

# **Agenda**

## **Work Session**

### **April 3, 2017**

### **7:00 p.m.**

#### **1. Action Items**

- Replacement of totaled Police vehicle

#### **2. Discussion Items**

- Proposed Green Team Purchasing Policy
- FY 2018 proposed General Fund and Public Safety Taxing District budgets
- Four Cities agenda items
- MML conference plans:
  - Attendance
  - Guests
  - Tickets for PGCMA breakfast, Tuesday dinner, Wednesday BBQ

#### **3. Minutes**

- March 6 Work Session

#### **4. Announcements**

#### **5. Department Reports and Citizen Comments**

#### **6. Upcoming Town Council Schedule**

- April 12 Town Meeting (Budget Introduction), April 17 Work Session
- May 1 Work Session, May 10 Town Meeting (Budget Adoption), May 15 Work Session
- Berwyn Heights Day, May 6, 9:00 a.m. – 3 p.m.

#### **7. Executive Session**

*In accordance with State Law, an executive session is proposed to discuss a personnel matter regarding separated Town employees.*



## BERWYN HEIGHTS POLICE

UNCLASSIFIED LAW ENFORCEMENT SENSITIVE

**Chief Ken K. Antolik**

Chief@BerwynHeightsMD.gov

(301-) 474-6554

www.BerwynHeightsMD.gov

# Memo

**To:** Mayor C. Jewett  
**From:** Chief K. Antolik  
**CC:** Town Administrator J. Cowles  
**Date:** March 30, 2017  
**Re:** Replacement of a Police Vehicle [Departmental] CCN# 17-2762

17 MAR 30 AM 11:42

Please see the breakdown of cost for the replacement vehicle. The total cost is approximately \$32,204.28 prior to the \$13,400.00 reimbursement from LGIT. Please let me know if you need additional. The Town would be responsible for approximately \$18,804.28 out of \$32,204.28.

2015 Dodge Charger 4dr Police AWD	\$22,490.00
LGIT Insurance Cost	-\$13,400.00
<b>TOTAL for CAR after insurance</b>	<b>= \$9,090.00</b>
General Auto Body Paint Estimate	\$4,242.20
Sign by Tomorrow Decals	\$882.08
Whelen Lightbar	\$2,995.00
Uplifting Cost	\$ 1,595.00
<b>TOTAL for Paint/Decals/Lightbar</b>	<b>= \$9,714.28</b>
<b>TOTAL TOWN COST</b>	<b><u>\$18,804.28</u></b>

## **Berwyn Heights Green Purchasing Policy**

### **1. Purpose**

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The Town of Berwyn Heights recognizes its responsibility to minimize negative impacts on human health and the environment while supporting a diverse, equitable, and vibrant community and economy. The Town recognizes that the types of products and services the Town buys have inherent social, human health, environmental and economic impacts, and that the Town should make practical procurement decisions that embody the Town's commitment to sustainability whenever.

This Green Purchasing Policy is intended to:

- Identify those sustainability factors that shall be incorporated into procurement decisions;
- Provide implementation guidance;
- Empower employees to be innovative and demonstrate leadership by incorporating practical sustainability factors into procurement decisions;
- Communicate Town's commitment to sustainable procurement.

### **2. Policy**

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#### **2.1 General Policy Statement**

Town employees will procure materials, products or services in a manner that whenever possible integrates fiscal responsibility, performance requirements, social equity, and community/environmental stewardship. This policy is a tool to help take sustainability into consideration when making purchases. The policy is not intended to interrupt the efficiencies of the procurement process nor is it intended to prevent proceeding in the most fiscally prudent manner.

#### **2.2 Sustainability Factors**

Town employees will incorporate the following factors when writing specifications for, or procuring, materials, products, or services.

Environmental factors to be considered include, but are not limited to, the life cycle assessment of:

- Pollutant releases
- Toxicity, especially the use of persistent, bio-accumulative, and toxic (PBT) chemicals
- Waste generation
- Greenhouse gas emissions
- Energy consumption
- Depletion of natural resources
- Impacts on biodiversity

Social equity factors to be considered include, but are not limited to:

- Human health impacts
- Use of local businesses
- Use of State of Maryland Minority, Women, and Emerging Small Businesses

Fiscal Factors to be considered include, but are not limited to:

- Use reduction; buy only what you really need
- Product performance and quality
- Life-cycle cost assessment; reasonable total cost while meeting performance requirements
- Leveraging buying power
- Impact on staff time and labor
- Long-term financial/market changes

While not all factors will be incorporated into every purchase, it is the intent of this policy that Town employees will make a good faith effort to incorporate and balance these factors to the maximum extent possible.

### **2.3 Use of Best Practices**

Town employees will utilize best practices in sustainable procurement as they evolve. As it applies to this policy, best practices in sustainable procurement are those that utilize leading edge sustainability factors, standards, and procedures in an efficient and effective way that is successful and replicable.

### **2.4 Toxics in Products and Services**

Town employees will utilize the framework of the Precautionary Principle as a guide when evaluating the comparative toxicity of products and services.

### **2.5 Use of Social and Environmental Product or Service Labels**

Town employees are encouraged to use independent, third-party social and/or environmental (eco) product or service label standards when writing specifications for, or procuring materials, products, or services, so long as such labels:

- Were developed and awarded by an impartial third-party;
- Were developed in a public, transparent, and broad stakeholder process; and
- Represent specific and meaningful leadership criteria for that product or service category.

