



# Town of Berwyn Heights

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## Minutes Town Meeting August 14, 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 and citizens.

Mayor Calvo led the Pledge of Allegiance.

### **1. Hearing, Ordinance No. 118 - Roads & Public Rights-of-Way**

Mayor Calvo said that, later in the meeting, the Council will introduce a revised Ordinance No. 118, which will likely not be adopted until later this year. However, residents are invited to comment on the substantially revised draft. The hearing was opened at 8:01 p.m., and with no comments, closed at 8:02 p.m.

### **2. Minutes**

Clerk Harper read a summary of the July 10 Town meeting minutes. On a motion by CM Dennison and second by MPT Wilkinson, the minutes were adopted 5 to 0.

### **3. Treasurer's Report**

Treasurer Lape gave the Treasurer's report for the month of July. Ms. Lape noted an error in the transcription of July receipts. She said that the total receipts for FY 2014 should read \$43,210.

### **4. Mayor's Report**

Mayor Calvo said that last week residents received their County tax bill and most saw a decline of several hundreds of dollars in their property taxes. This is largely due to the re-assessment that took place at the beginning of this year. The savings for residents are the dividends of sound fiscal management. The Town was able to absorb a 17% decline in property tax receipts without raising property tax rates. Not many other municipalities managed to do this. However, County taxes continued to go up. There was an increase of 2.7% in the County tax rate due to a decline in the homestead tax credit and the tax differential, as well as a new stormwater management tax of \$42 per year.

Mayor Calvo continued with an update of the Council's summer agenda. The Council received a presentation on the design and engineering of sidewalks at its last worksession, and the associated storm water mitigation project the Town is required to implement to offset the

increase in paved surfaces. The proposed options for stormwater mitigation projects focus on the Public Works yard and Ballew Avenue, to which the County appears to be receptive. The Town may be able to move forward with sidewalk construction within the next 6 months. Progress was also made with the design and engineering of emergency generators for the Town Center and Town administration building. It is hoped that the plans and funding can be finalized this fall.

Mayor Calvo further noted that the renovation of the heavily used section of Pontiac Street before the Kenilworth Avenue traffic light is going to take place as part of the wholesale resurfacing of Kenilworth Avenue. As this stretch of road is not in the Town of Berwyn Heights and is the property of the State Highway Administration (SHA), he is scheduled to have a meeting with SHA's district engineer about bringing it up to grade, as well as the possibility of annexing it. Preferably, he would annex the entire Kenilworth Avenue/ Pontiac Street intersection so that Berwyn Heights police can operate with full police powers.

Mayor Calvo said the Council is also working on a new rental housing issue that came up recently. It relates to rental homes that have multiple apartments, and in several instances have been issued multiple licenses. This technically makes them multi-family homes, which are not allowed in an R-55 zone that applies to most of Berwyn Heights. The Council wants to better understand how this is dealt with in the Town's Rental Housing Ordinance and enforced by the Code Compliance Department. Amendments to the Ordinance may follow.

Further, Mayor Calvo noted that the public schools are reopening next week and that residents are urged to drive carefully. National Night Out again drew large crowds and continued to be a top attraction under new direction by Officer Krouse. Upcoming events include Hello Huskies Night, Movie at the Park, the reopening of Pop's Park and the Ice Cream Social. This year, residents attending the Ice Cream Social are asked to bring in canned goods that will be donated to local food pantries. On October 5, the Town will host its second concert at Lake Artemesia.

## **5. Department Reports**

**Administration:** CM Almoguera reported that TA Murphy met with engineers to discuss the emergency generators. It is hoped that a preliminary design and cost estimate will be in hand at the next worksession for the Council approve. The installation of the new playground equipment at Pop's Park was scheduled to start today but was delayed by last night's storm. The grand reopening of Pop's Park is planned for September 7, 11:00 a.m. Everyone is welcome to attend.

**Code Compliance:** CM Kulpa-Eddy welcomed new students that have moved in for the start of the next school year and other residents that may have settled in Town. She advised that a new smoke detector law has gone into effect on July 1, that requires all rentals to be equipped with a 10-year smoke alarm by 2018. These alarms have sealed batteries designed to last 10 years and a hush function to quiet the alarm in case of smoke associated with a non-emergency situation. All rentals must install the alarms on every level of a house now if the existing alarms are more than 10 years old or not proper working order.

**Parks and Recreation, Education and Civic Affairs:** CM Dennison announced that school will be back in session next Monday and urged residents to watch out for students walking. She thanked everyone who helped make National Night Out such a great success, including Police officers, Public Works crew, Neighborhood Watch and many other volunteers. She also thanked the volunteers who helped clean up the school gardens last weekend. The gardens look beautiful

now. Further, the book "The Curious Garden" is starting to make the rounds. The book is passed around to recognize homeowners with a beautiful garden. Other upcoming events include Hello Huskies Night, Movies at the Park, Pop's Park reopening and the Ice Cream Social.

**Public Health and Safety:** Mayor Calvo welcomed Chief Antolik back from vacation. On behalf of Officer Krouse and the entire Police Department, Chief Antolik thanked everyone who helped with National Night Out or supported it with a donation. Then he gave the police activities report for July. There were 5 Part I offenses, including 1 burglary, one robbery and 3 larcenies. The burglary was a failed attempt. This total is below the 5-year average for July of 7. The year to date total was 31. The Police also issued 37 State citations, 51 Town citations and 32 warnings. A total of 321 speed camera citations were issued.

