



Town of Berwyn Heights

5700 Berwyn Road
Berwyn Heights, MD 20740
Tel. (301) 474-5000
Fax (301) 474-5002

Minutes Town Meeting November 8, 2017

The meeting was called to order at 7:04 p.m. Present were Mayor Cheryl Jewitt, Mayor Pro Tem (MPT) Jodie Kulpa-Eddy, Councilmembers (CMs) Patricia Dennison, Chris Rasmussen, and Gerald Shields. Also present were Town Administrator (TA) Jessica Cowles, Colonel Scott Krouse, Code Compliance Supervisor Freddie Glass, Clerk Kerstin Harper and citizens.

Mayor Jewitt led the Pledge of Allegiance.

1. Mayor's Report

Mayor Jewitt wished everyone a happy Veterans Day. She thanked the Town for sending her to the Maryland Municipal League fall conference in Rockville this year. She attended the featured workshop on homelessness and the opioid crisis and other workshops. Highway User Revenue restoration was again chosen as the MML's legislative priority, with the suggestion to enlist citizens in lobbying state legislators through social media.

Mayor Jewitt further reported that the Town will interview candidates for the Parks & Recreation aide and Public Works director positions in the coming weeks; that the Police held its full departmental meeting, and that the street sweeper will be in Town starting November 20. A citizen suggested publicizing street sweeping dates on Twitter.

Mayor Jewitt commented she was unhappy about the proceedings of the October 19 Prince George's County Municipal Association (PGCMA) meeting. The board insisted on holding a vote on a resolution to support the Deferred Action for Childhood Arrivals (DACA) program, despite significant disagreement. The resolution contained a number of editorial comments and disparaging remarks about the President, which she felt uncomfortable supporting. Of 17 municipal representatives present, 9 voted for the resolution and 8 abstained because they would have liked to first consult with their councils on the matter.

2. Minutes

Clerk Harper read a summary of the October 11 Town meeting minutes. On a motion by CM Dennison and second by CM Rasmussen, the minutes were approved 5 to 0.

3. Department Reports

Administration: TA Cowles gave the Treasurer's report for October, as Treasurer Rodriguez was absent. In Administration Department news, TA Cowles reported that she is working with Andrew Fellows, Community Outreach Program Manager of the University of Maryland, on developing the Town's sustainability projects list, which should be completed within the next couple of weeks. The State Department of Housing & Community Development (DHCD) has informed her that the Town will be notified about its Sustainable Communities designation application in January 2018. TA Cowles continues to act as Public Works Director, while working on recruiting a new director. Further, the priority 1 sidewalks project has been closed out, the FY 2017 audit has been completed, and employee performance evaluations are in progress.

MPT Kulpa-Eddy reported that she attended a number of workshops and hearings. WSSC held a hearing on 5 new rate structure alternatives to replace the current one, which has been ruled as too preferential to low-volume customers. The Council reviewed the proposed rate structures, and submitted comments expressing its preference for a tiered system that has the least financial impact on a 3-person residential household, the category most likely to include residents on fixed incomes. At a Four Cities meeting in Greenbelt, attendees received a presentation on a homeless persons' day center near the Prince George's Plaza Metro station and an update on the PGC zoning ordinance rewrite. Several projects affecting the Four Cities and related letters of comment were also discussed, including routes for a proposed Super Conducting MAGLEV train, the widening of I-270, I-495 and the BW Parkway, and a Route 1-Edgewood Road intersection improvement project. On October 26, the M-NCPPC Planning Department held a Town Hall on the zoning ordinance rewrite, and answered questions about the comprehensive review draft released in September. The Council will consider whether to submit further comments by the December 15 deadline.

Code Compliance: Supervisor Glass gave the Code Compliance report for October. A total of 55 property violations were issued, as well as 13 building permits, 15 dumpster permits and 44 rental licenses. Two new rental properties were registered and vacant properties numbered 8.

In response to CM Rasmussen, Supervisor Glass explained how the Code Department handles code violations related to spreading bamboo. Often, bamboo spreads over multiple properties and it is no longer possible to determine where it started. If there are complaints, the Code Department asks neighboring property owners to contain bamboo within 2 feet of their property line. However, if all affected neighbors come to a written agreement to let their bamboo stand remain as-is, the Code Department will not demand containment. He does not have an update on how a bamboo problem between neighbors in the 6200 block of Pontiac Street was resolved.