In addition, whenever possible, label standards used in product or service specifications should represent standards that take into account multiple attributes and life-cycle considerations, with claims verified by an independent third-party.

### **2.6 Town Code and State Law**

It is the intent of this policy to complement, but not supersede the Town code and State laws and regulations.

## **3. Implementation and Responsibilities**

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### **3.1 Product and Service Standards**

Town Senior Staff shall be responsible for:

- Ensuring Town staff utilize product and service standards and best practices that comply with this policy. Examples include, but are not limited to, standards for: minimum recycled content, energy efficiency, and prohibited toxic ingredients;
- Ensuring that when the need for developing a Town standard or best practice in sustainable procurement arises, the Town Administrator will participate and collaborate with other applicable Town staff so as to harmonize and continuously improve standards throughout the Town;
- Encouraging pilot testing for environmentally preferable/sustainable products; and
- Ensuring internal policies and procedures reference this policy and incorporate the use of sustainable products and services that meet the intent of this policy.

The Town Administrator shall be responsible for:

- Providing resources for assisting Town departments with standards and best practices in sustainable procurement.

### **3.2 Specifications and Contracts**

The Town Administrator shall be responsible for:

- Ensuring that specifications written by Town departments comply with this policy and incorporate sustainable procurement best practices.

The Town Administrator, assisted by staff, shall be responsible for:

- Ensuring purchasing manuals and other internal procedures reference this policy and incorporate best practices for specifying products and services that meet the intent of this policy;
- Ensuring that evaluation criteria for determining the responsibility of prospective contractors incorporate sustainability factors that meet the intent of this policy; and
- Developing and integrating sustainable procurement boilerplate language into solicitation document templates.

### **3.3 Education**

The Town Administrator, assisted by staff, shall be responsible for:

- Building awareness of this policy through information dissemination and incorporation into routine employee trainings;
- Encouraging employee attendance at internal and external trainings related to sustainability; and
- Encouraging the use of environmentally preferable/sustainable products and services through information dissemination, development of internal procedures, pilot testing, and leading by example.

The Town Administrator, assisted by staff, shall be responsible for:

- Developing employee sustainable procurement resources such as, but not limited to, standards, specifications, tools, and best practices;
- Developing buyer-specific training on sustainable procurement best practices that meet the intent of this policy;
- Developing buyer competency in communicating to other Town departments about this policy and opportunities for incorporating sustainable procurement best practices into solicitations and contracts;
- Developing inter-department communication about sustainable procurement best practices; and
- Taking the lead in communicating to existing and potential contractors and the public about this policy and related Town requirements.

### **3.4 Data Collection and Performance Reporting**

The Town shall be responsible for:

- Cooperating in gathering information for the purposes of tracking, reporting, and evaluating the Town's sustainable procurement activities and evaluating the effectiveness of this policy.
- Integrating department-specific sustainable procurement goals into Town's sustainability plans.
- Incorporating a progress report on sustainable procurement activities and the effectiveness of this policy as needed.

### **3.5 Resources**

The Town shall commit to providing the appropriate dedicated staff levels and related funding to support the implementation and coordination of this policy. This includes activities such as, but not limited to, employee training and resources, professional services, product/service pilot tests, and educational materials.

### **3.6 Policy Review**

The Town Administrator shall be responsible for periodically bringing together internal stakeholders to review this policy for updates or to otherwise determine whether this policy is in alignment with other Town sustainability efforts and policies.

DRAFT

## APPENDIX A: DEFINITIONS

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**“Biodiversity”**: the total diversity of all organisms and ecosystems at various spatial scales (genes, populations, species, ecosystems, and biomes). Biodiversity is often used as a measure of the health of biological systems.

**“Environmentally Preferable”**: products or services that have a lesser or reduced effect on human health and the environment when compared with competing products or services that serve the same purpose. This comparison may consider raw materials acquisition, production, manufacturing, packaging, distribution, reuse, operation, maintenance, or disposal of the product or service.

**“Life Cycle Assessment or Life Cycle Analysis (LCA)”**: the comprehensive examination of a product’s environmental and economic effects throughout its lifetime including new material extraction, transportation, manufacturing, use, and disposal.

**“Life Cycle Cost Assessment (LCCA)”**: the comprehensive accounting of the total cost of ownership, including initial costs, energy and operational costs, longevity and efficacy of service, and disposal costs.

**“Persistent, Bioaccumulative, and Toxic (PBT) Chemicals”**: chemicals that are toxic, persist in the environment, and bioaccumulate in food chains.

**“Precautionary Principle”**: a framework that guides decision makers to take anticipatory and protective measures when an activity raises threats of harm to human health or the environment, even if some cause and effect relationships are not fully established scientifically.

**“Sustainable Procurement”**: purchasing materials, products, and services in a manner that integrates fiscal responsibility, with performance requirements, social equity, and community and environmental stewardship.

