VOIP telephone system with conference phones in the Council chamber and the G. Love Room. The Department, with assistance from a UMD summer intern, completed a *Sustainable Communities* designation application, which will qualify the Town for a variety of State grant programs ranging from economic development to historic preservation. In September, the Department organized a successful emergency management workshop and completed the rewrite of the Emergency Operations Plan.

For the remainder of the year, the Administration Department is preparing a State-mandated update of the Ethics Ordinance, as well as a comprehensive revision of the Animal Ordinance,

the FY 2019 budget process and the upcoming Town Council election. MPT Kulpa-Eddy concluded by announcing that she will not seek re-election this year. She is planning to retire from her day job, which will require wrapping up a number of projects that do not leave enough time for the commitments of a Councilmember. She encouraged residents to consider running for Town Council. The filing deadline is on March 6.

Mayor Jewitt said she is surprised by MPT Kulpa-Eddy's announcement and hopes she can be convinced to run again.

Treasurer's Report: In the absence of TA Cowles, Treasurer Rodriguez gave a brief report for the Administration Department. Performance evaluations for all employees have been completed, a new Town attorney has been hired and the recruitment of a new Public Works director completed. The Department has begun preparations for the FY 2019 budget, is drafting changes to the Ethics Ordinance and is finalizing the scope of work for an Urban Land Institute Technical Assistance Panel that will review and propose improvements along the Route 193 corridor.

Ms. Rodriguez continued with the Treasurer's report for December, noting that a large payment of \$99,300 was made to the Maryland State Retirement System, representing the Town's contribution to employee pensions. In response to MPT Kulpa-Eddy, Treasurer Rodriguez said that the NW/EP trailer reserve does not reflect the transfers of any unspent FY 2017 funds.

Code Compliance: Supervisor Glass gave the Code Compliance report for December. A total of 26 code violations were issued, as well as 4 building permits, 2 dumpster permits and 16 rental licenses. No new rental properties were registered and vacant properties numbered 12. In response to questions, he said in 2018 he plans to focus on responding to complaints and streamlining internal operations to reduce paperwork. The violations categorized under Grass/ Invasive Species/ Tree parts in the December report are probably not tall grass violations, but likely have to do with tree limbs and other vegetation issues.

Parks and Recreation, Education and Civic Affairs: CM Shields said that he will miss MPT Kulpa-Eddy when she retires. She carried a heavy load of commitments and was a source of inspiration to him. For the record, he noted that Dr. Kulpa-Eddy has been cited as an authority in Veterinary Medicine in her position as Veterinary Medical Scientist with the Federal Animal and Plant Health Inspection Service.

CM Shields reported that he continues to accept comments on a Town organizations policy he is in the process of drafting. The Town's parks are well maintained and contribute to its charm. Berwyn Heights Elementary School is in good hands under the new principal Amanda Alerich. The Recreation Council is starting to gear up for Berwyn Heights Day and works with County agencies when needed. The following homes were selected as winners of the holiday decorating contest: 3rd place 8800 58th Avenue, 2nd place 5811 Seminole Street, and 1st place 8500 60th Avenue.

Stephen Isler, Parks & Recreation aide, reported that he attended the meetings of the NW/EP, Historical Committee and the Recreation Council in December, and gave a run-down of upcoming community events. He also commended the director of the Berwyn Heights Community Center, who wishes to encourage Town organizations to utilize the resources

available there. She fully supports Berwyn Heights Day planning efforts, and will host the first planning meeting on January 16 at the Community Center, located at 6200 Pontiac Street. Lastly, Mr. Isler announced he can now be reached under a Town email address at sisler@berwynheightsmd.gov.

Public Works: Director Hall thanked residents for cooperating with Public Works on improving refuse and recycling collections, and for being patient with loose leaf collection, which suffered repeated delays due to vehicle breakdowns. Public Works completed a street assessment study, which will serve as the basis for planned street renovations in the summer of 2018. The Department is also preparing for possible snow events, and is requesting residents' assistance by keeping vehicles off the roads when snow clearing operations are underway. Director Hall concluded with a report of refuse collection statistics.

In response to MPT Kulpa-Eddy, he said the Police put up tape at the intersection of Ruatan Street and 63rd Avenue last weekend because a patch of black ice had formed there before the crew could apply a salt treatment.

Public Health and Safety: Cpl. Krouse gave the police activities report for December. He introduced Christiane Rufino, who was hired as the new police officer. She was chosen as the top candidate among 200 applicants. Her first day on the job will be February 5 and, starting in April, she will attend the Prince George's County Police Academy. Ms. Rufino greeted the Council and audience, saying she is honored and excited to start working for Berwyn Heights.

Cpl. Krouse reported the Department ramped up its patrols during the holidays to deter crime. There were 6 Part I offenses in December, slightly above the 5-year average of 5.2. The year-to-date number was 63, as opposed to the 5-year average of 62.9. The Police also issued 150 state and municipal citations, exceeding last year's numbers despite operating with one less officer for 7 months.