In response to MPT Kulpa=Eddy, Supervisor Glass said that he investigates any incidents of excess water running in the curbs to determine if it is a water line break, an illegal discharge or runoff from a spring. If it is a watermain break, he notifies WSSC. WSSC will normally replace only the section of pipe where the break occurred.

CM Rasmussen wished all a happy Veterans Day and noted that a veteran's memorial (Phillips-Kleiner Post) at Route 1 and Route 193 is laid out in such a manner that the sun's shadow will point to the American flag at 11 a.m. He congratulated all those recently elected to serve on the College Park and Greenbelt city councils. Mayors Wojahn and Jordan were re-elected and Colin Byrd, a 24-year old citizen activist, was newly elected to the Greenbelt city council.

Further, CM Rasmussen reported that he attended his first NW/EP Committee meeting. He learned that an AED is on order for the Senior Center, that an inventory of the emergency trailer is scheduled for November 17, and that the Paint 'n Sip event raised \$1,257. He noted that the ball fields at Sports Park and Indian Creek Park are going to seed and wondered if they are being turned over to other uses. Lastly, he gave an update on the renovation of his Ruatan Street rental property, where he had a "stop work" order issued because the contractor neglected to get the necessary permits from the Town. The construction manager has now been replaced and a letter of apology was written by the company to Mayor Jewitt.

Parks and Recreation, Education and Civic Affairs: CM Shields reported that he continues to work on a Town organizations policy. The goal of the policy is to support the Town's community organizations, while reducing liability risks that may result from their activities. He highlighted the results of the recycling bin survey, and was surprised to find that only 27% of respondents indicated that a recycling bin with wheels would make them recycle more, and that 42% of respondents did not want to incur \$50 more in taxes to pay for such bins.

CM Shields thanked MPT Kulpa-Eddy for keeping the Town abreast of the PGC zoning ordinance rewrite, especially with regard to the bee-keeping issue, and NW/EP for helping ensure that Halloween festivities went off without incident. He informed that the Boys & Girls Club is looking into who is responsible for maintaining the baseball field at Sports Park and asked everyone to help keep the Lake Artemesia Park clean.

Public Works: TA Cowles reported that Public Works crew has worked on installing crosswalks, tree trimming and removals around Pop's Park and 58th Avenue. Curbside leaf collection started on November 1, with crews normally running the leafer in the afternoon, after they complete trash and recycling collections. She also reminded residents to place trash and recyclables into bins with a lid when setting them out for collection. The November Bulletin has a tear-out colored page that summarizes how to properly dispose of all refuse, to be followed by an every-door direct mailer in December. The educational campaign will be followed by stricter enforcement of the Town's refuse collection regulations. Residents cooperation is appreciated.

CM Dennison reported that the Town received many applications for the Public Works director position and has scheduled interviews with qualified candidates.

Public Health and Safety: Colonel Krouse gave the police activities report for December. There were 3 Part 1 offenses, compared to the 5-year average of 5.6, and 47 Part I offenses year-to-date, compared to the 5-year average of 54.4. The Police also issued 159 state and municipal infractions and 39 speed camera tickets on Greenbelt Road, as opposed to 163 speed camera tickets issued in October of 2016. Colonel Krouse concluded with safety tips for the Thanksgiving holidays.

4. Committee Reports

Green Team: Green Team member Diana Agonoy showed the plaque awarded to the Town for recertification in the Sustainable Maryland program, and thanked the Council for their support. The Green Team maintains a community garden and fulfills a number of requirements to qualify for Sustainable Maryland certification.

Historical Committee: Clerk Harper announced that the Committee will hold its fall reception on November 12, at which a historic walking tour application will be unveiled. All are invited.

Neighborhood Watch/Emergency Preparedness: Co-chair Mike Attick reported that NW/EP has a new member, who is a retired Colonel in the U.S. Army and a nurse practitioner. He also asked citizens be provided a detailed statement of expenditures of the Town budget so that he can determine how much money is available to his Committee at this point. He encouraged everyone to attend the next meeting on December 6. The Committee is in need of new volunteers.