**“Toxicity”**: the quality, relative degree, or specific degree of being toxic or poisonous.

## MEMORANDUM

**DATE:** March 31, 2017  
**TO:** Mayor and Town Council  
**FROM:** Jessica Cowles, Town Administrator  
**SUBJECT:** 3-25-17 Budget Work Session: Follow-up Questions

The following questions were posed at the March 25 Budget Work Session, and the answers and attachments are included as a response.

### Public Safety

1. What is the specific grade of the Officers' vests?

Level III - A vest is 8 to 10 mm (0.32 to 0.4 inches) thick. Heavier and stiffer than Level II-A and Level II vests, they are designed to stop heavier-grain bullets, such as those from a .44 magnum, and rapid-fire attack, such as from 9mm submachinegun. They are designed to handle minor combat situations but can still be worn under clothing or outside clothing.

2. What is the cost of lead versus lead-free (called frangible) ammunition? Please provide an example of how many times a weapon jams with the frangible ammunition, perhaps cite the number of times in an hour while at the range.

500 rounds / 1 case Frangible .223 55 Grain	\$389.90
500 rounds / 1 case Lead .223 55 Grain	\$235.99
<i>Difference of \$153.91</i>	

1000 rounds / 1 case Frangible .9mm 115 Grain	\$409.95
1000 rounds / 1 case Lead .9mm 115 Grain	\$259.95
<i>Difference of \$150</i>	

1000 rounds / 1 case Frangible .40 165 Grain	\$409.95
1000 rounds / 1 case Lead .40 165 Grain	\$259.95
<i>Difference of \$150</i>	

BHPD has used frangible ammunition in the past and the BHPD range master as well as officers find there are several malfunctions in about a dozen rounds. BHPD has tried different brands of frangible ammunition and had similar results of more malfunctions than ammunition containing lead. BHPD has put thousands of rounds of standard lead ammunition through its Department-issued weapons over the past several years without similar issues. The Chief reached out to other allied agencies and they report similar experiences with the frangible ammunition.

3. Provide a copy of the 2001 Police Department Feasibility Study.  
It was provided in a separate email.

4. Is there a copy of a study about the areas recommended for additional street lights?  
The study is attached.



5. What is the BHVFD annual budget?

The BHVFD annual budget is attached.

### **Public Works**

1. Are other communities interested in sharing a part-time arborist?

I spoke with the Managers in College Park, Greenbelt, Hyattsville, Riverdale Park, and University Park about this issue. The favored approach is to have a Town employee with an arborist certification on staff, usually in the Public Works Department. No community has a full-time arborist. The communities use a contract arborist for pruning and removal. Hyattsville is purchasing a bucket truck in 2017 and surrounding communities will be able to contract for use of the truck and crew for a fee where Hyattsville can recover the cost.

2. What is the history of the parking lot next to the T-ball field by Indian Creek Park?

The parking lot, T-ball field, and Indian Creek playground is all M-NCPPC property. Within the past ten years, the Town made an effort to stabilize the grass by installing netting; however, the netting is failing. The Town can reach out to M-NCPPC about what improvements M-NCPPC can make to the parking area.

3. Possible Town-provided recycling bins.

I spoke with the Managers in College Park, Greenbelt, Hyattsville, Riverdale Park, and University Park about this issue. Of the communities that provide in-house recycling collection, the community provides a wheeled recycling bin with a lid. Greenbelt phased the purchase of the new recycling containers in over five years to spread out the expenditure; however, some residents were unhappy about waiting five years to receive the new bin. University Park permitted residents to keep the older non-wheeled bin to use for yard waste.

