



# Town of Berwyn Heights

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## Minutes Town Meeting May 10, 2017

The meeting was called to order at 7:02 p.m. Present were Mayor Cheryl Jewitt, Mayor Pro Tem (MPT) Jodie Kulpa-Eddy, Councilmembers (CMs) Patricia Dennison, Chris Rasmussen, and Gerald Shields. CM Shields arrived at 7:39 p.m. Also present were Town Administrator (TA) Jessica Cowles, Chief Kenneth Antolik, Detective Daniel Unger, Code Compliance Supervisor Freddie Glass, Public Works Director Stevie Cox, Treasurer Michelle Rodriguez, Clerk Kerstin Harper, and citizens.

Mayor Jewitt led the Pledge of Allegiance.

### **1. Mayor's Report (discussed out of order)**

With Council's approval, Mayor Jewitt moved up the Mayor's Report on the agenda to accommodate Park Police officers, who came for a briefing on the body found on a Berwyn Heights trail. Before turning over the floor, Mayor Jewitt reported that the Council held an executive session on a real estate matter at the May 1 worksession. Further, the Council had a meeting with the Commercial District Management Authority (CDMA) on April 18, at which the Public Safety Taxing District (PSTD) budget was approved. On April 26, she attended a Four Cities Meeting, at which Council representatives started planning for the replacement of the jointly-owned street sweeper, and on April 27, she participated in a National Junior Beta Club convention, at which Berwyn Heights Elementary School students were honored for academic achievement and leadership skills. Lastly, she thanked all volunteers and staff who helped plan and stage Berwyn Heights Day.

Chief Antolik welcomed Lieutenant Tracy Lieberman and Sergeant Perry of the Maryland-National Capital Park Police. He assured residents that the Town remains safe despite the discovery of the body of a slain man on the Nevada Street trail. Anyone with information about the incident may contact him or Prince George's County Crime Solvers.

Lt. Lieberman said she and Sgt. Perry are here to answer questions about the homicide. However, since this is an active investigation, led by Prince George's County Police, many details cannot currently be disclosed. Sgt. Perry, who heads the team patrolling the trails in this area, will go door knocking along Nevada Street and adjacent streets to speak with residents, and provide them a direct phone number they can call with information or questions.

Lt. Lieberman and Sgt. Tracy responded to questions and shared the information they could disclose: the body was discovered by a resident the evening of May 3; the crime was not random; and the victim was not a Berwyn Heights resident. Residents suggested posting signs at the Nevada Street trail head indicating that parks close after dark and that trespassing is a punishable offense.

## **2. Hearings**

Mayor Jewitt said that the Council has finalized the FY 2018 budget since introducing it at the April Town meeting, and will adopt it later tonight. The budget was published in the Town Bulletin and on the website. Residents are invited to comment.

At 7:37 p.m., Mayor Jewitt opened the hearing on the FY 2018 General Fund budget. There were no comments and at 7:38 p.m. Mayor Jewitt closed the hearing.

At 7:38 p.m., Mayor Jewitt opened the hearing on the FY 2018 PSTD budget. There were no comments and at 7:39 p.m. Mayor Jewitt closed the hearing.

## **3. Minutes**

Clerk Harper read a summary of the April 12 Town meeting minutes. On a motion by CM Dennison and second by CM Shields, the minutes were approved 5 to 0 with corrections.

## **4. Department Reports**

**Administration:** MPT Kulpa-Eddy announced upcoming WSSC hearings on an alternative rate structure for water services to address a problem with preferential treatment of low usage customers in its current rate structure. MPT Kulpa-Eddy then reported on the County's budget process, including the Town's continued effort to receive tax differential credit for purchasing its police and public works vehicles outright, and the County's \$7 million appropriation for a North County animal shelter. Lastly, MPT Kulpa-Eddy remarked on a successful Berwyn Heights Day and appreciated Town staff on the occasion of Public Service Recognition Week.

Treasurer Rodriguez gave the Treasurer's report for April. TA Cowles reported that she spent the last month completing the FY 2018 budget, preparing the FY 2017 budget amendments and getting a start on the FY 2017 audit. She noted that the department directors honored their "Employees of the Year" on Berwyn Heights Day: Detective Dan Unger for the Police Department, Adrian Forbes for the Code Department, Dan Woodard for the Public Works Department and Kerstin Harper for the Administration Department. Clerk Harper received the overall award for the Town's employee of the year.

