



Town of Berwyn Heights

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MAYOR
Lynn White
COUNCIL MEMBERS
Stephen Isler (Mayor Pro Tem)
Jason Papanikolas
Ethan Sweep
Amanda Dewey

Town Meeting Minutes October 10, 2018

The meeting was called to order at 7:04 p.m. Present were Mayor Pro Tem (MPT) Stephen Isler, Councilmembers (CMs) Jason Papanikolas and Ethan Sweep. Mayor Lynn White and CM Amanda Dewey had excused absences. Also Present were Town Manager (TM) Maria Broadbent, Clerk Kerstin Harper, Chief Kenneth Antolik, Detective Daniel Unger, Sgt. Thomas Moroney, Cpl. Scott Krouse, Police Clerk Mercy Muralles and Officer in Training Christiane Rufino, her family and friends, as well as members of the Quality of Life Commission.

1. Announcements

MPT Isler said he will be acting as Mayor while Mayor White is absent. Mayor White is attending to a personal matter and is expected to return on October 12.

2. Citizen Comments

Phil Ventura, 57th Avenue criticized the management of the road repair project. He said the project includes an excessive amount of cement work, i.e. sidewalks, curbs and gutters that did not need to be replaced, and inadequate preparation of the road sub-base, i.e. not milling (scraping) the old asphalt to sufficient depth for resurfacing. He also criticized Public Works staff for cutting grass in the wrong places and marking crosswalks and stop lines with thermoplastic strips.

Meg Miller Shane said that the Quality of Life Commission advised that residents contact the Public Works Department directly rather than talking to the crews on site, if they want to report problems, such as weeds growing in sidewalks. Public Works is responsive to such reports.

3. Swearing-in of Officer Rufino

MPT Isler congratulated Officer Rufino for graduating from the Police Academy in the top of her class and then swore her in. He also read the Law Enforcement Code of Ethics, which Officer Rufino pledged to uphold. Officer Rufino thanked the Council, the residents, Chief Antolik and the BHPD for their vote of confidence and giving her the opportunity to become a police officer in this community. Chief Antolik said he is proud to lead a very talented group of officers to which Officer Rufino will be a wonderful addition.

The Council took a 10-minute break.

4. Minutes

MPT Isler said the Council decided to drop the reading of minutes at its last worksession and asked for motion to consider the minutes read. CM Sweep so moved. CM Papanikolas seconded. The motion

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passed 3 to 0. MPT Isler said the Council has reviewed the Town meeting minutes and submitted corrections, which are tracked in the version available tonight. CM Papanikolas moved and CM Sweep seconded to approve the minutes as amended. The motion passed 3 to 0.

5. Mayor's Report

No report.

6. Department Reports

Administration: MPT Isler said the Administration has worked on a couple of changes to the Employee Handbook and created a position for a Public Information Aide, which the Council will consider for approval under New Business later tonight. The Town Council has embarked on a comprehensive review of Council Rules, last updated in 2001, to ensure they conform with the Town's Charter and Ordinances and serve this Council's preferences for conducting business.

Treasurer's Report: Treasurer Rodriguez gave the report for September 2018. The Town received payments for real and personal property taxes, Highway User Revenues and State Police Aid. BHPD received two grants from the Town's liability insurer that will help fund body cameras and tuition for the police academy. The main expenditures were related to the road project and tree maintenance.

Town Manager's Report: TM Broadbent reported she is reviewing the Council's priorities with a view on how to move forward. She and Chief Antolik met with the Neighborhood Watch/ Emergency Preparedness Committee (NW/EP) to discuss its organization and will make recommendations regarding its status in the near future. Prince George's County plans to make improvements to the storm water outfall at the Nevada Street trail and will brief residents about the project at the November 8 Green Team meeting. She is working with the Code Department on re-calibrating several processes. A change to the building permit fee will be on the agenda tonight.

In response to questions, TM Broadbent said the electric vehicle is expected to be delivered within next few weeks. She is also working on a grant contract for the electric charging station she intends to bring before the Council in November.

Code Compliance: Code Supervisor Glass gave the code activities report for September. CM Papanikolas reiterated that he and TM Broadbent had been in repeated contact with the County regarding the pop-up canopies. It was learned that a permit is required. It may be useful to clarify this and a couple of other issues in the Town's code. TM Broadbent added that any resident who has a problem with a canopy issue should contact her. The Town will work with the County to resolve these issues.