Recreation Council: Recreation Council member Diana Agonoy reported that the Town holiday party will take place on December 2, 6 - 8 p.m., with Santa scheduled to arrive at 6:30 p.m. The Regifting party date has been set for January 13.

5. Unfinished Business

Resolution 08-2017 – Adoption of Emergency Operations Plan: Mr. Attick asked if citizens will be allowed to comment. Mayor Jewitt said that no comments will be accepted prior to adoption. MPT Kulpa-Eddy explained that the Emergency Operations Plan was released for public comment in September. It replaces an EOP dating from 2003, and has been reviewed by the Police, Public Works and Code Compliance Departments, the Berwyn Heights Volunteer Fire Department (BHVFD) and members of the NW/EP Committee. It was further refined based on information obtained in an emergency management workshop held on September 20, and tested against post-action debriefs from Hurricane Irene. This plan is comprehensive and should serve the Town well in any future emergencies.

Clerk Harper read the Resolution. A couple of minor corrections were made. CM Dennison moved, and CM Shields seconded to adopt the plan as corrected. The motion passed 5 to 0.

6. New Business

There was none.

7. Citizens Discussion

Mayor Jewitt said she received 2 comments on bamboo issues and one comment on the proposed Town Organizations policy. A resident said she would not attend the Town's Playgroup if a background check was required.

Mike Roberts, 58th Avenue, commented that he found the recycling information published in the current Bulletin very useful, adding that the current recycling bins are somewhat flimsy with handles breaking off with heavy use. He also asked if residents are allowed to set out clean recyclables in plastic bags, since they would not attract animals; pull weeds in the Town right-of-way if they are so inclined; and if the EOP would apply to flooding resulting from a watermain break. MPT Kulpa-Eddy said the EOP would apply to flooding.

Mike Attick commented the Council should consider hiring someone as Public Works director who has experience and knows the Town, possibly the current Public Works foreman. Cars parked in front of 2 new houses built next to the X-Tra gas station on 60th Avenue are creating a bottleneck and a problem for fire trucks exiting onto Greenbelt Road. Berwyn Heights' recycling mandate may be in conflict with State law. Allowing property owners to let bamboo spread across property lines, if they are mutually agreed, conflicts with the goal to rid the Town of bamboo. Street sweeping and leaf collection schedules should be publicized as much as possible. Mr. Attick also offered several comments on the EOP. Mayor Jewitt said it would have been useful to receive Mr. Attick's valuable comments before adoption of the EOP.

Phil Ventura, 57th Avenue, commented that last year's resurfacing of those Town streets torn up for the WSSC watermain replacement project was subpar, and may lead to premature buckling and heaving of the asphalt surface. A knowledgeable Public Works director could have monitored the project and ensured a better outcome. He recommended the Council next recruit a director who has practical experience, rather than one who earned a college education. Further, Public Works could have saved a lot of money by painting the new crosswalks, instead of applying thermoplastic strips.

Nathan Kight, 58th Avenue, asked whether there are any plans to underground utilities. If the Town were to dig trenches a few homes at a time this could be done at a reasonable cost in a foreseeable future. CM Rasmussen replied that moving of wires must be done by Pepco. The Town will check with Pepco to find out if there are plans for undergrounding.

Joan Hayden, Seminole Street, commented by telephone, asking whether the Town is in the process of passing a new Ordinance that would require a permit for cutting down trees on private property. CM Rasmussen replied that the chair of the Shade Tree Board had brought up this issue during a recent conversation. He informed her that it is currently not on the Council's legislative agenda. The Council would not pass such a regulation without legal review and a careful consideration of the public benefits that might warrant a permit to remove mature trees on private property. The permit requirement would not apply to diseased or hazardous trees.

Ms. Hayden further commented that the Council should not have adopted the EOP without providing the latest drafts at the public hearings on the plan. If the EOP is a living document, as has been asserted, it should not be a problem to include the comments Mr. Attick made tonight. Mayor Jewitt replied that Mr. Attick had been given the opportunity to comment on the draft plan on several occasions and, if received earlier, his comments could have been included in this version. However, the Council will continue to review the EOP and will consider these comments for the next update.

Mr. Attick said actually he was surprised at how good the plan is, and thanked MPT Kulpa-Eddy, TA Cowles and the Council for their efforts in putting it together.

The meeting was adjourned at 9:14 p.m.

Kerstin Harper, Town Clerk