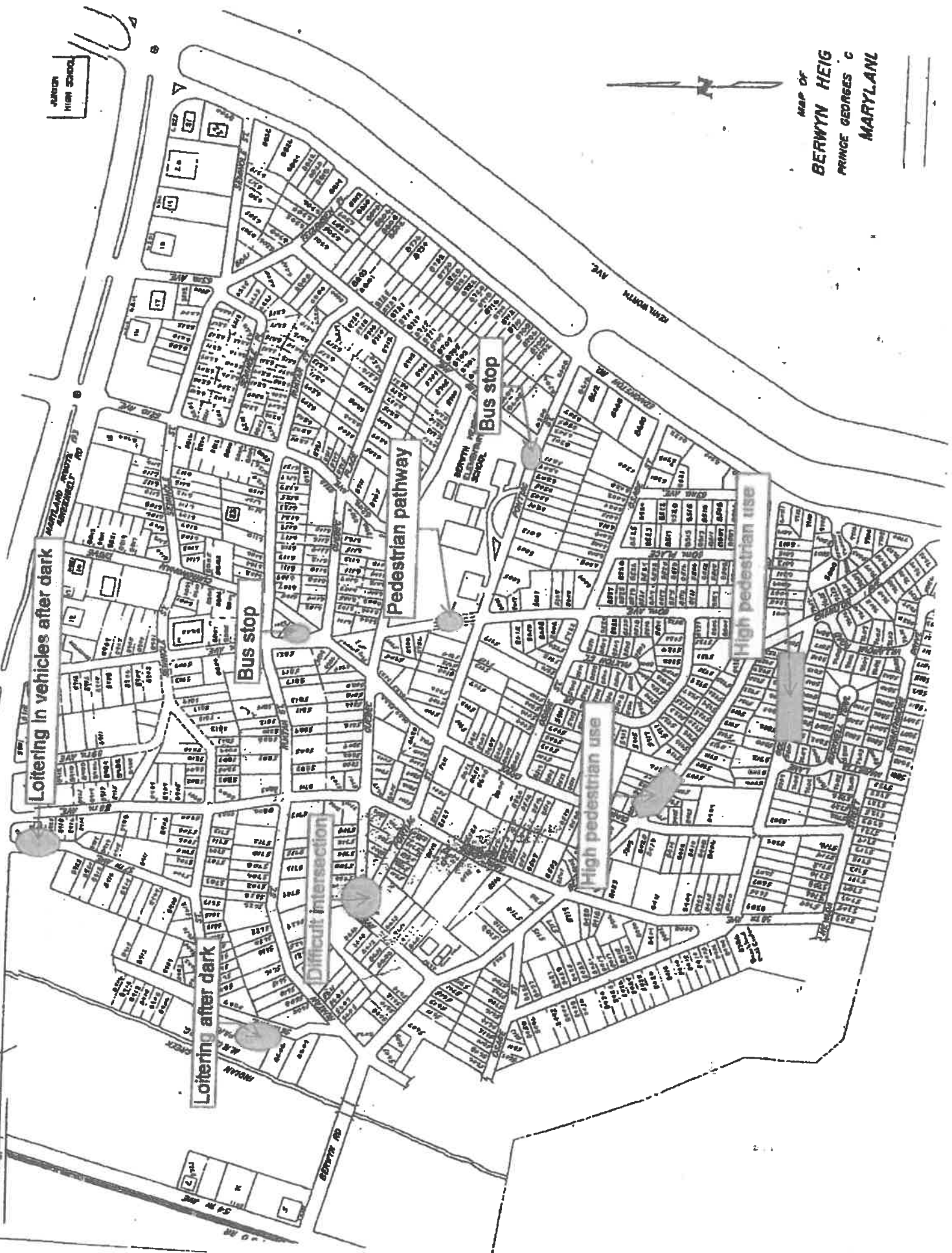
### **Pending Items**

- In the coming months, staff will explore the costs of additional street lighting as well as conversion to a more energy efficient model.
- Should there be a minimum time commitment to employment with the Town when the Town helps an employee obtain a CDL? How do other communities handle this issue? This will require further research and discussion. There is not a cost implication for the FY 2018 budget.
- Consideration of a performance management benchmarking effort to gauge comparison to other communities. There are a variety of different approaches and this will require further research and consideration in 2017.
- FY 2017 budget close-out and a determination if a budget amendment is needed.

MAP OF  
BERWYN HEIGHTS  
PRINCE GEORGES COUNTY  
MARYLAND



JAYCE  
HIGH SCHOOL



2:00 PM

03/30/17

Accrual Basis

**Berwyn Heights Volunteer Fire Dept & Rescue Squad Inc**  
**Profit & Loss**  
**July 2015 through June 2016**

	<u>Jul '15 - Jun 16</u>
<b>Income</b>	
Christmas Tree Sales	9,550.00
Contributions	111,858.34
Equipment Sales	700.00
Insurance Reimbursement	16,144.78
Real Estate Income	45,850.00
T Shirt Income	5,548.00
Vending Income	3,082.00
<b>Total Income</b>	<u>192,733.12</u>
<b>Gross Profit</b>	192,733.12
<b>Expense</b>	
Accounting	3,200.00
Apparatus & Vehicles	70,245.06
Awards	2,649.92
Bank Charges	74.00
Bella	161.94
Buildings & Grounds	65.27
Christmas Tree Expenses	5,745.00
Computers & Accessories	1,928.07
Dues & Publications	1,645.80
Fire House Utilities	9,727.60
Fire Prevention	560.00
Food	1,485.62
Fund Drive Expense	3,179.87
Good & Welfare	1,133.85
Insurance	9,460.93
Interest	17,027.05
MD Firemen's Convention	2,800.00
Penalty	40.00
Professional Services	12,120.00
Real Estate Expenses	24,590.58
Recruitment & Retention	3,000.00
Supplies	8,441.02
Training	3,790.00
Uniforms	10,600.99
<b>Total Expense</b>	<u>193,672.57</u>
<b>Net Income</b>	<u><u>-939.45</u></u>

Danny McCoy

### Real Property Tax Rates

<b>Fiscal Year</b>	<b><u>Residential</u> Real Property Tax Rate per \$100</b>	<b>Special Road Tax</b>	<b>Total Tax Rate</b>
2004	\$0.474		\$0.474
2005	\$0.486		\$0.486
2006	\$0.486		\$0.486
2007	\$0.486		\$0.486
2008	\$0.486		\$0.486
2009	\$0.486		\$0.486
2010	\$0.486		\$0.486
2011	\$0.486		\$0.486
2012	\$0.486	\$0.03	\$0.516
2013	\$0.486	\$0.03	\$0.516
2014	\$0.486	\$0.03	\$0.516
2015	\$0.50	\$0.03	\$0.53
2016	\$0.50	\$0.03	\$0.53
2017	\$0.50	\$0.03	\$0.53
2018 Proposed	\$0.50	\$0.03	\$0.53