**Code Compliance:** Director Glass gave a summary of Code Compliance activities for April. There were 38 code violations, most of them relating to clean lots. Rental homes reached 196 and vacant properties stood at 11. The Department is making good progress on reducing bamboo throughout the Town and has developed a partnership with the National Zoo to pick up bamboo to feed the giant pandas.

In response to questions, Director Glass said that he worked with TA Cowles on a simplified application form, which is available on the Town website, to prepare for the amended Rental Housing Ordinance going into effect. Instead of sending out an application package prior to the license renewal due date, rental home owners are now notified on a post card to download the

application forms from the website and send them in. The Department's employees are ready to respond to any questions about the revised Ordinance.

CM Rasmussen added that rental home owners are now required to have 10-year, sealed smoke detectors and carbon monoxide detectors on each level of a rental home. Mayor Jewitt asked if there is any news on how Prince George's County plans to handle Airbnbs. Director Glass said no regulations have been enacted yet.

***Parks and Recreation, Education and Civic Affairs:*** CM Shields reported that Berwyn Heights Day was great, with the Council serving more than 100 people at the pancake breakfast. He continues to work on the MML Banner City accreditation, as well as a citizen survey to rate Town services. At the next worksession, he plans to give an overview of civic organizations to gain a better understanding of how they interact with the Town. He noted that the City of Greenbelt and its residents successfully blocked the erection of a large cell tower on the property of Eleanor Roosevelt High School.

***Public Safety:*** Chief Antolik congratulated Clerk Iris Cruz on being awarded the outstanding performance award and Sgt. Moroney the Purple Heart. Detective Sgt. Unger gave a report on a May 5<sup>th</sup> armed robbery of the 7 Eleven on Greenbelt Road. The suspects escaped with \$125 from the cash register, but were recorded on security camera. Wanted pictures are posted on the BHPD's facebook page. Anyone with information should contact him or PG crime solvers.

In response to questions, Detective Unger said 7 Eleven has a corporate policy not to challenge robbers, and maintains minimal security at their stores. Mayor Jewitt expressed concern that the low level of security invites frequent robberies, endangers 7 Eleven employees, and diverts Berwyn Heights police resources.

Chief Antolik gave the police activities report for April. There were 6 Part I offenses, as opposed to the 5-year average of 5. Police also issued 327 state and municipal citations and 57 speed camera tickets, all on Greenbelt Road. In response to questions, he said that the May 3 homicide will be recorded as a crime occurring in Berwyn Heights and within the Park Police jurisdiction. He will raise the reporting issue with the Park Police.

***Public Works:*** Public Works Director Cox reported that the new Administrative Assistant Aneyka Benjamin started work on April 10. Landscaping at the Town Center and Sports Park is almost complete. He and TA Cowles are working with Pepco on the tree replanting project to ensure that the newly planted trees survive. A recycling bin test conducted on Berwyn Heights Day yielded the following results: 60% of residents preferred the 64 gallon bins, 30% the 48 gallon bins and 10% the 36 gallon bins. Mixed solid waste amounts declined by 4% to 66% of total waste.

In response to questions, Director Cox said Pepco will replace dead trees up to 1 year after planting. He has asked them to stake trees planted at Pop's Park bent by heavy rains. He is continuing to encourage residents to recycle more through notices in the Bulletin and BHTV slide show.

## 5. Committee Reports

**Green Team:** Diana Agonoy announced that the Town-wide cleanup will take place on Saturday May 13, rain or shine, and that the next meetings are on May 11 and June 8. The Green Team is continuing to work on the Sustainable Maryland recertification.

**Recreation Council (discussed out of order):** Diana Agonoy thanked all volunteers who helped with Berwyn Heights Day. She appreciates having been named citizen of the year and enjoyed riding with the Mayor in the parade. Leftover cakes from the Senior's bake sale were served on Senior Howard Johnson's 96<sup>th</sup> birthday. Ms. Agonoy also announced a Rock'n Roll concert on June 4 at Sports Park with the band "The Side Effect" featuring mailman Kenny.

**Historical Committee:** Clerk Harper reported that the BHHC offered a first-time tour of the Town museum on Berwyn Heights Day that led to an extended discussion with participants. In June, the BHHC is planning to check out the City of Laurel's historic walking tour. Anyone interested in coming along should look up the June Bulletin for the date and time.

**Neighborhood Watch/Emergency Preparedness:** Mayor Jewitt reported that she is working with NW/EP member Sarah Speth on putting together this year's Wine Festival. The fundraiser is likely to take place in August or September and will include wineries from Virginia as well as Maryland. MPT Kulpa-Eddy reported that the NW/EP Committee marched in the Berwyn Heights Day parade and had its emergency trailer on display. The Committee will again man the grills on National Night Out, and have a booth with information and giveaways.

