



# Town of Berwyn Heights

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

## Minutes Worksession January 22, 2013

The meeting was called to order at 7:08 p.m. Present were Mayor Calvo, Mayor Pro Tem (MPT) Wilkinson, Councilmembers Almoguera, Dennison and Kulpa-Eddy. Also present was Clerk Harper. Town Administrator (TA) Murphy participated via Skype.

### 1. Mayor

**Announcements:** A march for gun control will take place downtown on January 26, 10 a.m., starting at Union Square and 3<sup>rd</sup> Street.

**Calendar:** A mock student council meeting was tentatively scheduled for April 22. Green Team meetings have been added for the 3<sup>rd</sup> Thursdays of the month.

**Minutes:** On a motion by MPT Wilkinson and second by CM Dennison, the January 7 worksession minutes were approved 5 to 0.

**Department reports:** Mayor Calvo reported that he, CMs Dennison and Kulpa-Eddy attended a very informative State legislative reception of the District 22 delegation in Annapolis on January 21. The reception drew many officials and constituents of the 22<sup>nd</sup> legislative district, including a number of Berwyn Heights residents. Senators Paul Pinsky and Brian Frosh, as well as Chair of the Prince George's Chamber of Commerce, David Harrington, addressed the assembled. They spoke about repeal of the death penalty and gun control, which will be top legislative items in the upcoming session. The delegates announced their committee assignments: Delegate Gaines will continue to serve on the House Appropriations Committee and chair the Appropriations Sub Committee on Transportation and the Environment, in addition to serving on the Capital Budget Subcommittee and the Joint Committee on Children, Youth, and Families; Delegate Ann Healey was appointed as Chairwoman of the Rules Committee; and Alonzo Washington will serve on the Revenues Subcommittee of the Ways & Means Committee, which will take up legislation on gas taxes.

CM Almoguera reported that about 35 people turned out for the Traveling Garden awards reception and had a good time. A lively discussion of gardening issues followed a presentation from Berwyn Heights resident and master gardener Sarah Urdaneta. CM Almoguera also reported that the governor's proposed budget has a 15% increase in Department of Natural Resources budget, which bodes well for funding of community parks & playgrounds grants. The Town will hear whether it has been awarded a

grant for Pop's Park on April 24. Further, CM Almoguera asked various University of Maryland departments to post the budget assistant position ad. She hopes to receive responses when the University is back in session. CM Dennison announced that the Historical Committee's February 16 Presidents' Day reception features a presentation by Hugh Taft Morales, great grandson of President Taft, and his wife Maureen.

MPT Wilkinson was contacted by a Westchester Park resident, who is interested in donating money to help purchase more trash cans or, alternately, recycling containers for Berwyn Heights. Mayor Calvo advised that the Town can issue a receipt for a possible tax deduction. MPT Wilkinson plans to attend a Park & Planning meeting on January 24 where preliminary plans to extend the Little Paint Branch Trail will be presented. He thinks the trail will be an asset for Berwyn Heights residents and would like the Town to support it. The item was added to the agenda under Parks & Recreation.

MPT Wilkinson further reported that the Berwyn Presbyterian Church provided a letter of support for the Town's *safe routes to school grant*, which proposes to build a sidewalk alongside the church property. He submitted the letter, which came in late, after the deadline. He has not heard back whether it will be considered. He also read in the newspaper that Montgomery County was considering mounting an appeal to the property reassessment. He wondered whether there is a way for the Town to appeal after all. Mayor Calvo said Montgomery County may have led an appeal from individual homeowners. However, an appeal would require hiring attorneys and be very expensive. It may be worth doing if a major development or business is undervalued.

CM Kulpa-Eddy reported that the new Code car is now in service. Director Solomon was able to get the Ford Escape for \$20,000. CM Almoguera noted that the Mothers & Infants Playgroup has scheduled a regular meeting for Sundays at 3 p.m. Mayor Calvo remarked that a family with a new baby just moved into house on Bucknell Terrace, converting what was a disruptive student rental into a single family home.

***Citizen comments:*** MPT Wilkinson received an inquiry if there have been any more sighting of the mangy fox. None of the Councilmembers have heard about it of late. He also received a complaint about trash cans being left in the street after emptying. He will talk with his staff about it.

***Budget preparation guidance:*** Mayor Calvo said that the Council agreed at the last worksession to give TA Murphy some guidance on how to balance the FY 2014 budget in light of the real property tax revenue losses following the recent reassessment. He asked the Council for input.

MPT Wilkinson said that he would like to keep staff intact and avoid furloughs and salary freezes. He would look at cutting vacant positions for savings. CM Kulpa Eddy said the Code Director believes that they will be able to manage with a 10% budget cut by leaving part-time positions vacant and/or reducing hours. However, leaving positions unfilled in the Police and Public Works Department may be problematic because it will likely curtail their ability to provide the same level of service and burn employees out.