<b>Fiscal Year</b>	<b><u>PSTD</u> (Commercial and Industrial) Real Property Tax Rate per \$100</b>	<b>Special Road Tax</b>	<b>Total Tax Rate</b>
2006	\$0.586		\$0.586
2007	\$0.586		\$0.586
2008	\$0.586		\$0.586
2009	\$0.586		\$0.586
2010	\$0.586		\$0.586
2011	\$0.586		\$0.586
2012	\$0.586	\$0.03	\$0.616
2013	\$0.586	\$0.03	\$0.616
2014	\$0.586	\$0.03	\$0.616
2015	\$0.60	\$0.03	\$0.63
2016	\$0.60	\$0.03	\$0.63
2017	\$0.60	\$0.03	\$0.63
2018 Proposed	\$0.62	\$0.03	\$0.65

# Memorandum

## Town Clerk

To: Town Council  
From: Kerstin Harper  
Date: March 31, 2017

**Re: MML convention registration**

This year the convention takes place June 25-28. Registration fees (early bird) are \$545, prior to April 17. Additional fees are charged to attend the Tuesday dinner, Seafood Buffet and PGCMA Breakfast. The cancelation deadline is on June 2.

Please let me know if you plan to:

- **Bring family members**
- **Attend the Tuesday Dinner**
- **Wednesday Seafood Buffet**
- **PGCMA Scholarship Breakfast**

Three rooms have been booked at the **Princess Bayside Hotel**.

# MML Summer Conference Registration Form June 25 - 28, 2017

Please print or type; use a separate form for each person.

Name \_\_\_\_\_ Nick Name \_\_\_\_\_  
Title \_\_\_\_\_  
Municipality, Agency or Company \_\_\_\_\_  
Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
E-mail \_\_\_\_\_ Phone ( \_\_\_\_\_ ) \_\_\_\_\_  
Spouse/Companion Name (First & Last) \_\_\_\_\_ Nick Name \_\_\_\_\_

Spouse/companion registration is restricted to persons who are not municipal or public officials, are not affiliated with any exhibitor, and would have no professional reason to attend the summer conference.

## Save \$50 on registration fees by registering on-line!

**Pre-Registration Fees** (includes 1 ticket to exhibit lunches.  
Guests need to purchase meal tickets separately, contact MML)

Postmark by  
April 17

April 18 - May 26

Amount

### 4-Day Registration Fee

City/Town Official/Employee	\$ 545	\$ 700	\$ _____
Other	\$ 705	\$ 900	\$ _____

### 1-Day Registration Fee – Circle One: Sun. Mon. Tues. Wed.

City/Town Official/Employee	\$ 430	\$ 540	\$ _____
Other	\$ 540	\$ 685	\$ _____

### Social Functions (purchase in addition to registration fee)

Dinner, Tues., 6/27/17 _____ each at	\$ 60	\$ 65	\$ _____
Children's Party, Tues. 6/27/17 _____ each at	\$ 17	\$ 19	\$ _____
List Children's ages (ages 3-12) _____			
BBQ & Picnic, Wed., 6/28/17			
Adult _____ each at	\$ 45	\$ 50	\$ _____
Children (ages 4-12) _____ each at	\$ 23	\$ 25	\$ _____
Jolly Roger Pass _____ each at	\$ 30	\$ 32	\$ _____

TOTAL \$ \_\_\_\_\_

**Deadline for any registration or meal ticket changes/cancellations is June 2.**

Payment must accompany registration form.

Method of Payment: ☐ Check enclosed payable to Maryland Municipal League ☐ AmEx/MasterCard/VISA/Discover

Expiration Date \_\_\_\_\_ Card Number \_\_\_\_\_ CVV code \_\_\_\_\_

Print Name as it Appears on Card \_\_\_\_\_

Card Holder's Signature \_\_\_\_\_ Phone ( \_\_\_\_\_ ) \_\_\_\_\_



If you have special needs, including dietary, please attach a separate sheet describing your requirements.

Effective May 27, higher on-site registration fees will apply.

Municipal 4-day \$715  
Other 4-day \$945  
Municipal 1-day \$545  
Other 1-day \$710

Return to: Maryland Municipal League, 1212 West Street, Annapolis, MD 21401.

Register on-line at [mdmunicipal.org](http://mdmunicipal.org) 410/268-5514 • E-mail: [registration@mdmunicipal.org](mailto:registration@mdmunicipal.org) No faxes.

Cancellation deadline (for refunds) is June 2, 2017. Cancellation fee: \$75.

After June 2, 2017 no money will be refunded.



Share what's happening with the world. Tweet about conference events using #MMLConference.

Municipal Maryland | March 2017 | 27

# Memorandum

Town Clerk

To: Town Council  
From: Kerstin Harper  
Date: March 31, 2017

Re: **April 26 Four Cities agenda items**

New Carrollton will be hosting the next 4 Cities meeting on Wednesday, April 26 at 7:30 pm.  
Agenda items are requested by April 17.

# Four Cities Coalition

Wednesday, January 25, 2017  
College Park City Hall – 2<sup>nd</sup> Floor Council Chambers  
4500 Knox Road, College Park  
7:30 p.m.

