



Town of Berwyn Heights

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Minutes Worksession February 3, 2014

The meeting was called to order at 7:00 p.m. Present were Mayor Cheye Calvo, Mayor Pro Tem (MPT) James Wilkinson, and Councilmembers (CM) Rose Almoguera, Patricia Dennison and Jodie Kulpa-Eddy. Also present were Town Administrator (TA) Edward Murphy, Chief Kenneth Antolik, Clerk Kerstin Harper, Neighborhood Watch/ Emergency Preparedness (NW/EP) Chair Ron Shane, and Mike Attick.

1. Mayor

Announcements:

Calendar: The date for the next Four Cities meeting needs to be confirmed. On Good Friday Town offices are open 1/2 day.

Minutes: On a motion by CM Dennison and second by MPT Wilkinson, the January 27 worksession minutes were approved 5 to 0.

Department Reports: MPT Wilkinson reported that Public Works was busy preparing for a snow storm, which did not materialize, and then worked to catch up with trash collection. CM Kulpa-Eddy reported that she spoke with Peggy Higgins, Berwyn Heights' School Board member, at the legislative reception in Annapolis. She asked her where future students from the Greenbelt Station development would go to school. Ms. Higgins replied in an email, forwarded from CEO Maxwell, that the development sits on the border of Springhill Lake and Berwyn Heights Elementary School (BHES). While the school system assumes that Greenbelt Station will not have a significant impact on enrollment in the near term, the nearby schools are already over capacity, and resizing or relocation of special programs may be necessary. No formal strategy has yet been adopted to solve the issue. Mayor Calvo commented that the quoted state-rated capacity for BHES of 518 is incorrect. It should be 435.

CM Almoguera reported that the Administration Department is busy with budget preparations. The Town Bulletin lists 3 Playgroup play dates per week, but currently Playgroup only meets on Mondays at 10:30 a.m. in the Town Center. CM Dennison announced that School Board member Peggy Higgins will host a Town meeting for her constituents on February 12, 7:30 p.m. at Greenbelt Middle School. She also announced an upcoming Historical Committee Presidents' Day event and a new Game Night event.

Mayor Calvo reported that he, MPT Wilkinson and CMs Dennison, Kulpa-Eddy attended the Four Cities meeting in College Park last week, at which UMD President Loh was present. He resumed the conversation about collaborating more closely with the University's surrounding communities and may be in a better position now to launch specific initiatives. Loh also talked about plans to partner with Corcoran Gallery in opening an art gallery at the University, and possibly exhibit artworks in storage at National Archives II. MPT Wilkinson said he had a chance to ask President Loh about the proposed UMD golf course development, against which the Town Council had taken a stand. Loh maintained that the golf course development was raised at an Alumni meeting but was never a formal proposal. He said the media had blown the story out of proportion. The Four Cities are also continuing to work with DER on opening a second animal shelter to serve the Route 1 corridor communities.

In addition, a number of development updates were given at the Four Cities meeting. Prince George's County is apparently preparing a video to support the FBI headquarters relocation to Greenbelt Station, while a new contract has been issued to develop the parking lot and adjacent industrial properties across from College Park Station. The original plans for the East Campus development have been dropped but new plans are being drawn up, which include a four-star hotel and a business incubation zone. CM Kulpa-Eddy noted that support for volunteer fire departments was discussed as well. The possibility of receiving a tax differential from the County for the services rendered by the volunteer stations will be looked into by the City of New Carrollton.

Citizen comments: CM Dennison received a comment that a Berwyn Heights officer searched the home a resident of Marietta Lane. Mayor Calvo received a comment about 7 Eleven trash accumulating at the corner of 57th Avenue and Greenbelt Road. He wondered if Public Works could move a trash can to the My Eye Doctor location to reduce the trash on the ground. Mayor Calvo also noted that the Community Garden team met last Sunday morning to draft rules for the garden. They plan to make 23 plots available for renting within a month.

Mike Attick, 62nd Avenue, commented that the City of College Park gave its volunteer fire department \$43,000 last year and is helping pay for the debt service on a ladder truck they purchased. In light of the upcoming budget sessions, the Council may want to give consideration to increasing its annual contribution to the Berwyn Heights Volunteer Fire Department (BHVFD). They need a new ambulance, for example, as well as other things. Mayor Calvo said that the BHVFD was present to discuss their finances with Council in January. This is the first time, they have formally approached the Town and the Council will give their request consideration in the budget process.