CM Almoguera said that she agrees with most of the suggestions Mayor Calvo made at the last meeting on where to make meaningful cuts. She would not ignore smaller cuts, however, because they can add up. CM Dennison asked how she can get advice on cutting her budget with TA Murphy being absent. Mayor Calvo said that TA Murphy can be consulted by email and the President of the Recreation

Council can help her as well. A good place to cut the Recreation budget may be reducing the number of bands hired for Berwyn Heights Day.

Mayor Calvo said the most meaningful savings can be achieved by reducing staff positions and reducing staff hours. The Police and Public Works Department each have an employee who is planning to leave. Not filling those positions would produce large savings. Another option is to cut the hours of part-time employees. He hopes to achieve around \$120,000 in savings through cuts to help close a budget gap of approximately \$220,000. Although he does not support this, the same amount of savings could be obtained by raising the Town's real property tax rate by 18% to generate as much revenue as is currently available. One penny increase in the tax rate would generate around \$25,000 in revenues with the new assessments. TA Murphy said that the Town will not have an accurate number until the State publishes its constant yield tax rates.

Mayor Calvo agreed with CM Kulpa-Eddy that cutting full time positions would put a strain on staff and produce gaps in service. However, the Police Department could alleviate the problem by asking the part-time officer hired to administer the speed camera program to work additional hours. Similarly, Public Works could supplement their staff with temporary labor when the workload gets too heavy, such as for trash collection after a holiday. Thus if some of the savings from cutting full time positions were given back to the departments for adding staff as needed, gaps could be closed. CM Kulpa-Eddy said that she would first like to hear from department directors whether this works for them.

Mayor Calvo said this is only a starting point for budget discussions. He prefers to begin with a sober budget that has painful cuts, which can later be restored if additional revenue materializes. This could be more income tax revenue and/or more Highway User Revenues (HUR) and police aid, which are in Governor O'Malley's proposed budget. Raising taxes is the easy way to close a budget gap. But it makes taxpayers unhappy. Mayor Calvo would also like employee benefits to be considered up front. He thinks employees are due a Cost of Living Adjustment (COLA), as well as merit increases to make up for recent years when salaries have lost ground in relation to cost of living and increased pension and social security contributions.

The Council agreed that additional revenues could be raised by increasing fees and fines in the Code and Police Departments. Other options proposed included lengthening hours of operation for the speed camera on Pontiac Street, encouraging residents to recycle more, and performing vehicle maintenance in-house. CM Kulpa-Eddy suggested that borrowing money might be considered instead of raising taxes since interest rates are at an all-time low. Mayor Calvo said that the Town has no need to borrow money because it has enough cash reserves. He favors leveraging the surplus to pay for some operating expenses in the next 3 years, but wants to be deliberate so as not to create a structural problem. He believes that the next reassessment will see an upward correction in property values and thus an increase in revenue.

TA Murphy was asked to come up with balanced budget based on the options outlined in the discussion.

***FBI relocation letter of support:*** Mayor Calvo said that the FBI plans to move its headquarters from its current downtown location to a larger more accessible suburban site. Greenbelt Station is being considered as a possible location as it meets all the standards the FBI has laid out. The relocation represents a unique opportunity for Prince George's County and this area, and hopes that Senator

Mikulski, who is chair of the Appropriations Committee this year, can help secure the project. CM Kulpa-Eddy said that there are 2 sites in Virginia that also meet the standards for the relocation and that the Town should make as strong a case for Greenbelt Station as possible.

Mayor Calvo said at the upcoming Four Cities Coalition meeting Garth Beall, who represents the owners of the Greenbelt Station development, will make a presentation and the Four Cities will discuss a joint letter of support for the Greenbelt Station site. The Town ought to write its own letter of support after the Four Cities discussion. He asked for a motion to support the relocation. MPT Wilkinson so moved. CM Kulpa-Eddy seconded. The motion passed 5 to 0.

***Four Cities agenda:*** The Council agreed to add “Pepco tree cutting cooperation” to the next Four Cities agenda.

At 8:25 p.m., the Council took a 10 minutes break.

***Sidewalks design proposal:*** TA Murphy explained that he asked the Town's engineering firm AB Consultants to provide an updated proposal for the design & engineering of priority I sidewalks to specify the side of the street for the sidewalk locations. The proposed cost is \$44,800 or 10.4% of estimated construction costs, which is a good price. The proposal also shows where the Town right of way boundary is in relation to the curb and provides construction plans for contractors to follow to deal with obstacles such as utility poles, trees and driveways, as well as for retaining walls and intersection ramps.

However, the proposal does not provide for metes and bounds of easements that will be required where sidewalks encroach on private property. TA Murphy deems the price of \$1,500 per property quoted by AB Consultants for providing easement metes and bounds as too high. He is working with Town Attorney Shay on finding a more economical solution. Until the attorney has an answer, he advises not to approve the proposal. As for obtaining other design & engineering proposals, he does not think that they would be less expensive than AB Consultants' because other engineers would have to backtrack and redo work already performed by the Town engineers.