## AGENDA

### 1. Greenbelt:

- Introduction of Nicole Ard, Greenbelt City Manager
- Update from College Park on the RISE Zone
- Possible cancellation of RTA Route G that runs through College Park and Greenbelt
- Opposition to WMATA's plan to cancel bus route B30 (Greenbelt Station – BWI)

### 2. Presentation by Chad Williams, Project Manager, M-NCPPC, on the Prince George's County Zoning Rewrite

### 3. Presentation from Greenbelt Community Animal Response Team (CART)

### 4. Berwyn Heights:

- Discussion on ways to encourage Pepco to take more of a regional approach to its vegetation management program in light of an issue that occurred on State property at the municipal boundary of Berwyn Heights and Greenbelt

### 5. College Park:

- FCC filing regarding deployment of small cell infrastructure in municipalities
- Incorrect state allocations of fiscal reimbursements to municipalities
- Update from Greenbelt on the DSP for north core infrastructure

### 6. New Carrollton (none)







# Town of Berwyn Heights

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

## Draft Minutes Worksession March 6, 2017

### Executive Session (6:30 p.m. – 7:00 p.m.)

Citizen of the year selection

### Regular Meeting

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 Gerald Shields. Also present were Town Administrator (TA) Jessica Cowles, Clerk Kerstin Harper, Green Team members Amanda Dewey and Kayla Agonoy as well as Mike Attick.

#### 1. **Announcements**

Upcoming events include a March 18 St. Patrick's Day Potluck and a March 26 BHHC Spring Reception.

#### 2. **Minutes**

On a motion by CM Dennison and second by MPT Kulpa-Eddy, the February 6 worksession minutes were approved 5 to 0. The February 8 Town meeting minutes were distributed.

#### 3. **Department Reports/ Citizen Comments**

Mayor Jewitt reported that she walked through Berwyn Heights' industrial area along Branchville Road and Ballew Avenue with TA Cowles, who pointed out where the Town's boundary runs. Some properties need cleaning up but generally roads and sidewalks are in good shape and trees are healthy. Mayor Jewitt also attended the Green Team and NW/EP meetings. NW/EP's wine festival will be postponed and new ideas for Berwyn Heights Day are under consideration.

MPT Kulpa-Eddy reported that a new No U-Turn sign was installed on Pontiac Street to discourage parents from making a U-turn after dropping off their kids. She also announced a March 25 raingarden workshop at the Colmar Manor Community Center, and an April 1 rain barrel workshop in Greenbelt. Details will be posted at the Town website.

CM Rasmussen reported that he notified TA Cowles and Code Supervisor Glass about an overflowing trash can belonging to a business on 55<sup>th</sup> Avenue near Lake Artemesia. The Code Department will include the street in its patrols. Two residents have expressed an interest in serving on the Shade Tree Board.

TA Cowles explained that Pepco recently provided a revised tree replanting plan that takes into account the Town's request to include medium-size trees (50' to 60' tall at maturity) for replanting along Edmonston Road. Pepco plans to replant about 330 trees with 200 reserved for the Edmonston Road barrier. Evergreens are included among the new trees. To solicit input from residents, the plan will be posted to the website for 2 to 3 weeks to receive written, public comments until March 27 and suggestions incorporated into a final plan. It is hoped that planting can begin in early April. Tree replacements on private property will be replanted by Pepco with input from the property owner.

CM Dennison reported that Public Works continues to pick up trash and recycling. CM Shields reported that the citizen survey is progressing. He is utilizing a College Park survey as a template. In February, he notified the M-NCPPC Recreation Department about floating debris in Lake Artemesia and they have initiated a work order for cleanup.

**Citizen comments:** CM Shields received a comment on a problem rental on Cunningham Drive and 2 comments on the Rental Housing Ordinance. Mayor Jewitt also received comments on the Ordinance 120, which she will share during discussions of the Ordinance.

#### **4. Action Items**

There were none.

#### **5. Discussion Items**

**Green purchasing policy:** TA Cowles explained that the Green Team has submitted a green purchasing policy for the Council's consideration as part of a triennial re-certification requirement for the Sustainable Maryland, Certified program of which the Town is a member. She and all directors have reviewed the policy and their comments are included in the draft before the Council. The policy encourages, but does not require Town staff to take sustainability criteria into account when making purchases. Criteria include a number of environmental impact and social equity factors.

Green Team members Kayla Agonoy and Amanda Dewey were present to provide details on the proposed green purchasing policy. Ms. Agonoy said that Berwyn Heights was first certified as a sustainable community in 2014. Recertification is due at the end of June. To become recertified the Town needs to complete 2 out of 8 priority action items, of which a Green Purchasing Policy is one. The policy aims to direct purchasing towards products and services that have a lesser or reduced effect on human health and the environment than comparable products and services; however, the policy is not intended to interrupt the efficiencies of the Town's procurement process or prevent making fiscally prudent decisions. The Green Team can advise the Town on available green products and services.

Ms. Agonoy continued that the Green Purchasing Policy is one of the least expensive action items to implement. For purposes of Sustainable Maryland recertification, the policy must be formally adopted by the Town Council and distributed to all purchasing personnel. The Town must submit documentation of the adoption of the policy and distribution to staff.

