



# Town of Berwyn Heights

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## Minutes Worksession October 7, 2013

The meeting was called to order at 7:00 p.m. Present were Mayor Calvo, Mayor Pro Tem (MPT) Wilkinson, Councilmembers (CM) Almoguera, Dennison and Kulpa-Eddy. MPT Wilkinson arrived late with an apology. Also present were Town Administrator (TA) Murphy, Clerk Harper, and citizens.

**Announcements:** There were none.

**Calendar:** The Council reviewed the calendar. The date for the employee holiday lunch was set for December 20. The date for the PGCMA legislative dinner was corrected to read November 14, 6:30 p.m. The January 2014 worksessions were moved to the 13th and 27th, respectively.

Issues that remain to be addressed before the next budget season starts include: drafting a job description for the code compliance director, personnel manual changes, and policy changes regarding multiple apartments in rental homes.

**Minutes:** On a motion by CM Dennison and second by CM Kulpa-Eddy, the September 16 worksession minutes were approved 4 to 0.

**Department reports:** CM Dennison reported that the Lake Artemesia concert with the Susan Jones quartet went very well. She also announced upcoming events. TA Murphy reported that the auditor will be in the office on October 21 to wrap up the FY 2013 audit. The Town office computer upgrades, including replacement of the server, have been completed and an inventory of all IT equipment has been made. The new system allows for a single user sign-on on all computers and for easy file sharing. Mayor Calvo suggested that a protocol for the new system should be created, including how passwords and files are to be stored.

**Citizen comments:** Mayor Calvo received a comment about Town regulations regarding the trimming of tree branches from a neighbor's tree overhanging one's yard as well as tree roots impacting one's foundation; a suggestion to use a car panic button to scare off possible burglars; questions about keeping of chickens and parking at Indian Creek Park; and a comment about the Berwyn Heights Day D.J. CM Almoguera received compliments about the new meeting room next to the Senior Center, and a suggestion to name it after the former librarian Geraldine Love. CM Dennison received a comment

about cuts to the FY 2013 Police Department budget.

***Emergency generators update:*** TA Murphy said that Telegent's Principal Engineer Tim Smidt completed the proposed design of the emergency generator system, provided to Council in the background documents. The design calls for the installation of two 60 Kw generators for the Town Center, one for the first floor and one for the second floor plus the elevator. This fits with the existing separate meters and electric panels for each floor of the Town Center, and eliminates the need for a more expensive, larger generator. A third 30 Kw generator is proposed to power the Town office. All three generators are to be located in the rear of the Town office building, enclosed by sound insulating walls. This location hides them from view and does not block office windows where staff is working, nor does it interfere with gas lines running between the Town Center and Town office. TA Murphy asked if the Council is comfortable with such a design.

Mayor Calvo asked why this design switches to 2 smaller generators for the Town Center rather than one large one, as initially proposed. TA Murphy said that the estimate for a large 125 Kw generator was close to \$60,000. Two smaller units are less expensive at \$46,000. Additionally, the two units interface better with the existing setup of split meters and electric panels and provide flexibility in powering one or both floors of the Town Center. Mayor Calvo noted that the marginal difference in cost between the different size generators is small at \$2,000. He wondered whether it would be better to get a larger unit for the Town office, as a 30 Kw generator may not be sufficient to run the office plus the AC.

TA Murphy said he will check with Telegent about the price differences between different size generators and whether the Town office could use a larger generator. He will also find out the total project cost, including installation and any additional items not listed in this quote, and provide a project plan for the next worksession.

***MML legislative priority:*** Mayor Calvo said that the MML Legislative Committee chose the restoration of Highway User Revenue (HUR) as its only legislative priority for the coming year. It will be voted on at the upcoming MML conference. The Town likely lost around \$600,000 if one adds up 5 years of HUR reductions. This could have paid for another street renovation project. The Council agreed with the priority.

***UMD golf course letter of opposition:*** MPT Wilkinson said, the last he heard, the proposal to sell the University of Maryland golf course to build a mixed-use development is still alive. The property is a valued green space and an Audubon sanctuary. He thinks the Town should send a letter of opposition to UMD President Loh because the development is likely to increase traffic on Greenbelt Road and Route 1 and compete with the Greenbelt Station development that is coming online.