Mayor Calvo said that during its site visit the Council had been told that easements would be needed for driveways. Especially on properties with a slope, rebuilding a driveway with the proper grade that is level with the sidewalk would be more difficult and impact the adjacent yard. TA Murphy said he believes driveway reconstruction is covered by the construction plans. No driveway easements were needed with the Seminole/ Ruatan Street project. TA Murphy will seek to get clarification and a count of properties where easements are needed.

CM Kulpa-Eddy wondered why the 8600 block of 57<sup>th</sup> Avenue was included in the proposal. She thought the Council had agreed not build a sidewalk there because of trees and utility poles. Mayor Calvo said that it is worth paying for the design to see what it would look like. It does not commit the Town to building the sidewalk. MPT Wilkinson said the proposal also does not include the sidewalk in front of the school, which the Council did approve. He also proposed to drop green strips wherever it avoids having to obtain an easement. CM Almoguera thought that the consultants have not listened well to the Town's concerns and provided solutions that did not always conform with its goals.

Mayor Calvo asked why this proposal has added charges for surveying since the survey has been

completed and already paid for. He summed up that the sidewalk planning process has had its shortcomings. AB Consultants' have not always provided complete or correct answers to the Councils' questions. He asked TA Murphy to request AB Consultants to clarify the remaining questions about this proposal, and to get a couple of alternate proposals. He believes that a fresh look at the problems posed by the sidewalks route may produce better solutions.

## **2. Code Compliance**

***Emergency generators bond bill:*** CM Kulpa-Eddy said that the request for a bond bill to help pay for the installation of emergency generators at the Town Center is only the first step in the process. However, she would like to get a confirmation that the Town is willing to come up with a match if the bond bill is passed.

Mayor Calvo said that submitting the request now does not commit the Town. Final approval for a match can be given when the State legislature has approved the bond bill. The proposal for installing generators at the Town Center obtained by TA Murphy is \$59,000, plus \$14,000 for a smaller generator at the Town Office, for a total cost of \$73,000. That would bring the Town's contribution to \$37,000. He is fine with requesting money for both generators, and the Town contributing half of the cost. Senator Pinsky and Delegate Gaines have already agreed to sponsor the bill.

CM Kulpa-Eddy noted that the Town Office generator is less expensive because it would not provide for air conditioning. It is designed to power the server and WIFI router so that the office can function as an emergency communication center for the Police and Public Works. There were no objections to submitting the request.

***Greenbelt Metro Area sector plan update:*** CM Kulpa-Eddy reported that the Prince George's Planning Board voted unanimously on December 13 to approve the Greenbelt Metro Area sector plan and endorse the sectional zoning map amendments. Two changes to the zoning map requested by the Town of Berwyn Heights were not adopted: 1) reducing the lanes on Greenbelt Road east of 62<sup>nd</sup> Avenue; and 2) not singling out PG Scrap with a separate zoning designation.

CM Kulpa-Eddy continued that the reason given for not narrowing Greenbelt Road was that the intersection at 62<sup>nd</sup> Avenue is already reaching capacity and would not be able to support the existing traffic volume with fewer lanes. However, Greenbelt Road would remain within the current right-of-way and would not be widened. The PG Scrap property is proposed to keep its industrial zoning designation for now, but be moved to a different location in the long term. The plans also call for adding a woodland bank in the rear of the property to shield adjoining developments and the Indian Creek stream valley. All other recommendations by the Town were included in the plan.

Mayor Calvo and MPT Wilkinson were concerned that the amended map does not seem to provide for a pedestrian landing at the Greenbelt Road/ 63<sup>rd</sup> Avenue intersection, which would make it much safer for students to cross. This is an issue on which the Town may want to take a formal position. CM Kulpa-Eddy said it is her understanding that a green median with a pedestrian landing is part of the plans to build a diverging diamond intersection. She agreed to ask for clarification on this point and inform the Council.

## **3. Parks and Recreation**

***Little Paint Branch Trail (added item):*** MPT Wilkinson explained that he will attend a January 24

presentation on extending the Little Paint Branch Trail and would like to speak in favor of the plan on behalf of the Town. The proposed new section of the trail will pick up at Cherry Hill Road where the current trail ends, follow Cherry Hill Road across the Beltway, then turn onto Sellman Road to reach the Beltsville Community Center, where it will connect to the existing trail. MPT Wilkinson said, although Berwyn Heights land is not affected, Berwyn Heights residents will benefit from the additional recreational opportunities. CM Almoguera moved and CM Dennison seconded to support the trail extension. The motion passed 5 to 0.

Nothing was discussed under **4. Public Safety**, and **5. Public Works**.

#### **6. Administration**

**Budget assistant position:** CM Almoguera said that so far no applications for the position have been received from UMD students. She hopes this will change with the start of the spring semester. She will contact departments again to ask that the announcement be put back in their listings. In addition, the position could be advertised on the Town website. The Council agreed to advertise the position on the Town website.

**MML convention:** Four efficiencies will be reserved at the Princess Bayside.

**MMA convention:** Mayor Calvo asked to be registered for the Maryland Mayor's Association convention.

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

Signed: *Kerstin Harper, Town Clerk*