



# Town of Berwyn Heights

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## Minutes Worksession June 6, 2016

The meeting was called to order at 7:00 p.m. Present were Mayor Cheryl Jewitt, Mayor Pro Tem (MPT) Jodie Kulpa-Eddy and Councilmembers (CMs) Patricia Dennison, Christopher Rasmussen, and Maria Robles. Also present were Town Administrator (TA) Jessica Cowles, Clerk Kerstin Harper and citizens Drew Carlisle and Anthony Schreiber.

**Announcements:** Mayor Jewitt will attend a number of upcoming meetings: June 7 - zoo event at Berwyn Heights Elementary School (BHES), which the Town Council helped fund; June 7 – Prince George’s County trails masterplan stakeholders meeting; June 7 – meeting with TA Cowles and Public Works Director Hall; next week – ride-along with the Chief. CM Dennison will be sworn-in at the June 9 Town meeting. Residents are encouraged to cheer the Boys & Girls Club Soccer U-12 and U-14 teams during the playoffs. CM Robles will also attend the zoo event at BHES. MPT Kulpa-Eddy will also attend an “M-NCPPC Trails Master Plan for Prince George’s County” meeting. CM Rasmussen celebrated his 50<sup>th</sup> birthday and joined the Seniors’ Club.

**Department Reports:** CM Robles met with TA Cowles to discuss how to go about implementing some of her ideas. First, she will work with TA Cowles on formulating criteria for awarding Town grants to schools and community groups, which will later be recommended to the Council. The Education Advisory Committee might be asked to review grant requests from schools. The Sports Park batting cage will soon be repaired with costs shared by the Boys & Girls Club and the Town. The Town agreed to set aside money for the project in the FY 2016 budget.

MPT Kulpa-Eddy announced the US Army Corps of Engineers plans to undertake aquatic habitat restoration in the Anacostia watershed area, including along Indian Creek. Citizens may submit comments until July 1. The US Census bureau will hold a summer webinar series on how to access Census data. She will forward the information to the Council. The Town received notice that Prince George’s County will fund an engineering study of Berwyn Heights’ stormwater drainage system in the coming year to upgrade and reroute some of the pipes in the system. This feasibility study is following up on a 2015 hydraulic study that was commissioned to determine the causes for the June 2014 flash flood. County Councilmember Glaros monitored the budget process to ensure the funding remained in place.

CM Rasmussen said that he met with Code Supervisor Glass and TA Cowles to be brought up to date

with the Code Department. A search for a new part-time code officer has been narrowed down to one candidate, who should be joining the Department soon. For the coming term, updating the Rental Housing Ordinance and associated forms should be a priority, as the Ordinance has not been reviewed in a while and may be out of step with new State and County Code regulations. He plans to go on a ride-along to see how Code officers are monitoring the Town for violations. Further, he will continue to focus on the Urban Forest initiative and track Pepco's tree trimming activities, which will be the subject of a June 20 community forum. MPT Kulpa-Eddy noted that SavATree contractors recently visited her yard as part of the tree inventory and evaluation project being undertaken by the Town.

**Minutes:** The May 11 Town meeting minutes were distributed for adoption at the June 8 Town meeting. Several corrections were made.

**FY 2016 budget amendments:** TA Cowles provided the Council with a revised FY 2016 budget amendment, which reconciles actual expenditures with what was budgeted. She explained that the emergency generator project came in \$15,000 under budget at \$145,000, with the State and the Town splitting the cost. The generators are now fully functional and employees have been trained on how to operate them. The generators will come on automatically when there is a power outage.

The priority 1 sidewalks project required \$25,500 in additional funding for engineering services to develop a punch list for the project. The original contractor opted not to finish an extensive punch list, and a new contractor will be hired to address the remaining deficiencies. Some of the associated costs may be recouped at a later stage. The Town is withholding the last payment to the contractor, as well as the 5% retainer, and plans to use it to pay the engineers and the completion of the punch list. A warranty of 1 year on the sidewalks work will set in once the project has been completed to the Town's full satisfaction.

In response to CM Rasmussen, TA Cowles further explained the reason for the current contractor pulling out was a disagreement over the numerous cracks found in retaining walls built in conjunction with the sidewalks. The contractor maintains that the cracks do not impact the structural integrity of the walls, while the Town engineers think they do. The engineers assert that the walls were not built with enough joints to allow the cement to settle without cracking.

The Council voted 5 to 0 to approve the revisions to the FY 2016 budget amendments.

**Resolution joining LGIT health co-op:** TA Cowles explained that the Council had extensive discussions about changing Town employees' health insurance plan during the budget season, including a detailed presentation about the Local Government Insurance Trust's (LGIT) health cooperative, a self-funded insurance group of local governments that partners with CIGNA as its health care provider. After consulting with the employees, the Council decided to switch from its current health insurance carrier Blue Cross/Blue Shield CareFirst to the LGIT health cooperative as part of adopting the FY 2017 budget. In order to officially join the health co-op, the Council also needs to adopt by resolution a member funding agreement and several riders. These have been reviewed by the Town attorney, who has found no problems.