Police budget request: Mayor Calvo welcomed Chief Antolik. Chief Antolik gave highlights of last year's Accomplishments. Upon the retirement of Corporal Bennett, the Department stepped up patrols and community engagement, resulting in a further reduction in serious crimes (Part I offenses). A Memorandum of Understanding for Mutual Police Assistance was signed with the City of Greenbelt and the Town of Edmonston. An emergency notification system for Berwyn Heights seniors and residents with special needs was implemented, and a traffic calming system for Indian Creek Park was adopted. The Department also secured another Secret Service grant to purchase police equipment and supplies.

Chief Antolik continued that the force increased issuance of citations for moving and parking violations despite being down one officer. Detective Unger and Officer Krouse completed the annual Joint

Terrorism Task Force training, and Officer Krouse graduated from the Drug Awareness, Resistance and Education (DARE) program. One of the Department's 2 public safety aides, Paul Persinger, passed the entrance exam for the Police Academy. Unfortunately, the Department has not been able to recruit new volunteer police aides among the Town's young people. It is difficult to find youths with a strong academic record who are also dedicated to serve.

Chief Antolik said that the significant budget items he is requesting include:

- \$33,900 - \$35,200 (including uplifting) for one new police cruiser. He recommends the somewhat more expensive Ford Interceptor over the Dodge Charger because it is more comfortable for larger officers. The next new vehicle will go to Officer Krouse, who would be cramped in the Dodge.
- \$3700 for 9 new all-metal Smith & Wesson handguns to replace the Beretta service pistols now in use. Beretta pistols have a plastic component, which is wearing out from frequent use in firearms training, and makes the weapon prone to malfunction. Officer Roberson last year had a misfire, which can cause serious injuries. Also needed are new holsters costing \$817 and magazine pouches costing \$230, bringing the total cost to \$4,730.
- \$1,700 for one Automatic External Defibrillator, to either place in the Senior Center or be taken along on patrols. He believes an AED is important because the Town has a very active Senior Club. The BHVFD, which also owns AEDs, would probably be first called when someone has a heart attack, but may not always be available to respond. There should be a backup, preferably at the Senior Center.
- \$13,870 to raise the shift differential from \$1.00 to \$2.00 per hour. The shift differential was instituted with BHPD in FY 2002 and has not been raised since. Shift differential compensates officers for working night shifts, or on weekends and holidays, which can result in sleep disorders and other health problems. If an eighth officer is reinstated, however, a shift differential of \$1.50 per hour is requested, a total of \$12,500 per year.
- \$3,475 for the promotion of one officer to corporal. This amounts to a 7% increase in salary, plus \$267 in FICA expenses.
- \$45,000 in salary for reinstating the 8th officer, plus \$3,400 in FICA.

In response to questions, Chief Antolik said that \$45,000 are requested to make the current part-time officer, who reviews speed camera citations, a full time officer. This would bring the department back to its old complement of 8 full time officers. In addition to his salary, which is partially funded from speed camera revenues, there are FICA costs of \$3,400. Not having the 8th officer has made it difficult to cover all shifts if an officer is sick or on vacation. Mayor Calvo noted that the budget currently funds the part time officer at 26 hours/week, 10 hours of which are funded from the speed camera reserve. He estimated that the remaining 14 hours needed to get to 40 hours/week would cost around \$13,500.

Asked to rank his funding priorities, Chief Antolik listed his priorities as follows: 1) replace the faulty firearms; 2) reinstate an 8th officer; 3) purchase an AED; 4) increase the shift differential and 5) reinstate a second corporal position.

The Council reviewed the actual expenditures for FY 2013 and FY 2014. Mayor Calvo noted that *Overtime* is projected to come in low at \$22,000 this year, repeating the similarly low expenses of FY 2013. However, the budgeted amount in FY 2015 is \$34,000. He asked why the *Overtime* expenditures have gone down and whether the *Overtime* line item can be reduced next year. Chief Antolik said he believes that some of the savings come from officers opting to get off early on Fridays in lieu of taking

overtime for court appearances. Mayor Calvo thought some savings could have resulted from not having had a full time 8th officer for a year, and from using the part time officer to cover vacations and sick leave, who does not get paid overtime. There may be enough savings to pay for the increase in shift differential and the promotion. He asked if Chief Antolik is comfortable with a cut in the *Overtime* appropriation. Chief Antolik said he believes \$22,000 covers the likely expenses for the rest of the year, but cautioned that Berwyn Heights Day and weather emergencies always lead to more use of overtime.