Looking back over 2017, Part I offenses included 1 homicide, 0 rapes, 11 assaults, 4 robberies, 13 burglaries, 32 larcenies and 2 stolen autos. This continues an ongoing trend of lower crime rates since 2010 when Chief Antolik became Chief of Police. Cpl. Krouse also reviewed last year's accomplishments and goals for the coming year. Goals include updating the Police General Orders to include body cameras, re-establishing midnight patrols, holding another Coffee with Cops event, producing a public safety video for BHTV and a training video for new recruits, and continuing to collaborate with the community on public safety programs.

The Council went into recess from 8:11 p.m. to 8:22 p.m. due to CM Dennison requiring medical attention and subsequently leaving the meeting. Following the recess, Cpl. Krouse continued with the police report. He said the Department has hired a new bi-lingual police clerk, Mercy Murales, and purchased an AED device to be installed in the Senior Center. He continues to work with the Defense Logistics Agency on getting the Humvee transferred out of Town, but this requires another eligible agency to apply for the vehicle through the 1033 program.

In response to questions, Treasurer Rodriguez said she believes that no insurance is being paid on the Humvee because it is not being moved. Cpl. Krouse explained that the INLET conference attended by several BHPD officers each year is an FBI-sponsored counter-terrorism training, where law enforcement, defense and intelligence professionals are being informed about the

latest threats and how to deal with them. Lastly, Cpl. Krouse thanked MPT Kulpa-Eddy for her support of the Police Department, and her assistance with grants and other matters.

5. Committee Reports

Green Team: No report.

Historical Committee: Chair Debby Steele-Snyder reported that the BHHC continues to interview many long-time residents for its oral history program and is narrowing down options for a larger museum storage cabinet. For its March 18 spring reception, the Committee was able to secure Aaron Marcavitch, Executive Director of the Anacostia Trails Heritage Area (ATHA), for a lecture and book signing. His history of US Route 1 between D.C. and Baltimore will be released in March, just a few days prior to the event.

Neighborhood Watch/Emergency Preparedness: Co-chair Mike Attick reported that NW/EP will hold a CERT training class on March 10 and 11. Interested residents should contact him at mikeattick@verizon.net to sign up. NW/EP participated in the search for a missing man from Beltsville. Unfortunately, he was found dead from exposure near BWI airport. All are welcome to attend NW/EP monthly meetings held on the first Wednesday of the month.

Recreation Council: Reported under Parks & Recreation Department Report.

6. Unfinished Business

There was none.

7. New Business

Ordinance 110 – Ethics - 1st Reading & Introduction of Amendments: Mayor Jewitt explained that the Maryland Assembly during the 2017 legislative session passed revisions to the State Ethics Law, some of which apply to local governments. The changes that must and may be adopted were outlined in a letter by the State Ethics Commission to the Town. The changes to Ordinance 110 introduced tonight are as follows:

- Prohibiting elected officials and designated staff from lobbying the Town on legislative matters for 1 year after leaving office;
- Redacting home addresses in financial disclosures;
- Removing exchange traded funds, such as mutual funds, from financial disclosure.

Clerk Harper read the adopting language of the Ordinance. MPT Kulpa-Eddy noted that, during the Council's review of the Ordinance, the meaning of lobbying was clarified as "assisting or representing another party for compensation in a matter that is the subject of legislative action." CM Shields moved, and MPT Kulpa-Eddy seconded to introduce the amended Ordinance. The motion passed 3 to 0.

8. Citizens Discussion

Mike Attick, 62nd Avenue, commented on trash bags being left at the side of the road, the Council's decisions regarding 2 code appeals heard at the December 18 worksession, signing up to speak at the Council's budget worksession, expenses charged to the NW/EP budget, plans to move Berwyn Heights Day activities to BHES grounds, and procedures and problems regarding the salting of streets.

Mr. Attick also returned to the subject of citizens being allowed to comment at all public meetings, as addressed in Section 304 of the Town Charter. Mayor Jewitt said, according to the Charter, a Town meeting is the only public meeting at which citizen comments are formally a part of the agenda. She checked with the Town Administrator and Town Attorney about the issue, and was assured that the Council need not permit citizen comments at worksessions. Mr. Attick said that this appears to conflict with the practice of approving purchases above \$10,000 at worksessions, which according to Section 609 of the Town Charter must be approved at a Public Meeting. Clerk Harper said Council Rules provide the details on how Town meetings and worksessions are to be conducted. The provisions of the Charter are to some extent open to interpretation, and the Council asked for the Town Attorney's interpretation.

Mr. Attick maintained the way meetings are conducted now is not transparent. A resident would not know about the Council's recent approval of a \$16,000 expenditure for security improvements unless he watched the last worksession. Mayor Jewitt said the security improvements were discussed at 2 worksessions, the recordings of which are available online. In addition, they were appropriated in this year's budget.

Joan Hayden, Seminole Street, asked for an update on recycling bins with wheels and the survey results. Mayor Jewitt replied the purchase of recycling bins with wheels is on hold while the Town is engaged in an educational campaign on recycling. The matter will again be taken up during the budget worksession with input from Public Works Director Hall.

The meeting was adjourned at 9:07 p.m.

Signed: *Kerstin Harper*, Town Clerk