In response to Councilmembers questions, Ms. Agonoy said that in some cases good alternative green products may not be available. The policy would focus on products and services where green products are available. Criteria for meeting the green label can include in less toxicity, energy efficiency, manufacturing and transportation costs, and waste reduction. TA Cowles said that the Town already considers environmental impact and energy efficiency when making purchasing decisions. Recently, brighter and more energy efficient LED lights were installed in the Public Works building, and more

energy efficient A/C units were purchased for the Town Center. The Council expressed some concern about including local businesses and social equity factors among the criteria for green purchasing. Amanda Dewey replied that social equity and environmental impact are often inter-related. She recommends not separating social equity factors from the policy. The Council agreed to review the policy at the next worksession and consider adopting a resolution at the April 12 Town meeting.

***FY 2018 Proposed Budget:*** TA Cowles referred the Council to a FY 2018 budget binder that contains detailed budget information. She then gave an overview of the FY 2018 budget. The FY 20 budget is in the 2<sup>nd</sup> year of the triennial reassessments and is projected to increase by 4.79% over the FY 2017 budget. A projected 1% increase in revenues enables the Town to finance all its FY 2018 operating needs without dipping into prior year's unrestricted fund balance, or surplus, as was done during the recession.

#### Revenues

**Taxes:** An overall increase in revenues of 1% is projected, due in large part to an estimated 8% increase in real property taxes. It is recommended to waive the constant yield tax rate and keep the real property tax rate at the current levels of \$0.50 per \$100 of assessed value, plus a \$0.03 road tax. The increased real estate tax revenues are needed to make up for a shortfall in income tax revenues of approximately \$40,000 compared to prior years, in which the Town was overpaid due to an error by the State Comptroller. Personal property taxes are also projected to decline due to fewer businesses being subject to the tax and delinquencies. The PPT rates remain unchanged at \$1.25 per \$100 of assessed value, plus 75 cents for infrastructure improvements.

**Licenses and Permits:** The FY 2018 budget projects an increase of 3.4% or \$4,600 in receipts from licenses and permits, due in part to increases in building and dumpster permits. Another \$1,000 increase in business license fees is attributed to stepped up enforcement of non-compliance. Rental license fees have decreased as more homes are converting to owner-occupied residences.

**Intergovernmental Revenues:** Police aid is level-funded at \$51,400, and HUR may see a slight decrease of 4%, or \$105,500, based on MML projections. The State Assembly has not appropriated these funds yet.

**Fines & Forfeitures:** This revenue source is projected to be \$95,000 for all fines. This reflects a 5% decrease over FY 2017 due mostly to a decline in code fines, which is attributed to greater compliance.

**Reserves and Fund Balance:** A total of \$50,000 is appropriated from the fund balance or surplus to fund items identified as priorities in the Council's strategic plan.

**Expenditures** Operating expenses have been held close to last year's levels.

**Salaries:** The largest increase is in salary line items, due to the FY 2017 3% Cost of Living Adjustment (COLA), and bringing certain positions up to the minimum pay of the new pay plan. Additionally, funds for a 1% COLA and 2% merit increase are proposed in FY 2018, as well as a \$4,000 stipend for a Parks & Recreation assistant. It is proposed to fund a portion of the Town Clerk's salary from the cable budget for time spent operating the Town's cable TV channels and live streaming. The salary of the cable TV operator is also funded from this budget.

**Health Insurance:** The Town is in the first year of having signed up with the LGIT health insurance program. LGIT actuaries project an 8% increase in the program, which includes 2 additional employees in FY 2018 as well as a higher ratio of family to single employee plans. It is proposed to increase the employee contribution for a family plan from 15% to 20% to offset a part of the increase in cost. LGIT may issue a refund to the Town if plan usage is less than actuarial projections.

**Capital Projects:** It is proposed to fund several studies to move forward with some of the priorities in the Council's strategic plan. This includes \$20,000 from Highway User Revenues (HUR) for a road study; \$40,000 from the Greenbelt Station reserve for an architectural study of the Town Center complex to find a long-term solution for housing the Police Department; \$30,000 from the Greenbelt Station reserve to fund an economic development study; \$50,000 total from the fund balance for 1) Town facilities security improvements; and 2) \$25,000 for implementing the recommendations of the FY 2016 tree inventory assessment.

Additional projects are funded from dedicated reserves, including \$40,000 from the Public Safety Reserve for a new police vehicle, and \$30,000 from the Vehicle Replacement Reserve for a hybrid vehicle for the Administration Department. The Town has applied for, and is waiting to hear if a \$15,000 Smart Energy Communities grant will be awarded to purchase the hybrid car. An all-electric vehicle might be an option if the Washington Council of Governments (COG) makes available funds for charging infrastructure. Overall, the Town's reserves are very healthy, with \$2.7 million in restricted reserves, and just under \$800,000 in the unrestricted fund balance after all expenses are deducted.

In response to Council questions, TA Cowles said that the Town could review economic development initiatives in neighboring cities to get ideas for what might work in Berwyn Heights. The City of Greenbelt has recently completed economic development studies, which generated ideas for improving the business climate. An economic development consultant will be better able to identify the right kind of initiatives for Berwyn Heights. The FY 2016 audit has information about the current fund balances, but does not specify applicable restrictions. Speed camera receipts can be used to finance capital as well as operational public safety expenditures. The 3 months operating reserve may have to be increased as the overall operating budget increases. TA Cowles will provide more information on reserves at the upcoming budget workshop, as well as an estimate of the total amount of money due the Town in liens from delinquent properties.