Parks, Recreation Education & Civic Affairs: No report.

Public Works: Public Works Director Hall gave the monthly report. The Department continued to oversee the road repair work, helped set up for Hello Huskies Night and the Community Garden Party, cut grass and trimmed branches along roadways. Next month, Public Works plans to repaint crosswalks, stop lines and 'sharrows' along bicycle routes, and prepare the equipment for the leaf season. Director Hall also reported the refuse collection totals and gave an update on the road project and vehicle maintenance activities.

CM Sweep reported a citizen commented that a sign on Pontiac Street was mounted too low on the pole. Public Works has fixed this and all traffic signs with similar issues. MPT Isler suggested Director Hall and TM Broadbent meet with Mr. Ventura to discuss his concerns about the road project.

Public Safety: MPT Isler read a report submitted by CM Dewey, who was unable to attend this meeting. CM Dewey will be available to transport anyone who needs help to the polls on November 6, mid-term Election Day. The UMD Transportation Department replied to her inquiries about cuts in shuttle service to Berwyn Heights that no changes will be made during a semester. She will try to find out how to give input on changing the schedule for the next semester.

Chief Antolik reported that Cpl. Krouse and an intern spoke to BHES students about bullying. On November 10, BHPD will host a 'Coco with a Popo' community event. In September, Part I offenses came in at the new low of 1. The 5-year average is 6.8. The year to date total was 36. The Police also issued 141 state and municipal citations and 22 speed camera tickets. Chief Antolik cautioned residents to be prepared for Hurricane Michael should it impact Maryland.

MPT Isler said he received a citizen comment about surveyors entering private property without permission and asked if they should notify the Police. Chief Antolik said they should report anything unusual or suspicious. Door-to-door vendors must have a solicitors' permits issued by BHPD.

7. Committee Reports

Quality of Life Commission: Chair Meg Miller Shane thanked the Commission members for their investment of time and effort in producing actionable recommendations for improving community living. Councilmembers were provided binders containing recommendations from three sub-committees dealing with code enforcement, traffic and parking, and beautification. Additional information regarding outreach and inclusion of minorities, as well as the 2020 Census will be forthcoming. Some concerns the Commission raised were already addressed by the Town government. Code enforcement remains a key area for improvement and a number of traffic concerns remain unresolved. The Commission is considering meeting on a quarterly basis to review what progress is being made.

MPT Isler said he is very appreciative of the Commission's work and looks forward to studying the materials provided. This type of input from residents is what makes him want to serve on the Council. Maria Newsom thanked Ms. Miller Shane for her leadership and keeping the Commission on track.

Education Advisory Committee: No report.

Green Team: No report.

Historical Committee: Chair Richard Ahrens reported that the Historical Committee held elections at its last meeting and elected him as chair. At the same meeting, Jodie Kulpa-Eddy was present to inform everyone about Team Trivia Night, to be held on November 2. The Historical Committee will field a team. For its fall reception on November 11, the Committee will host Susan Pearl for a presentation on the Taverns of Prince George's County.

Neighborhood Watch/ Emergency Preparedness: TM Broadbent reported that she and Chief Antolik met with the NW/EP members and explored different options for the Committee to interface with the

Town. One option is for the Committee to become an official Town organization which would be activated by the Town's emergency manager. As such, it would be covered by the Town's liability insurance. Another option could set the Committee up as an independent non-profit organization that activates on its own accord but would not necessarily have access to the full range of Town resources.

Recreation Council: MPT Isler reported upcoming events, including the new Team Trivia Night on November 2, Trunk or Treat on October 20, Halloween, and the annual Tree Lighting on December 8. On October 23, the Town will host a flu shot clinic. He thanked the Boys & Girls Club for a wonderful fall fest.

Unfinished Business

There was none.

8. New Business

Resolution 07-2018 Amending the Building Permit Fee: Clerk Harper read the Resolution. TM Broadbent explained that this Resolution would enact a lower, two-tiered building permit fee that more closely reflects the effort expended in reviewing the building plans. This responds to many complaints about Berwyn Heights charging the same building permit fee as the County while not performing the same technical review of building plans. The proposed fees of \$75 for construction valued under \$25,000 and \$125 for construction valued above \$25,000 would result in less revenue. An accurate estimate of the fiscal impact requires information about the value of construction projects, which the Town currently does not collect, but would start to collect after enactment.