Mayor Calvo said that University Park has written a letter of opposition focusing on a proposed connector road from the Beltway to the development that splits the Beltsville Agricultural Research Center (BARC) property, and would interfere with attempts to revitalize the Route 1 corridor. Transportation funds should be spent on Metro developments, such as the connector road to the Greenbelt Station development, and Route 1 improvements. MPT Wilkinson moved and CM Dennison seconded to write a letter to President Loh. The motion passed 5 to 0. The issue will also be discussed at the next Four Cities meeting and a letter of opposition may be sent on its behalf.

## **2. Administration**

**Four Cities agenda, additional items:** No items were added.

**Legislative dinner location:** Chef's Secret was selected for the legislative dinner, and the Raleigh Inn as a backup option.

**Employee holiday lunch date:** December 20 was chosen as the holiday lunch date.

**Bulletin cover:** The following items were selected for the November Bulletin cover: Thanksgiving theme; headlines for Town-wide cleanup and Veteran's Day event.

### **3. Code Compliance,**

**Code director/supervisor job description:** TA Murphy said that he is still working on revising the job description, while reviewing descriptions from other municipalities. Mayor Calvo said that this is a priority. He hopes to have the position filled by January 2014. Further, he is leaning toward hiring a code supervisor rather than a director and placing the department's day-to-day operations under supervision of the Town Administrator. However, the Councilmember/Department Head should retain control over policy matters.

CM Kulpa-Eddy said that such an arrangement could have drawbacks. It sets up conflicting lines of authority between the Department Head and the Town Administrator and could result in confusion as to who the code supervisor ultimately reports to. It is also possible that it would make the person holding the position less independent and less inclined to take on responsibility. While she agrees to fill the position with a supervisor initially, who would be guided by the Town Administrator, she would prefer this employee be able to climb the ladder to the full director level eventually.

TA Murphy said that he does not think that it will necessarily be a problem to have a code supervisor report to the Town Administrator while learning the job. Initially, the Town Administrator would probably review all correspondence and citations generated by the department, but the code supervisor would gradually take over these responsibilities. This is how it works under a Council-Manager form of government: department directors report to the Town manager on day-to-day operations, while the Council decides budget, personnel and policy issues. Since a Town manager serves at the pleasure of the Council, he can be replaced if the Council does not like the way departments are run. TA Murphy thought that one of the problems with the code department was that too many issues were decided internally that required the Council's input.

Mayor Calvo agreed that the Town lacks a unifying operational force, a role that is easier filled by a full time Town administrator/Town manager than a part-time Town Council. A Town administrator is in a better position to monitor departmental operations and flag problems that should be brought to the Council for a decision. With the current turnover of directors, it is a good time for the Council to rethink what responsibilities should be given to the directors, department heads, Town Administrator, and Town Council to bring about more consistency in Town government. He thinks that the code supervisor/director position should be structured so that he or she reports to the Town Administrator but can rise in rank. Further, there should be a greater focus on inter-departmental coordination and sharing resources with the Administration Department could be re-examined.

CM Dennison moved to go into executive session after a break. The motion failed for lack of a second.

MPT Wilkinson asked to give a department report. He said that he and TA Murphy met with Brian Davila of C. P. Johnson Engineers, and a representative of the Berwyn Presbyterian Church to discuss the routing of a sidewalk on the 8900 block of 63rd Avenue. They agreed that it would be best to build the sidewalk with a 3' buffer and a railing along the length of the block. It would require removal of an existing staircase and re-grading of the church property where the slopes are steep. The church council will have to sign off on the plan, and the Town has to send a formal letter of request. As the project will be financed by the federal Safe Routes to School Grant, the project has to comply with certain bid procedures, while construction has to follow SHA guidelines. He hopes that the project can be completed next spring.

CM Kulpa-Eddy asked if the project requires a stormwater mitigation project. Mayor Calvo replied it does not as it falls below the 5,000 square feet threshold.

CM Dennison moved, and MPT Wilkinson seconded to go into executive session after the break to discuss directors' performance evaluations. The motion passed 5 to 0.

At 8:35 p.m., the Council took a 10-minute break.

#### **7. Executive Session (8:50 p.m. - 10:10 p.m.)**

The Council went into executive session to discuss directors' performance evaluations. With matters discussed, CM Dennison moved and MPT Wilkinson seconded to end the executive session.

The meeting was adjourned at 10:11 p.m.

Signed: *Kerstin Harper*, Town Clerk