In response to MPT Kulpa-Eddy, TA Cowles said that the agreements commit the Town to remain in the health insurance pool for at least 2 years. If the cost of the program should rise dramatically in the second year, the health co-op allows the Town to make changes to the plan design and adjust benefits to bring the overall cost down. The Town's ability to customize different parts of the health care package

is one of the advantages of this health insurance program. In response to CM Rasmussen, TA Cowles said that there are 3 riders to the member agreement that contain privacy agreements and a stop loss confidentiality agreement with the partners of LGIT and members of the health cooperative.

**58<sup>th</sup> Avenue footpath:** Mayor Jewitt said that TA Cowles and the Public Works Director have looked at the graveled footpath that connects Nevada Street and Goucher Drive along the 58<sup>th</sup> Avenue right of way to identify options for improvements, outlined in a background memorandum.

TA Cowles elaborated that the existing path was constructed 10 years ago as an Eagle Scout project and has deteriorated to a point where improvements are needed. It is proposed to:

- widen and straighten the path to 5' to make it ADA compliant;
- pave it to prevent gravel from being washed away during heavy rains;
- regrade it to direct stormwater runoff into the drainage system;
- shore up the embankments with soil mats and newly planted grass;
- light the path with commercial solar lights;
- and remove trees adjacent to the path that pose a risk of falling.

The estimated cost of the improvements is under \$10,000 and can be funded with Highway User Revenue (HUR).

Mayor Jewitt invited resident Drew Carlisle, who lives next to the path, to comment on the issue. Mr. Carlisle said that the footpath gets a lot of use but is too narrow and has ruts that make riding bikes and pushing strollers difficult. He asked what type of pavement and lighting are considered for the improvements. TA Cowles replied that a 2" asphalt pavement and solar lighting are proposed. Mr. Carlisle further stated that the Town has recently made improvements to bicycle infrastructure in Town and identifies Berwyn Road as bicycle connection to College Park. He suggested that a removable plastic ramp on Berwyn Road at the Metro bridge be replaced by a permanent one for better bicycle access. MPT Kulpa-Eddy said that the Town should not expend too much money on a permanent fix because WMATA has plans to replace the entire bridge in 2 – 5 years.

Anthony Schreiber, whose property adjoins the 58<sup>th</sup> Avenue path, asked if there are plans for installing retaining walls on the slopes below his property. This embankment changes significantly each year from rains eroding the soil and exposing tree roots. He is concerned that the trees with exposed roots might be cut down as part of the project. However, the trees hold soil in place and provide privacy for his yard. Mayor Jewitt and TA Cowles replied that the Town may monitor the trees from year to year to ensure they are not at risk of falling, and attempt to stabilize the bank with matting and plantings.

CM Rasmussen suggested that the embankment might be stabilized by filling eroded areas around the trees with soil and building a retaining wall to hold it in place, instead of cutting the trees down. He believes the problem should be reframed as improving the path while preserving the trees. TA Cowles said when she, Director Hall and contractors discussed improvements to the path, they focused on the pavement. No cost estimates were obtained for stabilizing the banks, but it would likely drive the cost above the \$10,000 mark of the current estimate.

MPT Kulpa-Eddy said she has concerns that the solar lights might be stolen if they are simply staked into the ground. Further, a previous estimate for repaving this footpath and the 60<sup>th</sup> Avenue footpath along the school was \$3,000 for both. The new estimate of \$10,000 for paving just one path seems high. Regardless, the project should include restoration of the 60<sup>th</sup> Avenue footpath. TA Cowles replied that the proposed lights would be commercial solar lights and not easily removed. The current 58<sup>th</sup>

Avenue cost estimate includes stormwater drainage and restoring the disturbed banks. Mayor Jewitt summed up that additional proposals should look into refilling eroded areas with soil and installing retaining walls for stabilizing the banks.

***Town Council schedule:*** The Council reviewed the calendar. Pepco will hold a citizens' forum at the June 20 worksession to give residents the opportunity to ask questions about Pepco's tree trimming and removal plans in Berwyn Heights. Currently, Pepco has two projects in Town that proceed along power "feeder lines": 1) removal of trees in southeast section in accordance with plans approved by the Council in April; and 2) planning for the removal of trees in most of the remainder of the Town. Trees marked with blue dots are slated for removal. The Town or residents can object to removing particular trees marked with blue dots.

The Council will attend the MML convention from June 26-29. The volunteer appreciation dinner will be held on June 22, during which the renamed "Jean McConnell" Senior Center will be dedicated. A calendar showing important dates for the next four months should be part of the agenda packet.

***Citizen Comments:*** The Neighborhood Watch/Emergency Preparedness Committee recently met in the Senior Center because the G. Love Room had no air conditioning and asked about the status of this project. TA Cowles explained the planned HVAC system upgrade is delayed by a lengthy MSEC grant application process.

The Council made additional remarks. MPT Kulpa-Eddy asked if TA Cowles would look into the possibility of utilizing speed camera revenue for the renovation of the 58<sup>th</sup> and 60<sup>th</sup> Avenue footpaths. CM Rasmussen plans to check on how the Code Department is enforcing provisions on unregistered vehicles, accessory structures and bamboo containment added to the amended Clean Lot Ordinance.

The meeting was adjourned at 8:32 p.m.

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Kerstin Harper, Town Clerk