



# Town of Berwyn Heights

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## Minutes Town Meeting September 10, 2014

The meeting was called to order at 8:00 p.m. Present were Mayor Pro Tem (MPT) Kulpa-Eddy, CMs, Rasmussen and Schreiber. Mayor Calvo and CM Dennison had an excused absence. Also present were Town Administrator (TA) Murphy, Officer Roberson, Treasurer Lape, Clerk Harper and citizens.

MPT Kulpa-Eddy led the Pledge of Allegiance. Then she announced that Mayor Calvo, CM Dennison and Chief Antolik are attending a reception for former Mayor Love's retirement and will be late.

### 1. Minutes

Clerk Harper read a summary of the August 13 Town meeting minutes. On a motion by CM Schreiber and second by CM Rasmussen, the minutes were approved 3 to 0.

### 2. Treasurer's Report

Treasurer Lape gave the Treasurer's report for the month of August.

### 3. Mayor's Report

Postponed until the expected arrival of Mayor Calvo.

### 4. Department Reports

**Administration:** MPT Kulpa-Eddy reported that the Town has received the permits for the priority 1 sidewalks and the emergency generators. With the approval of the Berwyn Presbyterian Church easement agreement, on the agenda tonight, the 63rd Avenue sidewalks project can also move forward. Bidding for these projects is expected to open by the end of September. The Administration Department is also working with the auditors to complete the FY 2014 audit.

**Code Compliance:** CM Rasmussen reported that earlier tonight, he and MPT Kulpa-Eddy attended Hello Huskies Night at Berwyn Heights Elementary School and he joined the PTA. Hello Huskies is a great event, with the Police, Volunteer Fire Department and many Town organizations represented.

In code news, the Department has eliminated a backlog in rental inspections and is in the process of hiring a part time code officer to assist with rental inspections until officer Charles Hall is able to return to work. At the last worksession, the Council approved a new egress window regulation, drafted by Code Supervisor Simpson and TA Murphy. The Department is now working with rental home owners to bring all basement apartments into compliance with the regulation. Further, Mr. Simpson is researching code tracking software and will provide recommendations at the next worksession.

CM Rasmussen continued that the Council has begun to review *Ordinance 107 - Clean Lot* to address the issue of vacant homes, abandoned vehicles, repeat violations and invasive species. A review of *Ordinance 122 - Urban Forest* is also on the table to find ways to protect the Town's tree canopy, comprising both trees on private and public property.

Further, CM Rasmussen reported that he signed off on 6 permits relating to the installation of solar panels on home owners' roofs. The cost of County and Town permits is between \$200 and \$300 each. In response to MPT Kulpa-Eddy, CM Rasmussen confirmed that the egress window compliance initiative only applies to rental homes, although all home owners are technically required to ensure that basement sleeping quarters have a secondary exit in case of an emergency.

**Parks and Recreation, Education and Civic Affairs:** Postponed until the expected arrival of CM Dennison.

**Public Health and Safety:** Officer Roberson gave the police activities report, as Chief Antolik attended another event. There were 4 Part I offenses in August, bringing the year-to-date total to 44. The officers issued 209 infractions and 171 speed camera citations, of which 167 were issued on Greenbelt Road. The Department is vetting candidates for a vacancy left by Officer Thompson's resignation. Officer Roberson also reported that the police assisted with a Health Fair last Saturday, and are getting ready for this year's Halloween events.

MPT Kulpa-Eddy asked if Officer Roberson can provide any insight into why the police had roped off the southbound lanes of Kenilworth Avenue last Wednesday night. Officer Roberson thought this was because a mother and her child were hit near Kenilworth Avenue in Riverdale last Monday. MPT Kulpa-Eddy said she had heard that Kenilworth was closed because a car veered off the road at the intersection of Old Calvert Road.

**Public Works:** CM Schreiber said that Mayor Calvo sent a message to say that he and CM Dennison will not make the meeting and the Council should proceed with the adoption of the ordinances and resolutions as planned.

In Public Works news, CM Schreiber said a dump truck scheduled for replacement this year was involved in an accident. One employee was slightly injured and transported to the hospital. The other employee was fine. Director Lockley ordered a new set of recycling bins. Residents are encouraged to recycle because the Town can earn money from recycling, while saving money on landfill tipping fees.

As Mayor Calvo and CM Dennison will not be present, MPT Kulpa-Eddy announced upcoming events and noted that the Council spent 2 days in late August interviewing candidates for town administrator. An offer was made and the Council is waiting for the candidate's response.