CM Papanikolas commented that he has advocated for revising the Town's building permit fee and supports the proposed fee structure. It is in line with what other Prince George's municipalities charge. He thinks the permit fees should not be set to raise revenue but should reflect the Town's efforts in ensuring construction projects are carried out safely and in conformance with the plans. CM Sweep and MPT Isler also expressed support for the proposed fee structure.

Phil Ventura commented the Council might want to consider adopting a sliding fee structure for construction valued above \$25,000 to be able to recoup a commensurate fee in the event a very large project comes along. CM Papanikolas and TM Broadbent said there are very few projects valued over \$25,000 in a given year. In 2018, 2 out of 53 projects were in that category. If needed, another fee could be added for projects valued above \$100,000. CM Papanikolas moved and CM Sweep seconded to adopt Resolution 07-2018 revising the building permit fee schedule. The motion passed 3 to 0.

Resolution 08-2018 – Adopting Sick & Safe Leave Policy of the Maryland Working Healthy Families Act: Clerk Harper read the Resolution. TM Broadbent explained the General Assembly in February 2018 adopted the Maryland Healthy Working Families Act which requires employers to grant sick leave for

- incidents of domestic violence, sexual assault or stalking;
- caring for a family member to include grandparents, siblings and legal guardians regardless of whether they are members of the same household;
- part-time employees who work at least 24 hours per week;
- Maternity and paternity leave.

The fiscal impact of this change in the sick leave policy will be minimal as there are only a couple of part-time employees who would become eligible for sick leave. CM Sweep moved and CM

Papanikolas seconded to adopt Resolution 08-2018 adopting the new sick & safe leave policy. The motion passed 3 to 0.

Resolution 09-2018 Adopting an Adverse Weather Compensation Policy: Clerk Harper read the Resolution. TM Broadbent explained that this Resolution amends the Employee Handbook to compensate employees who must work when Town offices are closed at a rate of 1 ½ times their regular pay, primarily in the event of adverse weather or emergencies. This needed clarification as to which employees are exempt and not exempt from the work requirement, when those employees must work and how they will be compensated. The revised policy also clarifies the circumstances under which liberal leave may be taken. CM Sweep noted that revised language refers to ‘Town Administrator’ rather than ‘Town Manager’, which should be changed. He moved to adopt Resolution 09-2018 as amended. CM Papanikolas seconded. The motion passed 3 to 0.

Resolution 10-2018 Creating the Position of Public Information Aide: Clerk Harper read the Resolution. TM Broadbent explained that the position of public information aide is intended to help the Town improve communications with residents. An aide would likely work on adding content to the Town website, improve social media presence and promote Town events and programs. The pay rate for the position would be \$15.50 per hour and funding would be shifted from other areas in the budget, i.e. the Parks & Recreation Aide position, which has not been filled, wages for cable operators and Bulletin publishing. The annualized cost of the position would be approximately \$12,800.

MPT Isler said, if the aide is to promote events and programs, he or she should be asked to attend the meetings of Town organizations to have direct knowledge of their event plans. The aide would be a link between the organizations and the Town Council. CM Papanikolas said the position supports the Council’s goal to improve outreach with the community. He supports giving it a try. CM Sweep agreed that the position aligns with Council priorities. He thinks the aide may not need to attend all meetings but instead establish good relations with the chairs of the organizations.

Angie Wolfinger, Ruatan Street, commented the aide should attend at least the once-monthly Recreation Council meeting, which is an umbrella organization for all community groups. Phil Ventura added that attendance of the Recreation Council meeting should suffice, if attendance of the meeting were made mandatory for all organizations.

CM Papanikolas moved to adopt Resolution 10-2018 creating a Public Information Aide position. CM Sweep seconded. MPT Isler noted a spelling mistake. The Resolution was approved 3 to 0 as amended.

9. Citizen Comments

Phil Ventura announced that St. Hughes in Greenbelt will celebrate Oktoberfest the coming Saturday.

Mike Attick, 62nd Avenue, commented per telephone that ‘citizen comments’ were placed at the end of the agenda so that citizens could comment on any of the items discussed during the meeting. That would not be possible if ‘citizen comments’ are the first item on the agenda. MPT Isler replied that citizens will be able to comment both at the beginning and the end of a meeting.

The meeting was adjourned at 9:42 p.m.

Signed: *Kerstin Harper*, Town Clerk