## 6. Unfinished Business

**Ordinance No. 173 – 2<sup>nd</sup> Reading & Adoption of FY 2018 General Fund Budget:** Clerk Harper read a summary of the Ordinance. Mayor Jewitt thanked all residents who commented on the budget and invited the Council to make any additional comments. CM Rasmussen said that the new budget process TA Cowles had laid out worked well. He asked why a \$70 annual recycling fee is not listed in the adopting language of the Ordinance. TA Cowles replied that it is listed as a municipal fee on the County's tax bill.

MPT Kulpa Eddy summarized the changes in the Administration Department budget, which include the salary increases due to COLAs, merit pay and pay scale adjustments, funds added for next year's Town Council election, funding for several studies that came out of the Council's strategic planning workshop, and an increase in the 3-months operating reserve. CM Shields said he liked the one-day budget workshop and hopes it will be repeated in coming years.

On a motion by CM Shields and second by CM Dennison, the FY 2018 General Fund budget was adopted in a 5 to 0 vote.

**Ordinance No. 174 – 2<sup>nd</sup> Reading & Adoption of the FY 2018 Public Safety Taxing District budget:** Mayor Jewitt thanked those businesses representing the CDMA, who attended the April 18 budget meeting and approved the PSTD budget. CM Shields commented he hopes more businesses will attend next year. CM Rasmussen noted that the PSTD budget adopts the constant yield tax rate, which may not be sufficient to fund one police officer in the future.

Clerk Harper read a summary of the Ordinance. CM Rasmussen moved and CM Dennison seconded to adopt the FY 2018 PSTD budget. The motion passed 5 to 0.

## **7. New Business**

**Resolution 05-2017 - 1st Reading & Adoption of amended OptoTraffic agreement (discussed out of order):** Clerk Harper read the Resolution. TA Cowles said she asked Chief Antolik to be available to answer the Council's questions on the lookup fee and the process of issuing speed camera tickets. After the last worksession, she inquired, but OptoTraffic declined to lower the lookup fee. However, OptoTraffic agreed to shorten the duration of the agreement to 2 years, so that the Town can evaluate at that point if it wants to continue to utilize OptoTraffic's services.

Chief Antolik responded to the Council's questions. The reasons for the police not issuing a ticket when the speed camera has taken a picture of a violation include stolen tags, stolen vehicles, or other circumstances when the image of the vehicle does not match the Maryland Motor Vehicle Administration's record. In this case, the Town must cover the cost of the lookup fee, which happens with about 6% of all speed camera images. Out-of-State tags are looked up as well, but those vehicles are not flagged.

On a motion by CM Dennison and second by CM Shields, the Resolution was adopted in a 5 to 0 vote.

**Ordinance 171A – 1st Reading & Introduction of FY 2017 Budget Amendments:** Clerk Harper read a summary of the Ordinance. CM Dennison moved to introduce it and CM Rasmussen seconded. Mayor Jewitt gave the details on the amendments. MPT Kulpa-Eddy explained that the Council each year must amend the budget to account for unexpected expenses and receipts, so that the budget is balanced when reviewed by the auditor. The motion to introduce the Ordinance was passed in a 5 to 0 vote.

**Resolution 04-2017 – 1st Reading & Adoption of Joe's Movement Emporium Agreement:** TA Cowles read the Resolution. She added that an "Inspections" provision was added to the agreement to address the Council's desire to have a check-in/ check-out procedure to note potential damages, which are Joe's Movement Emporium's responsibility to repair. On a motion by CM Dennison and second by CM Rasmussen, the Agreement was adopted in a 5 to 0 vote.

## **8. Citizens Discussion**

Councilmembers shared citizens comments they received on new recycling bins, whether a particular tree is on private or Town property, Branchville fire house access issues, the homicide discussed earlier tonight, a dog frequently on the loose, and the number of studies undertaken by the Town in recent years.

Phil Ventura, 57<sup>th</sup> Avenue, commented on Public Works being proactive about tree maintenance; incorrect and missing road stripes on Branchville Road near the Suntrust Bank, as well as the intersection of 57<sup>th</sup> Avenue and Pontiac Street; and Town Center lights being left on all weekend. He also asked if any progress has been made on the installation of security systems at Town facilities, with which he can assist.

The meeting was adjourned at 9:26 p.m.

Signed: *Kerstin Harper*, Town Clerk