## **5. Committee Reports**

**Green Team:** TA Murphy reported that the Green Team earned their Sustainable Maryland certification. CM Schreiber and Rasmussen, who are attending the MML fall conference, will be present for the awards ceremony on September 12.

**Historical Committee:** No report.

**Neighborhood Watch/Emergency Preparedness:** MPT Kulpa-Eddy reported that a Health and Wellness Fair took place last Saturday and went off without a hitch. Hot weather kept attendance down. But vendors, County agencies and Town organizations were represented and offered free massages, do-it-yourself smoothies and demonstrated safety equipment and techniques. Further, NW/EP will join the police on patrols around the school on September 11, and publish a survey on emergency preparedness in the October Bulletin, which will also be available online. Residents are requested to respond by December 1.

**Recreation Council:** No report.

## **6. Unfinished Business**

**Ordinance No. 168 - 2nd Reading and Adoption of Comcast Franchise Agreement Extension:** Clerk Harper read a summary of the Ordinance. MPT Kulpa-Eddy explained that this Ordinance extends the current franchise agreement with Comcast until a new agreement has been negotiated. Ongoing negotiations have been slow, as Comcast is focused on a merger with Time Warner Communications. The franchise agreement permits Comcast to use the Town's right-of-ways to transmit their TV, internet and telephone services to local customers. Comcast pays the Town a franchise fee of 5% and a PEG fee of 3% for the privilege. CM Schreiber moved and CM Rasmussen seconded to adopt the Agreement. The motion was adopted in a 3 to 0 vote.

## **7. New Business**

**Resolution 10-2104 - Berwyn Presbyterian Church Temporary Grading Easement:** Clerk Harper read a summary of the Resolution. MPT Kulpa-Eddy explained that the Town received a *Safe Routes to School* grant to build a sidewalk in the 8900 block of 63rd Avenue, alongside the Berwyn Presbyterian Church property. In order to construct the sidewalk, an easement from the Church is needed to grade and reseed the ground adjacent to the sidewalk. This Resolution approves the easement agreement between the Church and the Town.

CM Rasmussen moved and CM Schreiber seconded to adopt the agreement. CM Rasmussen thanked Mayor Calvo and TA Murphy for spending a great deal of time on completing the grant requirements in what should have been a fairly simple administrative process. He also thanked the Church for granting the easement so that the sidewalks can be built. The Resolution was adopted in a 3 to 0 vote.

**Ordinance 167-A - 1st Reading and Introduction of FY 2015 Budget Amendment:** MPT Kulpa-Eddy explained that this Ordinance amends the FY 2015 budget to approve expenditures not anticipated when the budget was adopted in May 2014. One such expenditure is \$80,000 in

matching funds for the installation of emergency generators, originally budgeted for FY 2014 but shifted to FY 2015, when the permits for the generators were delayed.

TA Murphy clarified that the next version of the budget amendment will also show the revenue offset of \$160,000 in the form of a bond bill. The amendment further provides for higher than budgeted salaries for the new town administrator and code supervisor, as well as expenditures for an electronic code tracking system. Lastly, the amendments include additional funds for the future replacement of the Four Cities street sweeper. Other changes might be added before the 2nd Reading in October. CM Rasmussen asked if this means that the amendments will have to be re-introduced. TA Murphy replied that is not the case. The Ordinance would be adopted as amended.

TA Murphy further noted Town Attorney Shay ruled that all budgets must be adopted by ordinance. However, this Ordinance begins a proposed new numbering system to avoid using at least 3 new numbers for budget adoption each year. He proposes that henceforth ordinances adopting the annual general fund budget be numbered as Ordinance 165-A,B,C...etc, using letters of the alphabet in sequential order; ordinances adopting the Public Safety Taxing District budget be numbered Ordinance 166-A,B,C...; and ordinances adopting budget amendments to the general fund budget be numbered Ordinance 167-A,B,C.... MPT Kulpa-Eddy said the Council may want to discuss what happens after all letters of the alphabet have been used.

CM Rasmussen moved to introduce the Ordinance. CM Schreiber seconded. The motion was approved in a 3 to 0 vote.

## **8. Citizens Discussion**

MPT Kulpa-Eddy read a letter by former Councilmember Rose Almoguera thanking Mike Attick and MPT Kulpa-Eddy as well as the NW/EP and Prince George's County for sponsoring a CPR class. Many parents and caregivers of the Berwyn Heights Playgroup, Boys & Girls Club and Karate Club participated. They thought the workshop was great.

The meeting was adjourned at 9:00 p.m.

Signed: *Kerstin Harper, Town Clerk*