Mayor Calvo said that he received an email from a resident saying that a speed camera citation he was issued in July for going between 25 and 30 mph should not have been a violation. When school is not in session the speed limit in front of the school is 25 miles per hour and the speed camera does not ticket unless a driver goes 12 mph over the speed limit. He is concerned that other tickets may have issued in error. Chief Antolik said that he will review them and rescind any that should not have been given. He also noted that, when school resumes next week, the police will not issue any warnings but will ticket anyone exceeding the 15 mph speed limit.

MPT Wilkinson asked if there will be police presence at the school entrance. Chief Antolik confirmed that the police will be stationed at the school and on Pontiac Street to make sure people are not speeding. MPT Wilkinson further asked if Berwyn Heights police have implemented the security measures that were discussed with Principal Singer and other school officials in the wake of the Newtown shooting. Chief Antolik replied that he is ready to proceed but Principal Singer first has to get approval from the school board, which can take a while.

**Public Works:** MPT Wilkinson reminded residents to look out for kids next week. Drivers should slow down and give students wide berth, as they are not always watching out for traffic.

In Public Works news, this is the first year in which an employee of the month was tracked throughout. Based on the top score, foreman Bruce Hockman was named employee of the year and received a well-deserved bonus. Public Works also prepared the school grounds for a return of the students and helped the Boys & Girls Club pour the foundation for a new shed.

At the last Four Cities Coalition meeting, the Council received an interesting briefing on the Purple Line, a new streetcar that will run from Bethesda to New Carrollton. The projected opening date is 2020 and the line will be serviced by a private operator. Some noteworthy things learned are that the Purple Line will be built at grade level, and that stations will not have parking lots, unless they already exist. At the intersection of Kenilworth Avenue and East-West Highway, the tracks and a station will be built on a flyover, and at the BWI Parkway a third lane will be added in each direction between Route 410 and Route 450 to accommodate the streetcar. This will cause major traffic disruptions for years to come as BWI Parkway traffic will be moved to temporary bridges while permanent third lanes are constructed.

MPT Wilkinson further reported that, despite assurances from Prince George's County Public Schools (PGCPS), the sidewalk through the Greenbelt school bus parking lot has not yet been built. But the Town received notice today that the \$62,000 Safe Routes to School grant has been

approved. It will be used for building a sidewalk on the 8900 block of 63rd Avenue, where most Berwyn Heights students attending Greenbelt Middle School walk to reach the Greenbelt Road crossing. The grant also funds improvements to the Pontiac Street crossing at 60th Avenue.

## **6. Committee Reports**

***Education Advisory Committee:*** No report.

***Green Team:*** Mayor Calvo reported that the Green Team had a table at National Night Out, which was a big hit. Among the activities people could do were quizzes on recycling, and writing environmental messages on a white board, pictures of which were then posted on the Green Team's Facebook page. The Green Team also organized another cleanup of the school gardens last weekend, getting ready for the new school year. Principal Singer sent an email thanking the Green Team's help in transforming the gardens into an outdoor classroom and a ceremonial space. Lastly, the Green Team, with assistance from Acting Director Lockley, made progress on identifying possible sites for a community garden. The list included some land in the 58th Avenue right-of-way he did not know the Town owned.

***Historical Committee:*** No report.

***Neighborhood Watch/Emergency Preparedness:*** CM Kulpa-Eddy thanked Berwyn Heights police for all their work to ensure a successful National Night Out. The NW/EP volunteers appreciated the availability of pizza as an alternative to the hamburgers and hot dogs, which made the work at the grills less hurried. On Monday, when school will be back in session, the NW/EP plans to help police patrol the streets to make sure people drive carefully. CM Kulpa-Eddy further announced that September will be National Preparedness Month. Three members of the Berwyn Heights CERT were recently honored by the State. Gerald Shields, Ron Shane and Mike Attick received a Community Preparedness Heroes Certificate of Recognition.

***Recreation Council:*** No report.

## **7. Unfinished Business**

There was none.

## **8. New Business**

***Revised Ordinance No. 118 - Roads & Public Rights-of-Way: 1st Reading & Introduction:*** As there was no resolution for introducing the Ordinance, CM Dennison moved and MPT Wilkinson seconded to dispense with the reading. The motion passed 5 to 0. CM Dennison then moved and MPT Wilkinson seconded to introduce the Ordinance. Mayor Calvo explained that this Ordinance governs what utilities and private contractors may and may not do on the Town's roads and in the public rights-of-way when servicing, repairing or building new pieces of infrastructure. The old Ordinance was very short and simple and did not cover the multitude of activities undertaken on Town property. It also did not provide for a permit mechanism that allows a measure of control over what happens on its property.

Town Administrator Murphy with help from CM Kulpa-Eddy then set about creating a new framework for all types of work performed on roads and rights-of-way, using existing models in other municipalities. The revised Ordinance has a permit requirement and a process for monitoring and accepting the such work, while making sure it conforms with Town standards.

However, the Ordinance requires further work and several important policy decisions. He anticipates adoption at the end of the year.

CM Kulpa-Eddy said that residents should take a look at Section 4 to familiarize themselves with the new standards and what they can and cannot do when doing work that impacts the Town's right-of-way. Mayor Calvo asked that the Ordinance be posted at the Town's website for comment. The Council then voted 5 to 0 to introduce the revised Ordinance No. 118.

#### **9. Citizens Discussion**

There was none.

The meeting was adjourned at 8:59 p.m.

Signed: *Kerstin Harper, Town Clerk*