With respect to *Capital Outlays* < 500, this line item is over budget because Halloween promotional items were purchased, which should have come out of the public relations appropriation. For FY 2015, he is requesting \$1,200 for public relations. The request for *National Night Out* has also been increased \$1,100 to \$2,300 because donations have dropped off significantly. Mayor Calvo said that the Council supports this event and other outreach the Police undertakes. However, there should be a request form associated with it that explains the change and presents a plan for how this money will be spent. Conceivably, the National Night Out appropriation could be combined with other public relations expenditures so that money can be shifted around when needed.

MPT Wilkinson noted that the *Ammunitions* line item was not increased despite the proposed change to new handguns. Chief Antolik replied that the new guns will use the same ammunition. Other savings come from utilizing a shooting range where the officers can practice with lead ammunition. MPT Wilkinson further suggested that the purchase of an AED may not be needed if the Volunteer Fire Department has this equipment and would be first called for medical emergencies. Mike Attick commented that it would be good to have an AED at the Senior Center so that anyone with training can use it. The BHVFD may be out on a call when a senior needs assistance.

CM Almoguera sought clarification about the *Salary* request, which is lower than actual salary expenditures in FY 2014, despite the request to reinstate a full-time 8th officer. TA Murphy explained that the FY 2014 budget includes expenditures for 7 full time and 1 part-time officer and 1 clerk, while the FY 2015 request includes neither a part-time nor full time 8th officer. It does include one promotion to corporal and the COLA and merit increases awarded last fall.

In response to CM Dennison, Chief Antolik said the *Vehicle Maintenance & Repairs* line item has been broken out into 3 line items, adding a line for preventative maintenance and another for repairs. When totaled, the FY 2015 budget for Vehicle Maintenance & Repairs is slated for a \$1,000 increase. The police fleet currently has 13 vehicles, 2 of which will soon be surplus.

At 8:45 p.m., the Council took a 10 minute break.

Neighborhood Watch/ Emergency Preparedness budget request: Mayor Calvo welcomed NW/EP Co-Chair Ron Shane. Mr. Shane said that the NW/EP trailer will be a focus in FY 2015. It has to be checked out to get a better idea of what shape it is in. Repairs and maintenance is estimated to cost \$600. Another \$200 is budgeted for supplies, such as batteries and water; \$600 for promotional materials; \$400 for printing and mailing; \$750 for a new propane generator; and \$450 for incidental expenditures. For example, this year the NW/EP purchased a couple new radios to replace the older models that were not as effective as hoped.

In response to questions, Mr. Shane said a new trailer is likely to cost approximately \$5,000 - \$6,000. However, the Committee would prefer to get 2 smaller trailers instead of replacing the current large

trailer. The large trailer is difficult to move because a large Public Works truck is needed to pull it. A smaller trailer could be filled up with selected supplies, such as generators and power cords, if assistance with a power outage is needed, and hitched to any private pickup truck to get it on location. It would make transport faster and more flexible.

Mayor Calvo commented that having smaller trailers makes sense. He also encouraged the NW/EP to make long term plans to acquire equipment, vehicles and storage space that would best meet their needs. For example, storage space could become available if the Town were to acquire a permanent home for the Police Department. Mike Attick asked whether the NW/EP could use the Town's bus to move around equipment. Mayor Calvo said that, while the NW/EP is eligible to use the call-a-bus as a recognized Town organization, he is not sure the bus is suitable for moving generators from one place to another.

Parks & Recreation budget: CM Dennison presented the FY 2015 PRECA budget. After the installation of a new playground last year, no new equipment purchases are planned at Pop's Park, which is reflected in a 48% decline in the *equipment* line item. However, picnic tables may have to be replaced, which are covered by \$1,550 in the *maintenance & repairs* appropriation. A small increase of 8%, has been budgeted for the Historical Committee (BHHC) to cover increased costs of supplies and printing. The BHHC also requested that their events funds, which are administered by the Recreation Council, be returned to their budget. Funds of \$500 appropriated to the former *Media Center* have been transferred to the *Geraldine Love Room* line item. A new special events line item was created in the Public Works Department budget to purchase canopies and grills that previously was purchased with Recreation Council money. Lastly, \$1,000 was appropriated for a new *community garden* line item in the PRECA budget that will pay for expenditures related to getting the garden up and running.

Mayor Calvo summed up that \$1,150 from the equipment line was used to pay for increases in the BHHC and *community garden* appropriation, leaving the PRECA budget at the same level overall as last year. He questioned whether taking \$1,000 out of the *equipment* line is a good idea. This money may be needed for maintenance and improvements; such as picnic tables or bike racks. Mayor Calvo disagreed with the BHHC's request to return the events line item to their budget. He said the BHHC has benefited from events money being managed by the Recreation Council in that its event appropriation was increased from \$200 to \$400. Further, the appropriation for the Love Room should be moved from the PRECA budget to the Town Center budget, as the Love Room is part of the Town Center. PRECA's small budget should not be burdened with expenditures that may break the budget if a major repair has to be made. He feels the same way about the *tree service* line item, which should be combined with the *tree service* line item in the Public Works budget. In addition, the Council recently agreed to increase the *tree service* appropriation to deal with an aging stock of mature trees that needs more work.

MPT Wilkinson said there may not be enough money for mulch in the *supplies* line item. He thinks that the fall zone around the merry-go-round needs to be upgraded with more mulch and a border to confine it. In addition, he would like to add some kind of apparatus for older children because they do not have anything to play on now. CM Almoguera said that apparatus for older children will require more space because it requires a bigger fall zone. A plan should be made with the help of an expert as to what type of equipment to get and where to place it. She has already raised the concern with the Little Tykes vendor who installed the tot equipment.

Unified organizational structure: Mayor Calvo said, having reflected on the previous discussion, he

wants to assure the Council that he does not have a fixed vision of the future organization of the Town government. Rather, he would like the Council to discuss and find a structure that works best for the Town. Conceptually, he believes the Town would benefit from a greater unity of operations. One way to achieve this is to give the town administrator (TA) greater control over the departments. However, this does not mean that the Councilmember in charge of the Administration Department would be more powerful than all other Councilmembers, as CM Kulpa-Eddy feared. On the one hand, the TA functions as a department director for Administration, but in this position he is one among equals. On the other hand, the role of the TA is fundamentally different from the other department directors when he acts as an agent of the Council. As the Chief Administrative Officer (CAO) his principal job is to ensure that the will of the Council is carried out. However, currently he does not have sufficient authority to do that. This role is carried out by councilmembers who each supervise a department with varying success.

CM Kulpa-Eddy said the Maryland Municipal League (MML) advises that a municipality's organizational structure is normally defined by charter. She wondered whether Berwyn Heights' charter references the Town's organizational structure. Mayor Calvo replied it does not. Virtually all organizational matters are defined by Council Rule. CM Kulpa-Eddy suggested that the Town consult with its attorney to ensure that nothing is done to the organizational structure that conflicts with the mandates of the charter. TA Murphy said the Town Charter has a short provision on the role of the TA, sufficient for the International City Managers Association (ICMA) to recognize the Town as a general management community. He plans to inquire what this means.

Mayor Calvo read Section 7A of the Town Charter, which defines the role of the TA and the roles of other Town staff appointed by the Council. He said the Charter only establishes the Town Council as the Chief Executive Officer (CEO), which makes it weak mayor form of government. But it leaves most organizational details to be spelled out in ordinances and council rules. Councilmembers are free to consult with MML or the Town attorney about the Charter. However, he would encourage everyone to read the Charter again to see what it says about organization, as well as the council rules. This establishes the baseline by which to judge the significance of the change that is proposed. While he does not think the change is radical, he believes the Council needs to do a lot of work filling in the details. CM Kulpa-Eddy rightly pointed out that it will be difficult to define what is a policy matter, that would be decided by a councilmember/ department head, as opposed to an operational matter that would be decided by a department director and the TA. The more clarity the Council can provide on the system it will put in place or the system it will keep, will help any employees working within it.

Nothing was discussed under **2. Public Safety** and **3. Public Works**.

4. Administration

Bulletin cover: The following items were approved for the March Bulletin cover: spring theme; headlines for Town Council Candidate Filing Deadline, Game Night and Talent Show; jumps for community garden and others.

Personnel manual working rules: CM Almoguera said work rules refer to rules for employee conduct and are standard in most personnel manuals. She has put this section together using some material from the Berwyn Heights manual but most from other municipalities' manuals. She then organized the rules into 3 categories: 1) General Employee Conduct, 2) Use of Town Assets and 3) Conflicts of Interest. This is a first draft she would like councilmembers to first read and then make suggestions for improvement. She will send out an electronic copy to facilitate editing.

The meeting was adjourned at 10:08 p.m.

Signed: *Kerstin Harper, Town Clerk*