**Public Safety Taxing District (PSTD) budget:** TA Cowles explained that the Town levies a special tax on commercial and industrial properties in Town to fund an additional police officer. Historically, this has been the Detective, who investigates crimes affecting businesses. The special tax is \$0.10 per \$100 of assessed real property and \$0.15 per \$100 of assessed personal property. Revenues are projected to go up by 2% in FY 2018. The increase is not sufficient to cover the salary of the police detective, and \$10,000 is proposed be taken from the PSTD reserve.

TA Cowles said, going forward, the Council must decide whether to increase the tax rates or fund a lower-paid officer position from this revenue stream. If considering to raise the PSTD tax rates, she would recommend reaching out to Town businesses and explaining how the revenue is used. This is consistent with the Council priority of improving relations with the commercial district and the Commercial District Management Authority (CDMA). For comparison, she will seek to obtain information on special tax rates other municipalities in the area may levy on businesses.

**FY 2018 municipal tax differential:** TA Cowles explained that the Town has received a notice from the Prince George's County Finance Office regarding the Town's tax differential, a tax credit for services provided by a municipality. This year, the Town did not receive credit for Public Works and Police vehicle purchases. The reason given was that the vehicle purchases are not financed with loans but paid for with cash. This conforms with the County's budget manual, which allows a tax differential only for vehicle debt. Berwyn Heights is joining with other Prince George's communities, notably Greenbelt, which also pay cash for vehicles, to try to change the County's policy; however, this effort may not affect this year's tax differential decisions. On the positive side, the Town was able to contest the tax

differential for police services, and raise the rate from 60% to 80% by providing proof of all the creditable police services it provides.

Mayor Jewitt thanked TA Cowles for pursuing the tax differential with the County. MPT Kulpa-Eddy said, at the County Executive's listening session in February, Greenbelt and Bladensburg raised the issue and were informed that the policy would be changed. A work study group is to be set up to examine the tax differential policy on vehicle purchases. TA Cowles will try find out if the Town would receive additional credit for vehicle purchases. Mayor Jewitt volunteered to participate in the study group.

***Town organizations:*** Mayor Jewitt said that CM Shields is working on a survey of Town organizations, their structure and their relationship to the Town. Depending on whether they are categorized as a Town-appointed committee, club or 501(c)(3), they may have different privileges and obligations. One area of concern is about the use of the official Town seal and stationary by Town organizations on their Facebook pages and other social media. The Council may want to think about the process by which an organization is officially recognized by the Town, may represent the Town in an official capacity, use Town facilities for free, gets free publicity in the Town Bulletin and/or is covered by the Town's insurance, etc.

CM Rasmussen said currently there is a mish-mash of organizations and little information about their bylaws and history. He sees a need for a formal framework governing the Town's relationships with Town organizations, which would form the basis for assigning funding and privileges. CM Shields said that he used the Bulletin to locate and survey Town organizations. He had a good response to his inquiries about how they are run and what they need from the Town. He will provide a chart at the next worksession. He will also share a Neighborhood Watch/ Emergency Preparedness social media policy he is in the process of drafting with Mike Attick.

***Ordinance 120 – Rental Housing:*** TA Cowles highlighted the changes made since the last review of Ordinance 120. They include new language in Section 13 regarding the interpretation and waiver recommended by the Town Attorney; change in the title of Section 14 to "Severability," deletion of definitions in Section 2 that are no longer used in the Ordinance, revision of the definition of rental unit, review of the usage of "tenant" and "occupant," and extension of the Ordinance's effective date to 60 days. In addition, the Council agreed to delete the definition for "rubbish."

The Council discussed recently received citizen comments on Ordinance 120. They include comments opposing deletion of the owner-plus-one exemption; requiring an agent if the property owner lives more than 50 miles from his rental property; requesting clarification about the roles of a property operator versus an agent and whether the Town would cover the cost of hiring an agent.

CM Shields stated that he continues to support retaining the exemption from a license requirement for renting to just one tenant in an owner-occupied home (owner-plus-one), while charging a de minimis fee. MPT Kulpa-Eddy said the key question is how to best determine whether the property owner lives at home he or she is renting; this is what causes difficulties for the Code Department and is the reason why the change to the Ordinance was made. CM Rasmussen said he supports the license requirement for owner-plus-one rentals because it ensures that they comply with the latest health and safety regulations.

MPT Kulpa-Eddy asked how many resident home owners would be affected by abolishing the owner-

plus-one exemption. TA Cowles said the Code Department does not have firm numbers, but there are several cases where home owners claim the exemption but are suspected of living elsewhere. CM Shields said that requiring proof of residence, such as a driver's license or homestead exemption, would solve this difficulty. After further discussion, the Council agreed that an owner-plus-one rental, where money or other compensation is required, is a business activity which the Town has an interest in regulating.

CM Rasmussen moved the Council go forward with adopting Ordinance 120, including all revisions made to date, at the upcoming Town Meeting. CM Shields seconded out of respect for the Council's hard work. The motion passed 4 to 1, with CM Shields opposed.

#### **Town Council Schedule**

The Council reviewed the calendar for the upcoming month. No changes were made.

The meeting was adjourned at 9:42 p.m.

Signed: