



Town of Berwyn Heights

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Minutes Town Meeting May 8, 2013

The meeting was called to order at 8:00 p.m. Present were Mayor Calvo, Mayor Pro Tem (MPT) Wilkinson, CMs Almoguera, Dennison, and Kulpa-Eddy. Also present were Town Administrator (TA) Murphy, Chief of Police Antolik, Treasurer Lape, Clerk Harper, Budget Assistant Kyle Snyder and citizens.

Mayor Calvo led the Pledge of Allegiance.

1. Hearings

FY 2014 Town Budget: Mayor Calvo gave an overview of the FY 2014 budget. The FY 2014 operating budget totals \$2,439,717, which is 2% less than last year's budget. The FY 2014 capital budget totals 81,600, or 4% less than last year's. The reductions are due to a loss of 16% in real property tax revenues. The loss in revenues was in part made up by an increase of 21% in income tax receipts as well as higher State Highway User Revenues and Police Aid. The Council also cut spending to close the budget gap. The largest cuts come from replacing 2 vacant full time positions in the Police and Public Works Departments with part time positions. Thirdly, the Council transferred \$40,000 from the surplus to the operating budget and used surplus money to fund the one-time expenditures of a Town Administrator Search, emergency generators, and a COLA for employees. Tax rates for real and personal property remained unchanged.

At 8:05 p.m., Mayor Calvo opened the hearing. There were no comments. The hearing was closed at 8:06 p.m.

FY 2014 Public Safety Taxing District Budget: Mayor Calvo summarized that the PSTD budget is based on a special public safety tax that applies to the commercial district: 10 cents per \$100 of real property assessments and 15 cents per \$100 of personal property assessments. The total FY 2014 budget is \$71,611 which covers the cost of one full time officer, in this case Detective Unger. At 8:07 p.m., Mayor Calvo opened the hearing on the PSTD budget. With no comments, he closed the hearing at 8:08 p.m.

2. Minutes

Clerk Harper read a summary of the April 10 Town meeting minutes. On a motion by CM Dennison and second by CM Kulpa-Eddy, the minutes were adopted 5 to 0.

3. Treasurer's Report

Treasurer Lape gave the Treasurer's report for the month of April.

4. Mayor's Report

Mayor Calvo commended volunteers and staff for organizing another wonderful Berwyn Heights Day. He thanked his wife Trinity Tomsic for all her work coordinating this event in this tenth year of her stewardship of the Recreation Council. He also congratulated Kristin Buker on being named citizen of the year for her volunteer work on the Recreation Council, the Boys & Girls Club and the Berwyn Heights Elementary School (BHES) PTA.

Mayor Calvo reported that last week he, TA Murphy and Director Solomon had a productive meeting with representatives from Pepco, the State Highway Administration (SHA) and the Department of Natural Resources (DNR) to discuss upkeep of the Edmonston Road buffer. Pepco agreed to clean up the remaining logs and branches they had left behind from last year's tree trimming operation, and to replant the cleared areas with native holly trees. SHA promised to put the Edmonston Road buffer on a list of future landscaping projects aimed at clearing out the underbrush and invasive species that have taken over the buffer.

In a related matter, the Council has begun to revise Ordinance No. 118 to require public utilities to get a permit before they perform work in the public right of way. Pepco and other utilities would then have to submit their plans and get them approved by the Town before they can proceed to trim trees, trench streets and do other work in the right of way. The Council also continues to work on the sidewalks project. Town officials and C.P. Johnson engineers have met with Prince George's County staff to come up with an acceptable storm water management plan.

In other news, the FBI headquarters relocation process is moving forward, with the General Services Administration (GSA) considering the applications submitted by different jurisdictions. County Executive Rushern Baker reached out to Montgomery County Executive Leggett, and was able to obtain his support for the Greenbelt Station site, which required Montgomery County withdraw its own application. This enables all local, state and federal representatives to line up behind Greenbelt Station as the preferred location. On May 14, Berwyn Heights' school board representative Peggy Higgins will hold a community forum to discuss the reforms of Prince George's County Public Schools (PGCPS) adopted by the State legislature this spring. Berwyn Heights parents are encouraged to attend. He is disappointed in the continued opposition to the reforms by PGCPS school board members. There is an effort to send the reform legislation to referendum, which may hold up the selection of a new superintendent and other changes for 2 years.

5. Department Reports

Administration: CM Almoguera reported that the Administration Department has been very busy with finalizing the FY 2014 budget to be adopted tonight. The Town has received official notice of a \$91,000 grant award for the renovation of Pop's Park. Little Tikes has been selected as the playground equipment vendor and offered an additional \$27,000 in-house grant. A purchase order for the playground equipment went out today and construction may begin as early as late June.

Code Compliance: CM Kulpa-Eddy announced that a Purple Line public forum will take place at Riverdale Elementary School tomorrow night to update the public on this project and answer questions. Further, the Maryland Department of Transportation (MDOT) and CSX have dropped four proposed sites for an intermodal transfer station, including one in Beltsville, where

containers would have been loaded from trains onto trucks to be transported to Baltimore Harbor. Mount Clare Yards in Baltimore has been selected as the new site.

CM Kulpa-Eddy also issued a reminder for the graduation season that visitors refrain from parking on grass or any other unpaved areas. This is a code violation and can result in a fine. Residents are also reminded to place all trash into trash cans with a tight fitting lid and not place containers at the curb more than 12 hours before the collection and put them away by the evening of the day of collection.

Green Team: No report.

Parks and Recreation, Education and Civic Affairs: CM Dennison thanked CM Almoguera for her efforts in obtaining a grant for the renovation of Pop's Park. The grant made it possible to reduce the Parks & Recreation budget's equipment line item by \$3,000, where the Council last year set aside money for new playground equipment. CM Dennison also thanked all the volunteers who worked hard to make Berwyn Heights Day a success. She thought the new D. Js., who handled the public announcements and music this year, did a good job. Upcoming events include the Volunteer Appreciation dinner on June 19 and the Town-wide yard sale on June 22. Residents are reminded that public schools will be let out on June 7 and to watch out for children playing in the street. Lastly, CM Dennison noted that she took a CPR class in April and received her certification.

Public Health and Safety: Chief Antolik congratulated Officer Krouse on winning the Berwyn Heights officer of the year award. Then he gave the police activities report for April. There were 4 Part I offenses, which is below the 5-year average of 6. The year-to-date total was 18, also lower than the 5-year average of 28. In addition, 208 citations were issued, as well as 298 speed camera citations. The speed camera on Edmonston Road recorded 31 violations and was returned to Pontiac Street.

Chief Antolik further reported that the police were able to arrest the perpetrators of a recent burglary in the 8500 block of 60th Avenue while they fled the Town. Evidence was later found that links the 4 teenagers, who are residents of Riverdale Park and Washington D.C., to an earlier burglary on Edmonston Road. Tonight, the police made another arrest of 3 juveniles, one of whom is a Berwyn Heights resident. They were seen breaking into a vacant home in the 8900 block of 60th Avenue. Chief Antolik reminded residents to be vigilant and not leave any valuables in vehicles.

Volunteer Fire Department: Kyle Snyder, a member of the Berwyn Heights Volunteer Fire Department (BHVFD), reported for President Hurley, who was out of Town. He said the Department had a busy month with 359 calls for service and several events. He thanked the Town for their donation of a tractor, which was put to use during the Department's annual spring cleanup on April 27. On April 24, the Rescue Squad assisted Greenbelt police and Eleanor Roosevelt High School's SADD club with a mock car crash and performed an extrication demonstration. On Berwyn Heights Day, the Department participated in the parade and set up a Safety House exhibit. The exhibit received a good response from residents and will likely be back next year.

Public Works: MPT Wilkinson said that the Public Works crew was very busy last month, with Berwyn Heights preparations added to their normal duties. On Berwyn Heights Day, the new

dual purpose trash/recycling containers were used around Sports Park and will soon be distributed throughout the Town. The as yet uninstalled pole-mounted trash cans will soon be installed around the commercial district. A protective grass mesh was recently laid down at the parking area next to the Indian Creek T-Ball field and is ready for use. Public Works has also replaced the wooden planks in the Sports Park grand stand. The next electronic recycling date is July 27 at Greenbelt's Public Works yard. Residents can start to drop off recyclables at the Berwyn Heights Public Works yard the week prior, starting on July 22.

MPT Wilkinson noted that this month is the 25th anniversary of his arrival at the U.S. Marines boot camp on Parris Island. He recommended the reserves as a great way for young people to serve their country, learn to grow to be more disciplined, and earn some money for college.

6. Committee Reports

Education Advisory Committee: No report.

Historical Committee: No. report.

Neighborhood Watch/Emergency Preparedness: CM Kulpa-Eddy reported that he NW/EP was able to clean up the emergency trailer and had a successful Berwyn Heights Day. Now, the Committee is preparing for National Night Out.

Recreation Council: No report.

7. Unfinished Business

Ordinance No. 160 - Adoption of the FY 2014 Town Budget: Clerk Harper read the adopting language of the Ordinance. MPT Wilkinson moved and CM Dennison seconded to adopt it. Mayor Calvo said that while this is not a budget to celebrate, it responds in a thoughtful and measured way to the 16% loss in real property taxes, the Town's principle source of revenue. The losses were not as painful as they might have been because the Town was prepared for it and had ample reserves to draw on. The FY 2014 budget, while eliminating 2 vacant positions in the Police & Public Works Departments, builds in flexibility for adding hours to part-time positions and allows the Town to move forward with its top priorities. Planning for a 3-year term of reduced real property tax receipts, the budget provides for annual transfers from the surplus to the operating budget and a possible increase in the real property tax rate in the next fiscal year. Overall, the budget takes a balanced approach to bridging the budget shortfall, using cuts, reserves and the surplus to preserve the full line of services and continue the capital improvement program.

Police Department: Mayor Calvo summed up that the Police Department budget was cut by 6%, mainly by eliminating one vacant full-time officer position. However, the budget increases the hours of a part-time officer, who was hired 2 years ago to administer the speed camera program, to 26 hours/week. The budget also funds the purchase of one new police car and 3 mobile data terminals.

Public Works: MPT Wilkinson said that the Public Works Department relied on eliminating a vacant administrative assistant position to achieve the bulk of an 8% budget cut. This puts a lot of strain on Acting Director Lockley, who performs much of the administrative work in the department. In addition, the program of capital investments was cut back. This was possible because many important capital purchases had been made in the last couple of years. MPT

Wilkinson also thanked the Council for finding the money to repair the batting cage at Sports Park, which the baseball and softball teams enjoy using for batting practice.

Administration: CM Almoguera said that the Administration budget was not cut very much as it is already tight. The Council appropriated money from surplus to fund a cost of living adjustment (COLA) for employees in addition to the merit pay, and to pay for a Town administrator search.

Code Compliance: CM Kulpa-Eddy said that the Code Compliance Department budget was cut by 8% mainly by reducing the hours of current part-time employees. The Department is also saving money by relying more on email communications, using Public Works for scheduled vehicle maintenance and by having renegotiated cell phone contracts.

Parks and Recreation: CM Dennison said that the main change in the PRECA budget is a \$5,000 cut in the equipment appropriation. The money was no longer needed as the Town obtained a grant to refurbish the Pop's Park playground.

Mayor Calvo made additional remarks about the budget in response to comments from residents he has received. The Council then voted 5 to 0 to adopt the FY 2014 budget.

Ordinance No. 161 – Adoption of FY 2014 Public Safety Taxing District Budget: Clerk Harper read the adopting language for Ordinance No. 161. MPT Wilkinson moved and CM Dennison seconded to adopt it. Mayor Calvo noted that, unlike the residential real property assessments, commercial assessments went up slightly. As a result, the PSTD budget came in somewhat stronger than last year. With no further comments, the FY 2014 PSTD budget was approved in a 5 to 0 vote.

8. New Business

Resolution 1-2013 – Traffic & Parking Ordinance Fee & Fine Schedule: Clerk Harper read a summary of the Resolution. MPT Wilkinson moved and CM Dennison seconded to adopt it. Mayor Calvo explained that Council has not changed the police fees and fines in 6 years. This resolution increases most fines but reduces some. In addition, the Council created a more streamlined fine structure with tiers of \$40, \$60 and \$100 fines.

MPT Wilkinson said that the old fines were somewhat arbitrary. The new, more logical fine structure the Council adopted creates tiers of low, medium and high level fines. CM Kulpa-Eddy noted that the Council reduced the fine for an *unattended motor vehicle motor running* to \$40. She urged residents not to leave their cars running when they are not in it. It increases the risk of car theft and contributes to air pollution. With no further comments, the Council voted 5 to 0 to approve the Resolution.

Resolution 2-2013 - Rental Housing Ordinance Fee & Fine Schedule: Clerk Harper read the Resolution adopting the new fee and fine schedule. MPT Wilkinson moved to adopt it. CM Dennison seconded. Mayor Calvo explained that, notably, the Council did not increase the rental license fee in this resolution, but focused instead on more severely punishing nuisance behavior usually associated with noisy parties. CM Kulpa-Eddy added that the Council also raised the fines for failure to apply for or renew a rental license in a timely manner. With no further comments, the new rental housing fee & fine schedule was adopted in a 5 to 0 vote.

Resolution 3-2013 – Residential Clean Lot Ordinance Fee & Fine Schedule: Clerk Harper read the Resolution. MPT Wilkinson moved to adopt it. CM Dennison seconded. Mayor Calvo said that the Council only raised the fine for parking on grass from \$25 to \$40 so that it conforms with a police fine for parking on grass on public property. With no further comments, the Council voted 5 to 0 to approve the new fee & fine schedule.

Resolution 4-2013 - Commercial Clean Lot Fee & Fine Schedule: Clerk Harper read the Resolution. MPT Wilkinson moved to adopt it. CM Dennison seconded. Mayor Calvo explained that this Resolution doubles all commercial clean lot fines, which heretofore were the same as residential clean lot fines. This applies a stricter standard to the commercial properties. CM Kulpa-Eddy noted that page 6 of the fine schedule incorrectly lists the fine for repeat violations at \$40. The figure should read \$400. CM Kulpa-Eddy moved to correct it. CM Dennison seconded. The motion to amend was approved 5 to 0. The Council then voted 5 to 0 to approve the corrected fee & fine schedule.

Ordinance No. 162 - 1st Reading & Introduction of FY 2013 Budget Amendments: Clerk Harper read the adopting language of the Ordinance. MPT Wilkinson moved to introduce it. CM Dennison seconded. Mayor Calvo explained that this Ordinance will amend this year's Town budget to account for new revenue and expenditure as part of an annual cleanup process. Two items requiring amendments include: 1) \$43,200 spent on upgrading the Berwyn Heights TV broadcasting system. The expenditure is funded from Comcast and Verizon cable receipts set aside in a cable TV reserve; and 2) \$98,500 for the Pop's Park playground renovation, which will be funded from a State grant and some PRECA funds for demolition.

CM Almoguera thanked the Council for approving the issuance of a purchase order for the playground equipment at the last worksession. The FY 2013 appropriation allows this project to jump ahead of others that received the grant, and be completed this summer rather than late fall or next spring. With no further comments, the Council voted 5 to 0 to introduce the amendments.

Ordinance No. 163 - 1st Reading & Introduction of FY 2013 Public Safety Taxing District Amendment: Clerk Harper read the adopting language of the Ordinance. MPT Wilkinson moved to introduce it. CM Dennison seconded. Mayor Calvo explained that the cost of outfitting an unmarked police vehicle that was purchased last summer exceeded the projected expenditure. This amendment transfers the money spent from the PSTD budget to the police operating budget. With no comments, the Council voted 5 to 0 to introduce the PSTD budget amendments.

9. Citizens Discussion

There was none.

The meeting was adjourned at 9:39 p.m.

Signed: *Kerstin Harper, Town Clerk*